

## JOURNAL OF THE SENATE

## Sixty-third Legislative Assembly

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Bismarck, January 28, 2013

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

The prayer was offered by Pastor Merle Hoots, Bismarck Baptist Church, Bismarck.

The roll was called and all members were present except Senator Warner.

A quorum was declared by the President.

## CORRECTION AND REVISION OF THE JOURNAL

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

Page 146, after line 36, insert

**"MOTION**

**SEN. KLEIN MOVED** that SB 2176 be messaged to the House immediately, which motion prevailed."

Page 159, line 26, replace "3 YEAS, 2 NAYS" with "4 YEAS, 1 NAY"

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

## CONSIDERATION OF AMENDMENTS

**SB 2134: SEN. MURPHY (Industry, Business and Labor Committee) MOVED** that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

## CONSIDERATION OF AMENDMENTS

**SB 2120: SEN. SINNER (Transportation Committee) MOVED** that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

## CONSIDERATION OF AMENDMENTS

**SB 2177: SEN. GRABINGER (Political Subdivisions Committee) MOVED** that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

## MOTION

**SEN. OEHLKE MOVED** that SB 2249 be returned to the Senate floor from the **Transportation Committee** for the purpose of withdrawal, which motion prevailed.

## REQUEST

**SEN. ROBINSON REQUESTED** the unanimous consent of the Senate to withdraw SB 2249. There being no objection, it was so ordered by the President.

## MOTION

**SEN. COOK MOVED** that SB 2275 be returned to the Senate floor from the **Finance and Taxation Committee** for the purpose of withdrawal, which motion prevailed.

## REQUEST

**SEN. GRABINGER REQUESTED** the unanimous consent of the Senate to withdraw SB 2275. There being no objection, it was so ordered by the President.

## SECOND READING OF SENATE BILL

**SB 2168:** A BILL for an Act to amend and reenact section 47-10-15 of the North Dakota

Century Code, relating to after-acquired title; and provide for retroactive application.

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

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Warner

SB 2168 passed.

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#### SECOND READING OF SENATE BILL

**SB 2164:** A BILL for an Act to amend and reenact section 30.1-19-04 of the North Dakota Century Code, relating to presentation of claims to the personal representative.

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

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Warner

SB 2164 passed.

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#### SECOND READING OF SENATE BILL

**SB 2165:** A BILL for an Act to amend and reenact section 30.1-32.1-12 of the North Dakota Century Code, relating to transfer on death deeds.

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

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Warner

SB 2165 passed.

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**SECOND READING OF SENATE BILL**

**SB 2143:** A BILL for an Act to amend and reenact subsection 1 of section 21-06-07 of the North Dakota Century Code, relating to the investment of public funds.

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

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Warner

SB 2143 passed.

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**THE SENATE RECOGNIZED THE PRESENCE OF:**

Former Senator Urlacher

**SECOND READING OF SENATE BILL**

**SB 2180:** A BILL for an Act to create and enact a new section to chapter 58-03 of the North Dakota Century Code, relating to the issuance of building permits by townships.

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

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Unruh; Wanzek; Wardner

**NAYS:** Triplett

**ABSENT AND NOT VOTING:** Warner

SB 2180 passed.

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**SECOND READING OF SENATE BILL**

**SB 2087:** A BILL for an Act to amend and reenact section 43-05-15 of the North Dakota Century Code, relating to the renewal of licenses.

**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:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek;

Wardner

**ABSENT AND NOT VOTING:** Warner

Engrossed SB 2087 passed.

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#### **SECOND READING OF SENATE BILL**

**SB 2167:** A BILL for an Act to amend and reenact section 43-01-15 of the North Dakota Century Code, relating to the authority and duty of an abstractor under certificate.

#### **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:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Warner

Engrossed SB 2167 passed.

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#### **SECOND READING OF SENATE BILL**

**SB 2122:** A BILL for an Act to create and enact chapter 14-09.3 of the North Dakota Century Code, relating to the Uniform Deployed Parents Custody and Visitation Act; to amend and reenact sections 14-09-06.2 and 14-09-06.6 of the North Dakota Century Code, relating to best interests and welfare of the child factors and limitation on postjudgment modifications; 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 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Warner

Engrossed SB 2122 passed.

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#### **SECOND READING OF SENATE BILL**

**SB 2170:** A BILL for an Act to amend and reenact section 47-19-41 of the North Dakota Century Code, relating to the effect of recording.

#### **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:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Campbell;

Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Warner

Engrossed SB 2170 passed.

