

JOURNAL OF THE SENATE

Sixtieth Legislative Assembly

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Bismarck, February 8, 2007

The Senate convened at 12:30 p.m., with President Dalrymple presiding.

The prayer was offered by Pastor Greg Runyon, Church of Acts, Mandan.

The roll was called and all members were present except Senators Fischer and Heckaman.

A quorum was declared by the President.

MOTION

SEN. CHRISTMANN MOVED that SB 2208 be moved to the bottom of the Sixth order, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2172: SEN. TRIPLETT (Finance and Taxation Committee) MOVED that the amendments on SJ page 348 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2174: SEN. HEITKAMP (Industry, Business and Labor Committee) MOVED that the amendments on SJ page 348 be adopted and then be placed on the Eleventh order **WITHOUT RECOMMENDATION**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2268: SEN. KLEIN (Industry, Business and Labor Committee) MOVED that the amendments on SJ pages 349-352 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2245: SEN. COOK (Finance and Taxation Committee) MOVED that the amendments on SJ page 348 be adopted with **DO PASS**, which motion prevailed.

ANNOUNCEMENT

PRESIDENT DALRYMPLE ANNOUNCED that Engrossed SB 2245 will be rereferred to the Appropriations Committee.

CONSIDERATION OF AMENDMENTS

SB 2294: SEN. BEHM (Industry, Business and Labor Committee) MOVED that the amendments on SJ page 352 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2359: SEN. ERBELE (Human Services Committee) MOVED that the amendments on SJ pages 352-353 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SCR 4017: SEN. DEVER (Human Services Committee) MOVED that the amendments on SJ page 353 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2208: SEN. COOK (Finance and Taxation Committee) MOVED that the amendments on SJ page 328 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion failed.

MOTION

SEN. CHRISTMANN MOVED that SB 2208 be placed on the Eleventh order for immediate second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2208: A BILL for an Act to amend and reenact subdivision b of subsection 15 of section 57-02-08 of the North Dakota Century Code, relating to the farm home property tax exemption when a disaster declaration is in effect; and to provide an effective date.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 2 YEAS, 44 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Krauter; Marcellais

NAYS: Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Nelson; Nething; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjerm; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Heckaman

SB 2208 lost.

SECOND READING OF SENATE BILL

SB 2350: A BILL for an Act to create and enact a new chapter to title 41 of the North Dakota Century Code, relating to filing fraudulent and harassing financing statement records; and to provide a penalty.

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: Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjerm; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Heckaman; Tallackson

Engrossed SB 2350 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2358: A BILL for an Act to amend and reenact section 23-07.7-01 of the North Dakota Century Code, relating to court-ordered testing of a sexual offender for human immunodeficiency virus; 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 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjerm; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Heckaman; Tallackson

Engrossed SB 2358 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2366: A BILL for an Act to amend and reenact sections 14-15-17 and 14-15-18 of the North Dakota Century Code, relating to a foreign decree of adoption and an application for a new birth record; 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 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjerm; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Heckaman; Tallackson

Engrossed SB 2366 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4019: A concurrent resolution urging Congress to reauthorize the state children's health insurance program.

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

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

SECOND READING OF SENATE BILL

SB 2164: A BILL for an Act to create and enact a new section to chapter 23-12 of the North Dakota Century Code, relating to the posting of no smoking signs; and to amend and reenact sections 23-12-09 and 23-12-10 of the North Dakota Century Code, relating to smoke-free environments.

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 15 YEAS, 30 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Andrist; Bakke; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Kilzer; Lindaas; Mathern; Nelson; Pomeroy; Robinson; Seymour; Triplett

NAYS: Anderson; Behm; Bowman; Christmann; Cook; Dever; Erbele; Hacker; Heitkamp; Holmberg; Horne; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lyson; Marcellais; Nething; O'Connell; Oehlke; Olafson; Potter; Stenehjerm; Taylor; Tollefson; Urlacher; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Heckaman; Tallackson

SB 2164 lost.

SECOND READING OF SENATE BILL

SB 2267: A BILL for an Act to amend and reenact subsection 3 of section 34-12-01 of the North Dakota Century Code, relating to the definition of employer for labor-management relations purposes.