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#### **SECOND READING OF SENATE BILL**

**SB 2041:** A BILL for an Act to amend and reenact subsections 3 and 4 of section 39-06-42, subsection 3 of section 39-08-01, and subsection 4 of section 39-08-20 of the North Dakota Century Code, relating to impounding number plates for certain offenses; 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 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Warner

Engrossed SB 2041 passed.

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#### **SECOND READING OF SENATE BILL**

**SB 2166:** A BILL for an Act to amend and reenact sections 28-05-09 and 35-27-25 of the North Dakota Century Code, relating to actions for construction liens and miner's liens; 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 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Warner

Engrossed SB 2166 passed.

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#### **SECOND READING OF SENATE BILL**

**SB 2190:** A BILL for an Act to create and enact a new section to chapter 19-02.1 of the North Dakota Century Code, relating to biosimilar biological products.

#### **MOTION**

**SEN. DEVER MOVED** that Engrossed SB 2190 be amended as follows.

Page 1, line 21, remove "and"

Page 2, line 2, replace the underscored period with ":

- d. The pharmacist notifies the prescribing practitioner orally, in writing, or by electronic transmission within twenty-four hours of the substitution; and
- e. The pharmacy and the prescribing practitioner retain a record of the interchangeable biosimilar substitution for a period of no less than five years."

Renumber accordingly

#### REQUEST

**SEN. DEVER REQUESTED** a recorded roll call vote on the motion to adopt the proposed amendments to Engrossed SB 2190, which request was granted.

#### ROLL CALL

The question being on the motion to adopt the proposed amendments to Engrossed SB 2190, the roll was called and there were 29 YEAS, 17 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Armstrong; Berry; Bowman; Burckhard; Carlisle; Cook; Dever; Erbele; Flakoll; Grindberg; Hogue; Holmberg; Klein; Laffen; Larsen; Lee, G.; Luick; Lyson; Miller; O'Connell; Oehlke; Poolman; Schaible; Sitte; Sorvaag; Unruh; Wanzek; Wardner

**NAYS:** Anderson; Axness; Campbell; Dotzenrod; Grabinger; Heckaman; Kilzer; Krebsbach; Lee, J.; Marcellais; Mathern; Murphy; Nelson; Robinson; Schneider; Sinner; Triplett

**ABSENT AND NOT VOTING:** Warner

The proposed amendments to Engrossed SB 2190 were adopted on a recorded roll call vote.

#### 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 26 YEAS, 20 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Andrist; Armstrong; Berry; Bowman; Burckhard; Carlisle; Dever; Erbele; Hogue; Holmberg; Kilzer; Klein; Laffen; Larsen; Luick; Lyson; Miller; O'Connell; Oehlke; Poolman; Schaible; Sitte; Unruh; Wanzek; Wardner

**NAYS:** Axness; Campbell; Cook; Dotzenrod; Flakoll; Grabinger; Grindberg; Heckaman; Krebsbach; Lee, G.; Lee, J.; Marcellais; Mathern; Murphy; Nelson; Robinson; Schneider; Sinner; Sorvaag; Triplett

**ABSENT AND NOT VOTING:** Warner

Reengrossed SB 2190 passed.

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#### SECOND READING OF SENATE BILL

**SB 2137:** A BILL for an Act to create and enact section 40-05.1-06.2 of the North Dakota Century Code, relating to city sales tax revenue transfer to a school district for bonded indebtedness; to amend and reenact section 40-05.1-06.1 of the North Dakota Century Code, relating to authorization of city sales tax imposition for payment of school district bonds for school building construction; to provide an effective date; and to provide an expiration date.

#### 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 19 YEAS, 27 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Axness; Berry; Bowman; Dever; Erbele; Grabinger; Klein; Krebsbach; Laffen; Larsen; Lyson; Mathern; Nelson; Oehlke; Poolman; Robinson; Schneider; Wanzek

**NAYS:** Anderson; Armstrong; Burckhard; Campbell; Carlisle; Cook; Dotzenrod; Flakoll; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Lee, G.; Lee, J.; Luick; Marcellais; Miller; Murphy; O'Connell; Schaible; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wardner

**ABSENT AND NOT VOTING:** Warner

SB 2137 failed.

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#### SECOND READING OF SENATE BILL

**SB 2109:** A BILL for an Act to amend and reenact sections 50-29-02 and 50-29-04 of the North Dakota Century Code, relating to eligibility determinations for the children's health insurance program.

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

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Warner

SB 2109 passed.

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#### SECOND READING OF SENATE BILL

**SB 2054:** A BILL for an Act to amend and reenact section 24-03-08 of the North Dakota Century Code, relating to liability of the state engineer for determinations of surface water flow and appropriate highway construction.

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

**NAYS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Warner

SB 2054 failed.