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 14 YEAS, 31 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; Behm; Fiebiger; Heitkamp; Horne; Mathern; Nelson; O'Connell; Pomeroy; Potter; Seymour; Triplett; Warner

NAYS: Andrist; Bowman; Christmann; Cook; Dever; Erbele; Fischer; Flakoll; Freborg; Grindberg; Hacker; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Nething; Oehlke; Olafson; Robinson; Stenehjerm; Taylor; Tollefson; Urlacher; Wanzek; Wardner

ABSENT AND NOT VOTING: Heckaman; Tallackson

SB 2267 lost.

SECOND READING OF SENATE BILL

SB 2273: A BILL for an Act to amend and reenact sections 23-11-11, 23-11-20, and 23-11-21 and subsection 3 of section 23-11-24 of the North Dakota Century Code, relating to housing authorities.

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 42 YEAS, 3 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Taylor; Tollefson; Triplett; Wanzek; Wardner; Warner

NAYS: Cook; Stenehjerm; Urlacher

ABSENT AND NOT VOTING: Heckaman; Tallackson

Engrossed SB 2273 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2305: A BILL for an Act to amend and reenact section 24-05-10 of the North Dakota Century Code, relating to the membership of a special board to fix damages in county highway right of way condemnations.

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

YEAS: Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjerm; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Heckaman; Tallackson

SB 2305 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2297: A BILL for an Act to amend and reenact section 65-05-28 of the North Dakota Century Code, relating to workers' compensation independent medical examinations.

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 10 YEAS, 35 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Behm; Heitkamp; Horne; Krauter; Mathern; O'Connell; Pomeroy; Potter; Taylor; Warner

NAYS: Anderson; Andrist; Bakke; Bowman; Christmann; Cook; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Holmberg; Kilzer; Klein; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Nelson; Nething; Oehlke; Olafson; Robinson; Seymour; Stenehjerm; Tollefson; Triplett; Urlacher; Wanzek; Wardner

ABSENT AND NOT VOTING: Heckaman; Tallackson

SB 2297 lost.

SECOND READING OF SENATE BILL

SB 2352: A BILL for an Act to provide for limitations on tattooing and body piercing of minors; and to provide a penalty.

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: Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjerm; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Heckaman; Tallackson

Engrossed SB 2352 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2372: 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 classroom supplies purchased by a teacher; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 13 YEAS, 32 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Bakke; Fiebiger; Heitkamp; Horne; Krauter; Marcellais; Mathern; Nelson; O'Connell; Potter; Robinson; Seymour; Taylor

NAYS: Anderson; Andrist; Behm; Bowman; Christmann; Cook; Dever; Erbele; Fischer; Flakoll; Freborg; Grindberg; Hacker; Holmberg; Kilzer; Klein; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Nething; Oehlke; Olafson; Pomeroy; Stenehjerm; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Heckaman; Tallackson

Engrossed SB 2372 lost.

SECOND READING OF SENATE BILL

SB 2375: A BILL for an Act to amend and reenact sections 39-01-16, 39-02-03.1, 39-06-34, 39-06.1-11, 39-06.2-10.6, 39-06.2-10.7, and 39-06.2-10.8, subsection 1 of section 39-20-03.1, section 39-20-03.2, subsection 1 of section 39-20-04, sections 39-20-05 and 39-20-06, and subsection 1 of section 54-57-03 of the North Dakota Century Code, relating to the transfer of administrative hearings from the department of transportation to the office of administrative hearings.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and is PLACED ON THE CALENDAR WITHOUT RECOMMENDATION, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjem; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Heckaman; Tallackson

Engrossed SB 2375 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2378: A BILL for an Act to amend and reenact section 29-06-05.2 of the North Dakota Century Code, relating to the authority of a federal law enforcement agent to make an arrest for a violation of state law.

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: Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjem; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Heckaman; Tallackson

Engrossed SB 2378 passed and the title was agreed to.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4009: A concurrent resolution to create and enact a new section to article XI of the Constitution of North Dakota, relating to the ethanol content of gasoline and the biodiesel content of diesel fuel.

ROLL CALL

The question being on the final adoption of the amended resolution, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 5 YEAS, 40 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Behm; Heitkamp; Horne; Mathern; O'Connell

NAYS: Anderson; Andrist; Bakke; Bowman; Christmann; Cook; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Nelson; Nething; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjem; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Heckaman; Tallackson

Engrossed SCR 4009 was declared lost.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4020: A concurrent resolution directing the Legislative Council to study the regulation of and consumer protection for timeshare agreements.