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#### SECOND READING OF SENATE BILL

**SB 2052:** A BILL for an Act to amend and reenact section 61-16.1-38 of the North Dakota

Century Code, relating to a permit to construct or modify a dam, dike, or other device.

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

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Warner

SB 2052 passed.

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#### SECOND READING OF SENATE BILL

**SB 2121:** A BILL for an Act to amend and reenact subsection 3 of section 39-05-17.2 of the North Dakota Century Code, relating to body damage disclosure on motor vehicles.

#### 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 11 YEAS, 35 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Cook; Dever; Erbele; Klein; Larsen; Lee, J.; Luick; Miller; Poolman; Schaible; Sitte

**NAYS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Campbell; Carlisle; Dotzenrod; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Krebsbach; Laffen; Lee, G.; Lyson; Marcellais; Mathern; Murphy; Nelson; O'Connell; Oehlke; Robinson; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Warner

SB 2121 failed.

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#### SECOND READING OF SENATE BILL

**SB 2191:** A BILL for an Act to amend and reenact section 39-21-06 of the North Dakota Century Code, relating to stop lamps and turn signals.

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

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Warner

SB 2191 passed.



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**SECOND READING OF SENATE BILL**

**SB 2201:** A BILL for an Act to amend and reenact section 37-19.1-02 of the North Dakota Century Code, relating to school district employment preferences for veterans.

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

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Warner

SB 2201 passed.

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**SECOND READING OF SENATE BILL**

**SB 2188:** A BILL for an Act to amend and reenact section 54-06-24 of the North Dakota Century Code, relating to the state employee suggestion incentive program.

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

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Warner

SB 2188 passed.

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**SECOND READING OF SENATE BILL**

**SB 2127:** A BILL for an Act to create and enact a new section to chapter 37-19.1 of the North Dakota Century Code, relating to private employers providing a voluntary veterans' preference in employment.

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

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Unruh; Wanzek; Wardner

**NAYS:** Triplett

**ABSENT AND NOT VOTING:** Warner

SB 2127 passed.

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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 2066, SB 2068, SB 2081, SB 2089, SB 2181.

**MOTION**

**SEN. KLEIN MOVED** that the absent member be excused, which motion prevailed.

**MOTION**

**SEN. KLEIN 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 1:00 p.m., Tuesday, January 29, 2013, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

**SB 2029: Natural Resources Committee (Sen. Lyson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2029 was placed on the Sixth order on the calendar.

Page 2, line 2, remove "an amount not to exceed \$5,000,000 of the funds available in the"

Page 2, line 3, remove "oil and gas research fund be used by"

Page 2, line 3, replace "for opportunities related" with "give special emphasis"

Page 2, line 4, after "gas" insert "projects in the awarding of funds from the oil and gas research fund"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2108: Human Services Committee (Sen. J. Lee, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2108 was placed on the Sixth order on the calendar.

Page 2, line 15, overstrike "County" and insert immediately thereafter "The director shall appoint two current county"

Page 2, line 16, overstrike "may" and insert immediately thereafter "and one current county social service board member to"

Page 2, line 16, remove "advisory group:"

Page 2, line 17, overstrike "provided, that"

Page 2, line 17, overstrike "commission members do not comprise more than one-third of the"

Page 2, line 18, overstrike "total"

Page 2, line 18, remove "advisory group"

Page 2, line 18, overstrike "members" and insert immediately thereafter "advisory group. The director may appoint an additional current commissioner to serve in lieu of the current county social service board member"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2116: Agriculture Committee (Sen. Miller, Chairman)** recommends **AMENDMENTS**

**AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2116 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact section 43-29-02 of the North Dakota Century Code, relating to membership of the state board of veterinary medical examiners.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1. AMENDMENT.** Section 43-29-02 of the North Dakota Century Code is amended and reenacted as follows:

**43-29-02. State board of veterinary medical examiners - Appointments - Qualifications - Terms - Vacancies.**

1. The state board of veterinary medical examiners consists of three the following five gubernatorially appointed members appointed by the governor for terms of three years each, with their terms of office so arranged that one term, and only one, expires each year. Members of the board shall hold their respective offices until their successors are appointed and qualified. Each member must be a reputable, practicing, and licensed veterinarian in North Dakota for five years immediately prior to the appointment, and must be the holder of a diploma or degree granted by a veterinary school, or by a college or university recognized by the board.

If any vacancy occurs on the board due to resignation, death, removal from the state, or suspension as herein provided, or for any other reason, the governor shall fill such vacancy:

- a. One veterinarian whose practice has a predominant focus on large animals;
- b. One veterinarian whose practice has a predominant focus on small animals;
- c. One veterinarian whose practice focuses on both large and small animals;
- d. One veterinary technician; and
- e. One individual representing the public.
2.
  - a. Each veterinarian on the board must be licensed in this state and must have practiced in this state for at least five years immediately preceding the appointment.
  - b. The veterinary technician on the board must be licensed in this state and must have practiced in this state for at least five years immediately preceding the appointment.
  - c. The individual representing the public:
    - (1) Must be a resident of this state;
    - (2) Must have resided in this state for at least five years immediately preceding the appointment;
    - (3) May not be a veterinarian, a veterinary technician, or the spouse of a veterinarian or a veterinary technician;
    - (4) May not ever have been a veterinarian, a veterinary technician, or the spouse of a veterinarian or a veterinary technician; and

- (5) May not have any direct financial interest in the provision of veterinary services and may not be engaged in any activity directly related to the veterinary profession.
- 3. a. The term of office for each member appointed before July 1, 2013, is three years. The term of office for each member appointed after June 30, 2013, is five years, except that the initial terms must be staggered by lot so that no more than one term expires each year. Each term of office begins on July first.
- b. Each member of the board shall hold office until a successor is appointed and qualified.
- c. (1) A member of the board may not serve more than one term consecutively.
- (2) If an individual is appointed to complete a vacancy, that service is not counted as a term for purposes of this subdivision unless the duration of that service exceeds three years.
- 4. If at any time during a member's term, the member ceases to possess any of the qualifications provided in this section or if the member resigns, the member's office is deemed vacant and the governor shall appoint another qualified individual for the remainder of the term.
- 5. The governor may, after due notice and hearing, remove any member of the board of veterinary examiners for misconduct, incapacity, or neglect of duty.

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2139: 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 2139 was placed on the Sixth order on the calendar.

Page 1, line 9, remove "and submit the plan to the commission"

Page 1, line 9, overstrike the period

Page 1, line 9, after "On" insert "and submit the plan to the commission on"

Page 1, line 9, remove the overstrike over "or before July first of each" and insert immediately thereafter "even-numbered"

Page 1, line 9, remove the overstrike over "year"

Page 1, line 9, after "the" insert an underscored period

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2154: Industry, Business and Labor Committee (Sen. Klein, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2154 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2216: Education Committee (Sen. Flakoll, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2216 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2266: Industry, Business and Labor Committee (Sen. Klein, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2266 was placed

on the Eleventh order on the calendar.

#### FIRST READING OF SENATE BILLS

Sens. Bowman, Luick, Lyson and Reps. Hatlestad, Wall, Williams introduced:

**SB 2308:** A BILL for an Act to create and enact four new subsections to section 61-28-02 and a new section to chapter 61-28 of the North Dakota Century Code, relating to the regulation of septic system servicing; to amend and reenact subsection 4 of section 61-28-08 of the North Dakota Century Code, relating to civil penalties for violating chapter 61-28 of the North Dakota Century Code; to repeal chapter 23-19 of the North Dakota Century Code, relating to the regulation of cesspools, septic tanks, and privies; to provide a penalty; to provide an effective date; and to declare an emergency.

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

Sens. J. Lee, Armstrong, Warner and Reps. Guggisberg, Heilman, Porter introduced:

**SB 2321:** A BILL for an Act to amend and reenact section 65-06-03 of the North Dakota Century Code, relating to workers' compensation wage loss benefit for volunteer firefighters.

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

Sens. Erbele, Andrist, Wanzek and Reps. Brandenburg, Kempenich, Silbernagel introduced:

**SB 2322:** A BILL for an Act to amend and reenact section 47-26-01 of the North Dakota Century Code, relating to an electrified fence as being within the definition of a legal fence.

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

Sens. Murphy, Hogue, Holmberg, Kilzer, Schneider and Rep. Sanford introduced:

**SB 2323:** A BILL for an Act to amend and reenact sections 50-25.2-03 and 50-25.2-10 of the North Dakota Century Code, relating to the reporting of abuse or neglect of a vulnerable adult; and to provide a penalty.

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

Sens. Anderson, Klein introduced:

**SB 2324:** A BILL for an Act to provide a producer exemption for the slaughtering and processing of poultry.

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

Sens. Burckhard, Cook, Dotzenrod and Reps. Belter, S. Kelsh introduced:

**SB 2325:** A BILL for an Act to amend and reenact section 57-33.2-03 of the North Dakota Century Code, relating to reduction of the distribution tax rate for companies engaged in the distribution of electricity; and to provide an effective date.

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

Sens. Holmberg, G. Lee, Oehlke and Reps. Gruchalla, Thoreson introduced:

**SB 2326:** A BILL for an Act to amend and reenact section 39-04-09 of the North Dakota Century Code, relating to the issuance of license plates; and to provide an appropriation.