REQUEST

SEN. J. LEE REQUESTED a verification vote on SCR 4020, which request was granted.

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

SCR 4020 was declared adopted, and the title was agreed to on a verification vote.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4021: A concurrent resolution directing the Legislative Council to study the income tax laws, with emphasis on adjustments necessary to minimize or negate the impact to any taxpayer of establishing a single, uniform income tax return for all individuals.

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

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

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 2046, SB 2060, SB 2121, SB 2169, SB 2196, SB 2212, SB 2213, SB 2232, SB 2237, SB 2241, SB 2263, SB 2287, SB 2309, SB 2315, SB 2317, SB 2329, SB 2336, SB 2343, SB 2357, SB 2364, SCR 4011, SCR 4018.

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 2255, SB 2390.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)

MR. PRESIDENT: The House has passed and your favorable consideration is requested on: HB 1037, HB 1064, HB 1088, HB 1147, HB 1452, HB 1482, HB 1500.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)

MR. PRESIDENT: The House has passed, the emergency clause carried, and your favorable consideration is requested on: HB 1417.

MOTION

SEN. CHRISTMANN MOVED that the absent members be excused, which motion prevailed.

MOTION

SEN. CHRISTMANN MOVED that the Senate be on the Fourth, Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 12:30 p.m., Friday, February 9, 2007, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2138: Judiciary Committee (Sen. Nething, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2138 was placed on the Sixth order on the calendar.

Page 1, line 1, after "Act" insert "to create and enact a new section to chapter 12.1-31 of the North Dakota Century Code, relating to false representation of marital status;"

Page 1, line 2, remove "and"

Page 1, line 3, after "arrangements" insert "; and to provide a penalty"

Page 1, after line 5, insert:

"SECTION 1. A new section to chapter 12.1-31 of the North Dakota Century Code is created and enacted as follows:

False representation of marital status. An individual is guilty of a class B misdemeanor if the individual lives openly and notoriously with an individual of the opposite sex as a married couple without being married to the other individual and falsely represents the couple's status as being married to each other."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2141: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2141 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2153: Judiciary Committee (Sen. Nething, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2153 was placed on the Sixth order on the calendar.

Page 10, remove lines 23 and 24

Page 10, line 25, replace "c." with "b."

Page 10, line 26, replace "d." with "c."

Page 13, line 21, after the underscored period insert "The secretary of state may destroy a statement provided for in this section after the statement has been on file for six years."

Page 17, line 9, remove the overstrike over "~~agent~~"

Page 29, line 18, overstrike "upon the occurrence of either of these"

Page 29, line 19, overstrike "events" and insert immediately thereafter "if"

Page 47, line 19, overstrike "upon the occurrence of either"

Page 47, line 20, overstrike "of these events" and insert immediately thereafter "if"

Page 54, line 28, after "10-01.1" insert ", and if a noncommercial registered agent, then the address of the noncommercial registered agent in this state"

Page 77, line 20, overstrike "upon the occurrence of either of"

Page 77, line 21, overstrike "these events" and insert immediately thereafter "if"

Page 93, line 23, overstrike "upon the occurrence of any of these events" and insert immediately thereafter "if"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2178: Finance and Taxation Committee (Sen. Urlacher, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2178 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "subsection" with "subsections" and after "2" insert "and 3"

Page 1, line 2, remove "an"

Page 1, line 5, replace "Subsection" with "Subsections" and after "2" insert "and 3"

Page 1, line 6, replace "is" with "are"

Page 1, line 20, remove the overstrike over "~~three~~", remove "~~eight~~", and after "year" insert "; however, a county may receive up to eight million nine hundred thousand dollars under this subdivision for each fiscal year if during that fiscal year the county levies a total of at least ten mills for combined levies for county road and bridge, farm-to-market and federal-aid road, and county road purposes. Any amount received by a county exceeding three million nine hundred thousand dollars under this subdivision is not subject to allocation under subsection 3 but must be credited by the county treasurer sixty percent to the county general fund, ten percent to school districts within the county on the basis of average daily attendance, and thirty percent to incorporated cities of the county based upon population"

Page 1, line 22, remove the overstrike over "~~four~~" and remove "nine"