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

Sens. Kilzer, Schneider and Reps. Beadle, Thoreson introduced:

**SB 2327:** A BILL for an Act to provide an appropriation to the department of emergency services for fire training.

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

Sens. Wanzek, G. Lee, Robinson and Reps. Brandenburg, D. Johnson, Kempenich introduced:

**SB 2328:** A BILL for an Act to provide an appropriation to the department of transportation for a county and township road bridge rehabilitation and reconstruction program; to provide an appropriation to the upper great plains transportation institute to continue the studies of county and township road and bridge needs; to provide an exemption; to provide for a budget section report; and to declare an emergency.

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

Sens. Unruh, Larsen, Miller and Reps. Grande, B. Koppelman, Thoreson introduced:

**SB 2329:** A BILL for an Act to amend and reenact section 15.1-23-09 of the North Dakota

Century Code, relating to home education.  
Was read the first time and referred to the **Education Committee**.

Sens. Mathern, Cook, Robinson and Reps. Carlson, Holman introduced:  
**SB 2330:** A BILL for an Act to amend and reenact section 57-38-35.2, subsection 1 of section 57-38-45, and section 57-38-62 of the North Dakota Century Code, relating to income tax penalties, interest, and underpayment of estimated taxes; and to provide an effective date.  
Was read the first time and referred to the **Finance and Taxation Committee**.

Sen. Heckaman introduced:  
**SB 2331:** A BILL for an Act to amend and reenact section 15-39.1-19.1 and subsection 2 of section 15-39.1-19.2 of the North Dakota Century Code, relating to adjustment of the service benefit upon subsequent retirement of retired teachers who return to active duty.  
Was read the first time and referred to the **Government and Veterans Affairs Committee**.

Sens. Heckaman, Burckhard and Reps. Brabandt, Frantsvog, Meier, Ruby introduced:  
**SB 2332:** A BILL for an Act to provide an appropriation for special education support grants.  
Was read the first time and referred to the **Education Committee**.

Sens. Holmberg, J. Lee, Schneider and Reps. Delmore, J. Nelson, Sanford introduced:  
**SB 2333:** A BILL for an Act to provide a contingent appropriation to the university of North Dakota for the school of medicine and health sciences facility project; and to declare an emergency.  
Was read the first time and referred to the **Appropriations Committee**.

Sens. Berry, Hogue introduced:  
**SB 2334:** A BILL for an Act to create and enact a new section to chapter 37-17.3 of the North Dakota Century Code, relating to fees for the statewide seamless base map.  
Was read the first time and referred to the **Government and Veterans Affairs Committee**.

Sens. Sorvaag, O'Connell, Unruh and Reps. Beadle, Kasper introduced:  
**SB 2335:** A BILL for an Act to create and enact a new chapter to title 26.1 of the North Dakota Century Code, relating to portable electronics insurance.  
Was read the first time and referred to the **Industry, Business and Labor Committee**.

Sens. Cook, Wardner, O'Connell and Reps. Belter, Carlson, Drovdal introduced:  
**SB 2336:** A BILL for an Act to create and enact a new section to chapter 57-38 and subsection 10 of section 57-51.1-03 of the North Dakota Century Code, relating to income tax withholding on oil and gas royalty payments to nonresidents and an oil extraction tax exemption for wells completed outside the Bakken and Three Forks formations; to amend and reenact sections 57-51.1-01, 57-51.1-02, 57-51.1-03, and 57-51.1-03.1 of the North Dakota Century Code, relating to oil extraction tax rates and exemptions; to provide an effective date; and to provide an expiration date.  
Was read the first time and referred to the **Finance and Taxation Committee**.

Sens. Sinner, Carlisle, Klein and Reps. Keiser, Porter introduced:  
**SB 2337:** A BILL for an Act to amend and reenact subsection 4 of section 14-09-08.20, section 26.1-36.3-01, subsection 4 of section 26.1-36.3-04, and sections 26.1-36.3-06 and 26.1-36.3-11 of the North Dakota Century Code, relating to basic health benefit plans and standard health benefit plans; and to repeal sections 26.1-36-09.4, 26.1-36.3-08, 26.1-36.3-10, and 26.1-36.4-07 of the North Dakota Century Code, relating to basic health benefit plans and standard health benefit plans.  
Was read the first time and referred to the **Human Services Committee**.

Sens. Cook, Hogue, Laffen, Schneider and Reps. Bellew, Kreun introduced:  
**SB 2338:** A BILL for an Act to create and enact a new subsection to section 57-02-08 of the North Dakota Century Code, relating to a conditional exemption and payments in lieu of taxes for affordable rental residential property; to amend and reenact subsection 8 of section 57-02-08 of the North Dakota Century Code, relating to the property tax exemption for property owned by institutions of public charity; and to provide an effective date.  
Was read the first time and referred to the **Finance and Taxation Committee**.