Page 1, line 23, after "year" insert "; however, a county may receive up to nine million one hundred thousand dollars under this subdivision for each fiscal year if during that fiscal year the county levies a total of at least ten mills for combined levies for county road and bridge, farm-to-market and federal-aid road, and county road purposes. Any amount received by a county exceeding four million one hundred thousand dollars under this subdivision is not subject to allocation under subsection 3 but must be"

credited by the county treasurer sixty percent to the county general fund, ten percent to school districts within the county on the basis of average daily attendance, and thirty percent to incorporated cities of the county based upon population"

Page 2, line 2, remove the overstrike over "~~four~~", remove "nine", and after "year" insert "however, a county may receive up to nine million six hundred thousand dollars under this subdivision for each fiscal year if during that fiscal year the county levies a total of ten mills or more for combined levies for county road and bridge, farm-to-market and federal-aid road, and county road purposes. Any amount received by a county exceeding four million six hundred thousand dollars under this subdivision is not subject to allocation under subsection 3 but must be credited by the county treasurer sixty percent to the county general fund, ten percent to school districts within the county on the basis of average daily attendance, and thirty percent to incorporated cities of the county based upon population"

Page 2, after line 5, insert:

"3. Forty-five percent of all revenues as may by the legislative assembly be allocated to any county hereunder must be credited by the county treasurer to the county general fund. Thirty-five percent of all revenues allocated to any county must be apportioned by the county treasurer no less than quarterly to school districts within the county on the average daily attendance distribution basis, as certified to the county treasurer by the county superintendent of schools. However, no school district may receive in any single academic year an amount under this subsection greater than the county average per student cost multiplied by seventy percent, then multiplied by the number of students in average daily attendance or the number of children of school age in the school census for the county, whichever is greater. Provided, however, that in any county in which the average daily attendance or the school census, whichever is greater, is fewer than four hundred, the county is entitled to one hundred twenty percent of the county average per student cost multiplied by the number of students in average daily attendance or the number of children of school age in the school census for the county, whichever is greater. Once this level has been reached through distributions under this subsection, all excess funds to which the school district would be entitled as part of its thirty-five percent share must be deposited instead in the county general fund. The county superintendent of schools of each oil-producing county shall certify to the county treasurer by July first of each year the amount to which each school district is limited pursuant to this subsection. As used in this subsection, "average daily attendance" means the average daily attendance for the school year immediately preceding the certification by the county superintendent of schools required by this subsection. Twenty percent of all revenues allocated to any county hereunder must be paid no less than quarterly by the state treasurer to the incorporated cities of the county based upon the population of each incorporated city according to the last official decennial federal census. ~~However, no city may receive in any fiscal year an amount under this subsection greater than five hundred dollars per capita.~~ Once this level has been reached through distributions under this subsection, all excess funds to which any city would be entitled except for this limitation must be deposited instead in that county's general fund. Provided, however, that in determining the population of any city in which total employment increases by more than two hundred percent seasonally due to tourism, the population of that city for purposes of determining the per capita limitation in this section must be increased by adding to the population of the city as determined by the last official decennial federal census a number to be determined as follows:

- a. Seasonal employees of state and federal tourist facilities within five miles [8.05 kilometers] of the city must be included by adding the months all such employees were employed during the prior year and dividing by twelve.
- b. Seasonal employees of all private tourist facilities within the city and seasonal employees employed by the city must be included by adding the months all such employees were employed during the prior year and dividing by twelve.
- c. The number of visitors to the tourist attraction within the city or within five miles [8.05 kilometers] of the city which draws the largest number

of visitors annually must be included by taking the smaller of either of the following:

- (1) The total number of visitors to that tourist attraction the prior year divided by three hundred sixty-five; or
- (2) Four hundred twenty."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2206: Judiciary Committee (Sen. Nething, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2206 was placed on the Sixth order on the calendar.

Page 1, line 9, after "a" insert "class A misdemeanor for a first offense and a" and after "felony" insert "for a second or subsequent offense"

Page 1, line 11, after "another" insert "for the purpose of deceiving others as to the animal's ownership"

Page 1, line 14, after "~~misdemeanor~~" insert "for the purpose of deceiving others as to the animal's ownership"

Page 2, line 26, overstrike "B" and after "~~misdemeanor~~" insert "C"

Page 3, line 1, replace "willfully" with "knowingly"

Page 3, line 14, replace "B" with "C"

Page 3, line 23, after the period insert "This subsection does not apply to a person that:

- a. Removes cattle, horses, or mules from this state to obtain for the animals medical treatment by a licensed veterinarian; or
- b. Moves cattle, horses, or mules from this state to a bordering state in accordance with a reciprocal grazing agreement between the state brand inspector and an authorized agency of the bordering state."