Sens. Laffen, Schneider introduced:

**SB 2339:** A BILL for an Act to amend and reenact subsection 4 of section 6-09.4-03 of the North Dakota Century Code, relating to the financing of housing projects through the public finance authority.

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

Sens. Sitte, Luick, Triplett and Reps. Becker, Boehning, Kasper introduced:

**SB 2340:** A BILL for an Act to amend and reenact subsection 2 of section 12.1-23 05 of the North Dakota Century Code, relating to the theft of prescription drugs.

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

Sens. Wardner, Andrist, Triplett and Reps. N. Johnson, Onstad, Oversen introduced:

**SB 2341:** A BILL for an Act to provide for an appropriation to the state historical society for archeological surveys.

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

Sen. Anderson and Rep. K. Koppelman introduced:

**SB 2342:** A BILL for an Act to create and enact sections 43-15.3-10, 43-15.3-11, and 43-15.3-12 of the North Dakota Century Code, relating to wholesale drug distribution; to amend and reenact sections 43-15.3-01, 43-15.3-02, 43-15.3-03, 43-15.3-04, 43-15.3-05, 43-15.3-06, 43-15.3-07, 43-15.3-08, and 43-15.3-09 of the North Dakota Century Code, relating to wholesale drug distribution; and to provide a penalty.

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

Sens. Schaible, Sorvaag, Unruh and Reps. Meier, Schmidt introduced:

**SB 2343:** A BILL for an Act to amend and reenact section 16.1-12-02.2 of the North Dakota Century Code, relating to write-in votes.

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

Sens. Sorvaag, Miller, Unruh and Reps. Brabandt, Hatlestad, Owens introduced:

**SB 2344:** A BILL for an Act to provide an appropriation for training service dogs; and to provide for a legislative management study.

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

Sens. Schneider, Armstrong and Reps. Guggisberg, Larson, Maragos introduced:

**SB 2345:** A BILL for an Act to amend and reenact section 12.1-31-07.1 of the North Dakota Century Code, relating to the penalty for the exploitation of a disabled adult or vulnerable elderly adult.

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

Sens. Schneider, Wardner introduced:

**SB 2346:** A BILL for an Act to amend and reenact sections 16.1-08.1-01, 16.1-08.1-03.5, 16.1-08.1-05, and 16.1-08.1-07 of the North Dakota Century Code, relating to campaign contributions and expenditures; to repeal subsection 1 of section 16.1-08.1-03.3 of the North Dakota Century Code, relating to campaign contributions; and to provide a penalty.

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

Sens. Schaible, Dever, Sorvaag and Reps. Meier, Rohr introduced:

**SB 2347:** A BILL for an Act to create and enact a new section to chapter 16.1-01 and a new section to chapter 16.1-07 of the North Dakota Century Code, relating to emergency authority of the secretary of state for the administration of elections.

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

Sen. Miller and Rep. Headland introduced:

**SB 2348:** A BILL for an Act to amend and reenact subsection 5 of section 39-06.2-06 of the North Dakota Century Code, relating to restricted commercial driver's licenses.

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

Sens. Nelson, Mathern and Rep. Hogan introduced:

**SB 2349:** A BILL for an Act to provide an appropriation to the department of commerce for micro lending services for new Americans.

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

Sen. O'Connell and Rep. J. Kelsh introduced:

**SB 2350:** A BILL for an Act to provide an appropriation to the supreme court for grants to counties for the installation of metal detectors in county courthouses.

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

Sen. Cook introduced:

**SB 2351:** A BILL for an Act to amend and reenact sections 54-27.2-03 and 57-51.1-07.5 of the North Dakota Century Code, relating to the budget stabilization fund, the strategic investment and improvements fund, and oil and gas tax revenue deposits; to provide an effective date; and to declare an emergency.

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

Sens. Krebsbach, Lyson, O'Connell and Reps. Klein, Onstad, Sukut introduced:

**SB 2352:** A BILL for an Act to authorize the conveyance of real property owned by the state of North Dakota.

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

Sens. Miller, Dotzenrod, Oehlke, Unruh and Rep. Gruchalla introduced:

**SB 2353:** A BILL for an Act to create two new sections to chapter 37-17.3 of the North Dakota Century Code, relating to statewide integrated radio communication; to provide for a legislative management study; and to provide an appropriation.

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

Sens. Poolman, J. Lee, Schneider and Reps. Delmore, Dockter, Meier introduced:

**SB 2354:** A BILL for an Act to provide an appropriation to the state department of health for a loan repayment program for dentists in public health and nonpublic dental clinics.