Page 3, line 31, remove the overstrike over "G" and remove "B"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2238: Government and Veterans Affairs Committee (Sen. Dever, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2238 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2239: Government and Veterans Affairs Committee (Sen. Dever, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2239 was placed on the Sixth order on the calendar.

Page 2, line 1, overstrike "~~Before delivering any paper ballot to an elector, the inspector or judge shall initial~~"

Page 2, overstrike lines 2 and 3

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2258: Appropriations Committee (Sen. Holmberg, Chairman) recommends **BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2258 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2261: Judiciary Committee (Sen. Nething, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2261 was placed on the Sixth order on the calendar.

Page 1, line 2, after "prosecution" insert "or defense"

Page 1, line 9, replace "The" with "If an adjudicative proceeding results in a finding of violation of this title, the"

Page 1, line 10, remove "found as a result of an adjudicative proceeding to be in"

Page 1, line 11, remove "violation of this title" and after the underscored period insert "If an adjudicative proceeding results in a finding of no violation of this title, the licensed retailer is entitled to costs of the case from the local governing body or the attorney general, as is appropriate."

Page 1, line 13, replace "local governing body or the attorney general" with "party" and replace "their" with "the party's"

Page 1, line 14, after "prosecution" insert "or defense"

Page 1, line 16, replace "of a violation of this title but" with "in a hearing under section 5-02-10 and"

Page 1, line 18, after "license" insert "if that is the case" and replace "local governing body or the attorney general" with "party entitled to costs of the case"

Page 1, line 19, replace "licensed retailer" with "other party"

Page 1, line 20, replace "licensed retailer" with "other party"

Page 1, line 21, replace "licensed retailer" with "other party" and replace "local governing body or the" with "party seeking costs of the case"

Page 1, line 22, remove "attorney general"

Page 1, line 24, replace "licensed retailer" with "other party"

Page 2, line 1, replace "local governing" with "party seeking costs of the case is entitled to the lowest amount of each cost as determined by each party. The party seeking costs of the case may seek disputed costs through a civil action in district court."

Page 2, remove line 2

Page 2, line 3, remove "suspending, revoking, or otherwise taking adverse action against the"

Page 2, remove line 4

Page 2, line 5, remove "general" and remove "that"

Page 2, line 6, replace "licensed retailer pay the" with "payment of" and after "case" insert ". If the costs of the case are to be paid by the licensed retailer, the hearing official shall require payment"

Page 2, line 17, overstrike "specifically setting forth such" and insert immediately thereafter "of facts constituting the"

Page 2, line 18, overstrike "such" and insert immediately thereafter "the"

Page 2, line 19, overstrike "such" and insert immediately thereafter "the"

Page 2, line 20, overstrike "any such" and insert immediately thereafter "the"

Page 2, line 25, overstrike the first "such" and insert immediately thereafter "the", overstrike "A" and insert immediately thereafter "The person holding the hearing shall", and overstrike "of such hearings will be made" and insert immediately thereafter "the hearing"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2286: Judiciary Committee (Sen. Nething, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2286 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2298: Finance and Taxation Committee (Sen. Urlacher, Chairman) recommends **DO PASS** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). SB 2298 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2303: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2303 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2308: Judiciary Committee (Sen. Nething, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2308 was placed on the Sixth order on the calendar.

Page 1, line 12, replace "or when the principal retains the capacity to make" with ", unless otherwise specified in the"

Page 1, line 13, replace "decisions" with "directive"

Page 2, line 3, remove "for a principal in the case of lack of capacity to make health"

Page 2, line 4, remove "care decisions"

Page 2, line 9, after "4." insert "Notwithstanding subsection 3, the principal may authorize in a health care directive that the agent make health care decisions for the principal even though the principal retains capacity to make health care decisions. In that case, the health care directive is in effect as stated in the health care directive under any conditions the principal may impose. The principal's authorization under this subsection may be revoked in the same manner as a health care directive may be revoked under section 23-06.5-07.

5."

Page 2, line 12, overstrike "5." and insert immediately thereafter "6."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2337: Transportation Committee (Sen. G. Lee, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2337 was placed on the Sixth order on the calendar.

Page 1, replace line 12, with "unless:

- (1) The licensee is accompanied by an individual at least twenty-one years of age;
- (2) The licensee is driving between the licensee's residence and a school activity; or
- (3) The licensee is driving between the licensee's residence and the licensee's place of employment."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2397: Finance and Taxation Committee (Sen. Urlacher, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2397 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "section" with "sections" and after "57-51.1-02" insert ", 57-51.1-03, and 57-51.1-03.1"

Page 1, line 2, after "rates" insert ", exemptions, and rate reductions"

Page 1, line 10, replace "January" with "July"

Page 1, line 14, replace "4" with "3"

Page 1, remove lines 15 through 19

Page 1, line 20, replace "3." with "2." and replace "December 31" with "June 30"

Page 1, line 22, replace "4" with "3"

Page 2, line 1, replace "4." with "3."

Page 2, line 2, after "exempt" insert "or subject to a reduced tax rate"

Page 2, line 11, after "exempt" insert "or subject to a reduced tax rate"

Page 2, line 14, after "exempt" insert "or subject to a reduced tax rate"

Page 2, line 15, replace "5." with "4."

Page 2, line 18, remove ", five and one-half percent for wells subject to subsection 2."

Page 2, line 19, replace "3" with "2"

Page 2, line 24, replace "4" with "3"

Page 2, after line 24, insert:

"SECTION 2. AMENDMENT. Section 57-51.1-03 of the North Dakota Century Code is amended and reenacted as follows:

57-51.1-03. Exemptions from oil extraction tax and rate reductions. The following activities are specifically exempted from, or subject to a reduced rate under, the oil extraction tax:

1. The activity of extracting from the earth any oil that is exempt from the gross production tax imposed by chapter 57-51.
2. The activity of extracting from the earth any oil from a stripper well property.
3. For a well drilled and completed as a vertical well before July 1, 2008, the initial production of oil from the well is exempt from any taxes imposed under this chapter for a period of fifteen months, except that oil produced from any well drilled and completed as a horizontal well is exempt from any taxes imposed under this chapter for a period of twenty-four months.

For a well drilled and completed as a vertical well after June 30, 2008, the initial production of oil from the well is subject to a tax of two percent of the gross value at the well of the oil extracted for a period of fifteen months, except that oil produced from any well drilled and completed as a horizontal well after June 30, 2008, is subject to a tax of two percent of the gross value at the well of the oil extracted for a period of twenty-four months.

Oil recovered during testing prior to well completion is exempt from the oil extraction tax. The exemption or rate reduction under this subsection becomes ineffective if the average price of a barrel of crude oil exceeds the trigger price for each month in any consecutive five-month period. However, the exemption or rate reduction is reinstated if, after the trigger provision becomes effective, the average price of a barrel of crude oil is less than the trigger price for each month in any consecutive five-month period.

4. The production of oil from a qualifying well that was worked over is exempt from any taxes imposed under this chapter for a period of twelve months,

beginning with the first day of the third calendar month after the completion of the work-over project.

The exemption provided by this subsection is only effective if the well operator establishes to the satisfaction of the industrial commission upon completion of the project that the cost of the project exceeded sixty-five thousand dollars or production is increased at least fifty percent during the first two months after completion of the project. A qualifying well under this subsection is a well with an average daily production of no more than fifty barrels of oil during the latest six calendar months of continuous production. A work-over project under this subsection means the continuous employment of a work-over rig, including recompletions and reentries. The exemption provided by this subsection becomes ineffective if the average price of a barrel of crude oil exceeds the trigger price for each month in any consecutive five-month period. However, the exemption is reinstated if, after the trigger provision becomes effective, the average price of a barrel of crude oil is less than the trigger price for each month in any consecutive five-month period.