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

Sen. J. Lee and Rep. Weisz introduced:

**SB 2355:** A BILL for an Act to amend and reenact sections 23-01-03 and 23-01-04, subsection 1 of section 23-01-05, and sections 23-01-24, 23-07-02.3, 23-16-06, 23-16-10, 23-17.5-11, 23-19-07, 23-20.1-06, 23-24-02, 23-24-02.1, 23-24-03, 23-24-04, 23-24-05, 23-24-06, 23-25-08, 23-29-10, 50-21-02, and 50-21-04 of the North Dakota Century Code, relating to the powers and duties of the state health council.

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

Sens. Dever, Heckaman, J. Lee, Poolman and Reps. Delmore, Hawken introduced:

**SB 2356:** A BILL for an Act to provide an appropriation to the department of human services for grants to children's advocacy centers.

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

Sens. Triplett, Marcellais, Oehlke and Reps. N. Johnson, Onstad introduced:

**SB 2357:** A BILL for an Act to create and enact a new subsection to section 15-02-05 and a new subsection to section 55-02-01.2 of the North Dakota Century Code, relating to duties of the commissioner of university and school lands and the director of the state historical society.

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

Sens. Sinner, Grabinger, Triplett, Warner and Reps. Becker, Delmore introduced:

**SB 2358:** A BILL for an Act to amend and reenact subsection 1 of section 57-39.2-02.1, subsection 1 of section 57-40.2-02.1, and section 57-40.3-02 of the North Dakota Century Code, relating to a reduction in the rate of state sales, use, and motor vehicle excise taxes; and to provide an effective date.

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

Sens. Burckhard, Luick, Triplett and Reps. Dosch, Kempenich, M. Nelson introduced:

**SB 2359:** A BILL for an Act to create and enact sections 61-40-10, 61-40-11, and 61-40-12 of the North Dakota Century Code, relating to the western area water supply authority; and to amend and reenact sections 61-40-01 and 61-40-06 of the North Dakota Century Code, relating to the western area water supply authority.

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

Sens. Wanzek, Miller, Unruh and Reps. Haak, Heilman, D. Johnson introduced:

**SB 2360:** A BILL for an Act to provide for a legislative management study regarding the



mitigation of risk involved in prepaying for agricultural seed, fertilizer, and various crop protection products.

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

Sens. Schneider, Poolman, Sinner and Reps. Beadle, Heilman, Oversen introduced:

**SB 2361:** A BILL for an Act to create and enact a new section to chapter 15-62.1 of the North Dakota Century Code, relating to a student loan consolidation program at the Bank of North Dakota; and to provide for the Bank of North Dakota to evaluate the program.

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

Sens. Sinner, Dotzenrod, Laffen and Reps. Becker, Delmore, Hogan introduced:

**SB 2362:** A BILL for an Act to create and enact sections 57-15-01.2 and 57-20-07.2 of the North Dakota Century Code, relating to a legislative property tax relief credit; to amend and reenact subsection 35 of section 57-02-08, and sections 57-20-07.1, 57-20-09, 57-20-21.1, and 57-32-03 of the North Dakota Century Code, relating to contents of property tax statements, priority for delinquent taxes, and the discount for early payment of property taxes; to repeal chapter 57-64 of the North Dakota Century Code, relating to elimination of the school district mill levy reduction grant program; to provide an appropriation; and to provide an effective date.

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

Sens. Dotzenrod, Heckaman, Robinson and Reps. Boehning, K. Koppelman introduced:

**SB 2363:** A BILL for an Act to provide for a department of human services study of the method for calculating child support payments in the state.

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

Sens. Laffen, Cook, Sitte and Reps. Brabandt, Delmore, Ruby introduced:

**SB 2364:** A BILL for an Act create and enact subsections 7 and 8 to section 57-38-34, subsection 11 to section 57-38-38, and subsection 16 to section 57-38-40 of the North Dakota Century Code, relating to the time for filing of returns for certain corporations, interest on tax when the time for filing a return is extended, refunds of tax for certain corporations, and audits of certain corporations; amend and reenact subsection 5 of section 11-37-08, subsection 8 of section 40-63-01, subsection 5 of section 40-63-04, section 40-63-06, subsections 3 and 4 of section 40-63-07, subsection 3 of section 57-38-01.3, and subsections 5 and 7 of section 57-38-01.32 of the North Dakota Century Code, relating to subjecting financial institutions to the corporate income tax, adjustments for net operating losses, bonds and other obligations of a commerce authority, creation of renaissance zones, the housing incentive fund tax credit, and computation of farm income; to repeal chapter 57-35.3 and subdivisions c and f of subsection 2 of section 57-38-30.3 of the North Dakota Century Code, relating to elimination of the financial institutions tax and income associated with losses passed through to a financial institution; to provide an effective date; and to declare an emergency.