5.
 - a. The incremental production from a secondary recovery project which has been certified as a qualified project by the industrial commission after July 1, 1991, is exempt from any taxes imposed under this chapter for a period of five years from the date the incremental production begins.
 - b. The incremental production from a tertiary recovery project which has been certified as a qualified project by the industrial commission subsequent to June 30, 1991, is exempt from any taxes imposed under this chapter for a period of ten years from the date the incremental production begins.
 - c. For purposes of this subsection, incremental production is defined in the following manner:
 - (1) For purposes of determining the exemption provided for in subdivision a and with respect to a unit where there has not been a secondary recovery project, incremental production means the difference between the total amount of oil produced from the unit during the secondary recovery project and the amount of primary production from the unit. For purposes of this paragraph, primary production means the amount of oil which would have been produced from the unit if the secondary recovery project had not been commenced. The industrial commission shall determine the amount of primary production in a manner which conforms to the practice and procedure used by the commission at the time the project is certified.
 - (2) For purposes of determining the exemption provided for in subdivision a and with respect to a unit where a secondary recovery project was in existence prior to July 1, 1991, and where the industrial commission cannot establish an accurate production decline curve, incremental production means the difference between the total amount of oil produced from the unit during a new secondary recovery project and the amount of production which would be equivalent to the average monthly production from the unit during the most recent twelve months of normal production reduced by a production decline rate of ten percent for each year. The industrial commission shall determine the average monthly production from the unit during the most recent twelve months of normal production and must upon request or upon its own motion hold a hearing to make this determination. For purposes of this paragraph, when determining the most recent twelve months of normal production the industrial commission is not required to use twelve consecutive months. In addition, the production decline rate of ten percent must be applied from the last month in the twelve-month period of time.
 - (3) For purposes of determining the exemption provided for in subdivision a and with respect to a unit where a secondary

recovery project was in existence before July 1, 1991, and where the industrial commission can establish an accurate production decline curve, incremental production means the difference between the total amount of oil produced from the unit during the new secondary recovery project and the total amount of oil that would have been produced from the unit if the new secondary recovery project had not been commenced. For purposes of this paragraph, the total amount of oil that would have been produced from the unit if the new secondary recovery project had not been commenced includes both primary production and production that occurred as a result of the secondary recovery project that was in existence before July 1, 1991. The industrial commission shall determine the amount of oil that would have been produced from the unit if the new secondary recovery project had not been commenced in a manner that conforms to the practice and procedure used by the commission at the time the new secondary recovery project is certified.

- (4) For purposes of determining the exemption provided for in subdivision b and with respect to a unit where there has not been a secondary recovery project, incremental production means the difference between the total amount of oil produced from the unit during the tertiary recovery project and the amount of primary production from the unit. For purposes of this paragraph, primary production means the amount of oil which would have been produced from the unit if the tertiary recovery project had not been commenced. The industrial commission shall determine the amount of primary production in a manner which conforms to the practice and procedure used by the commission at the time the project is certified.
- (5) For purposes of determining the exemption provided for in subdivision b and with respect to a unit where there is or has been a secondary recovery project, incremental production means the difference between the total amount of oil produced during the tertiary recovery project and the amount of production which would be equivalent to the average monthly production from the unit during the most recent twelve months of normal production reduced by a production decline rate of ten percent for each year. The industrial commission shall determine the average monthly production from the unit during the most recent twelve months of normal production and must upon request or upon its own motion hold a hearing to make this determination. For purposes of this paragraph, when determining the most recent twelve months of normal production the industrial commission is not required to use twelve consecutive months. In addition, the production decline rate of ten percent must be applied from the last month in the twelve-month period of time.
- (6) For purposes of determining the exemption provided for in subdivision b and with respect to a unit where there is or has been a secondary recovery project and where the industrial commission can establish an accurate production decline curve, incremental production means the difference between the total amount of oil produced from the unit during the tertiary recovery project and the total amount of oil that would have been produced from the unit if the tertiary recovery project had not been commenced. For purposes of this paragraph, the total amount of oil that would have been produced from the unit if the tertiary recovery project had not been commenced includes both primary production and production that occurred as a result of any secondary recovery project. The industrial commission shall determine the amount of oil that would have been produced from the unit if the tertiary recovery project had not been commenced in a manner that conforms to the practice and procedure used by the commission at the time the tertiary recovery project is certified.

- d. The industrial commission shall adopt rules relating to this exemption that must include procedures for determining incremental production as defined in subdivision c.
6. The production of oil from a two-year inactive well, as determined by the industrial commission and certified to the state tax commissioner, is exempt for a period of ten years after the date of receipt of the certification.

The exemption under this subsection becomes ineffective if the average price of a barrel of crude oil exceeds the trigger price for each month in any consecutive five-month period. However, the exemption is reinstated if, after the trigger provision becomes effective, the average price of a barrel of crude oil is less than the trigger price for each month in any consecutive five-month period.

7. The production of oil from a horizontal reentry well, as determined by the industrial commission and certified to the state tax commissioner, is exempt for a period of nine months after the date the well is completed as a horizontal well.