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

Sen. O'Connell and Reps. Hofstad, Hunsakor, Wall introduced:

**SB 2365:** A BILL for an Act to create and enact a new section to chapter 20.1-05 of the North Dakota Century Code, relating to hunting big game on or over highways or roads.

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

Sens. Oehlke, Krebsbach, Triplett and Reps. Hatlestad, J. Nelson, Owens introduced:

**SB 2366:** A BILL for an Act to create and enact a new section to chapter 57-38 and a new subdivision to subsection 7 of section 57-38-30.3 of the North Dakota Century Code, relating to an income tax credit for contributions to a homeless shelter; and to provide an effective date

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

Sen. J. Lee introduced:

**SB 2367:** A BILL for an Act to amend and reenact subsection 1 of section 39-10-46 of the North Dakota Century Code, relating to overtaking and passing a schoolbus.

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

Sens. Miller, Campbell, Schaible and Reps. B. Koppelman, Larson, Rohr introduced:

**SB 2368:** A BILL for an Act to provide a legislative declaration; to create and enact four new

sections to chapter 14-02.1 and a new subsection to section 43-17-31 of the North Dakota Century Code, relating to limitations on and penalties for performing or inducing an abortion or attempts to perform or induce an abortion and to grounds for disciplinary action for physicians; to amend and reenact sections 14-02.1-02 and 14-02.1-07 of the North Dakota Century Code, relating to definitions and reporting requirements; and to provide a penalty.

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

Sens. Dever, Schaible introduced:

**SB 2369:** A BILL for an Act to create and enact chapter 16.1-03.1 of the North Dakota Century Code, relating to political party committee organizations; to amend and reenact sections 16.1-06-04, 16.1-11-22, 16.1-11-30, and 16.1-12-02 of the North Dakota Century Code, relating to primary election ballot access and eligibility for minor political parties; and to repeal chapter 16.1-03 of the North Dakota Century Code, relating to political party committee organization.

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

Sens. Triplett, Armstrong, Lyson and Reps. Onstad, Sukut introduced:

**SB 2370:** A BILL for an Act to create and enact section 57-06-17.5 and a new subsection to section 57-51-02.2 of the North Dakota Century Code, relating to a new natural gas gathering and collection systems property tax exemption and oil and gas gross production tax exemption; and to provide an effective date.

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

Sens. Dotzenrod, Hogue, Robinson and Reps. Boehning, J. Kelsh introduced:

**SB 2371:** A BILL for an Act to amend and reenact section 57-02-08.3 of the North Dakota Century Code, relating to the homestead credit for special assessments; and to provide an effective date.

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

Sens. Axness, Dotzenrod, Mathern and Reps. Holman, S. Kelsh introduced:

**SB 2372:** A BILL for an Act to create and enact a new section to chapter 50-29 of the North Dakota Century Code, relating to a children's health insurance buyin program; and to amend and reenact section 50-29-04 of the North Dakota Century Code, relating to the children's health insurance program.

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

Sens. Hogue, Dotzenrod, Grindberg, G. Lee, Wardner and Rep. Hofstad introduced:

**SB 2373:** A BILL for an Act to amend and reenact section 61-40-09 of the North Dakota Century Code, relating to the western area water supply authority.

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

Sens. Dever, Marcellais, Schaible introduced:

**SB 2374:** A BILL for an Act to amend and reenact sections 15.1-09-08 and 15.1-09-24, subsection 10 of section 16.1-01-09.1, sections 16.1-03-12 and 16.1-03-14, subsection 1 of section 16.1-07-15, sections 16.1-09-02, 16.1-11-06, 16.1-11-11, 16.1-11-11.1, 16.1-11-15, 16.1-11-18, 16.1-11-19, 16.1-11-30, 16.1-12-02, and 16.1-12-02.3, subsection 3 of section 16.1-12-04, sections 16.1-12-07, 16.1-12-09, 27-25-04, 40-21-02, 40-21-07, 40-21-08, and 40-57.3-01.1, subsection 4 of section 44-08-21, and sections 46-06-03, 61-24-03, 61-24.5-06, and 61-24.5-07 of the North Dakota Century Code, relating to election and recall filing requirements.

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

Sens. Axness, Mathern, Murphy, Robinson and Reps. Hogan, Strinden introduced:

**SB 2375:** A BILL for an Act to direct the department of human services to seek a home and community-based services waiver.

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

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

**William R. Horton, Secretary**