The exemption under this subsection becomes ineffective if the average price of a barrel of crude oil exceeds the trigger price for each month in any consecutive five-month period. However, the exemption is reinstated if, after the trigger provision becomes effective, the average price of a barrel of crude oil is less than the trigger price for each month in any consecutive five-month period.

8. The initial production of oil from a well is exempt from any taxes imposed under this chapter for a period of sixty months if:
 - a. The well is located within the boundaries of an Indian reservation;
 - b. The well is drilled and completed on lands held in trust by the United States for an Indian tribe or individual Indian; or
 - c. The well is drilled and completed on lands held by an Indian tribe if the interest is in existence on August 1, 1997.

SECTION 3. AMENDMENT. Section 57-51.1-03.1 of the North Dakota Century Code is amended and reenacted as follows:

57-51.1-03.1. Stripper well, new well, work-over, and secondary or tertiary project certification for tax exemption or rate reduction - Filing requirement. To receive the benefits of a tax exemption or tax rate reduction, a certification of qualifying well status prepared by the industrial commission must be submitted to the tax commissioner as follows:

1. To receive, from the first day of eligibility, a tax exemption on production from a stripper well property under subsection 2 of section 57-51.1-03, the industrial commission's certification must be submitted to the tax commissioner within eighteen months after the end of the stripper well property's qualification period.
2. To receive, from the first day of eligibility, a tax exemption or rate reduction under subsection 3 of section 57-51.1-03 and a rate reduction on production from a new well under section 57-51.1-02, the industrial commission's certification must be submitted to the tax commissioner within eighteen months after a new well is completed.
3. To receive, from the first day of eligibility, a tax exemption under subsection 4 of section 57-51.1-03 and a rate reduction for a work-over well under section 57-51.1-02, the industrial commission's certification must be submitted to the tax commissioner within eighteen months after the work-over project is completed.
4. To receive, from the first day of eligibility, a tax exemption under subsection 5 of section 57-51.1-03 and a tax rate reduction under section 57-51.1-02 on production from a secondary or tertiary project, the industrial commission's certification must be submitted to the tax commissioner within the following time periods:

- a. For a tax exemption, within eighteen months after the month in which the first incremental oil was produced.
 - b. For a tax rate reduction, within eighteen months after the end of the period qualifying the project for the rate reduction.
5. To receive, from the first day of eligibility, a tax exemption or the reduction on production for which any other tax exemption or rate reduction may apply, the industrial commission's certification must be submitted to the tax commissioner within eighteen months of the completion, recompletion, or other qualifying date.
 6. To receive, from the first day of eligibility, a tax exemption under subsection 6 of section 57-51.1-03 on production from a two-year inactive well, the industrial commission's certification must be submitted to the tax commissioner within eighteen months after the end of the two-year inactive well's qualification period.

If the industrial commission's certification is not submitted to the tax commissioner within the eighteen-month period provided in this section, then the exemption or rate reduction does not apply for the production periods in which the certification is not on file with the tax commissioner. When the industrial commission's certification is submitted to the tax commissioner after the eighteen-month period, the tax exemption or rate reduction applies to prospective production periods only and the exemption or rate reduction is effective the first day of the month in which the certification is received by the tax commissioner."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2405: Transportation Committee (Sen. G. Lee, Chairman) recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2405 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2415: Judiciary Committee (Sen. Nething, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2415 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4016: Natural Resources Committee (Sen. Lyson, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4016 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4023: Judiciary Committee (Sen. Nething, Chairman) recommends **DO NOT PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SCR 4023 was placed on the Eleventh order on the calendar.

FIRST READING OF HOUSE BILLS

HB 1045: A BILL for an Act to create and enact a new subsection to section 11-18-03 and a new subsection to section 38-18.1-06 of the North Dakota Century Code, relating to filing of a statement of succession in interest to abandoned minerals; and to amend and reenact section 38-18.1-02 of the North Dakota Century Code, relating to filing of a statement of succession in interest to abandoned minerals.

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

HB 1048: A BILL for an Act to create and enact chapter 38-13.1 of the North Dakota Century Code, relating to trusts for unlocatable mineral, leasehold, and royalty interest owners; and to repeal chapter 38-13 of the North Dakota Century Code, relating to execution of oil and gas instruments affecting interests owned by absent persons.

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

