

## JOURNAL OF THE SENATE

## Sixty-fourth Legislative Assembly

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Bismarck, January 26, 2015

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

The prayer was offered by Pastor Philip W. Summa, Calvary Chapel, Bismarck.

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

A quorum was declared by the President.

## CONSIDERATION OF AMENDMENTS

**SB 2088, as amended: SEN. OBAN (Education Committee) MOVED** that the amendments be adopted and then be **REFERRED** to the **Appropriations Committee** with **DO PASS**, which motion prevailed on a voice vote.

Amended SB 2088 was rereferred to the **Appropriations Committee**.

## CONSIDERATION OF AMENDMENTS

**SB 2093: SEN. ARMSTRONG (Energy and Natural Resources 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 2139: 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 2146: SEN. HOGUE (Energy and Natural Resources 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. TRIPLETT (Energy and Natural Resources 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. KLEIN MOVED** that SB 2295 be returned to the Senate floor from the **Government and Veterans Affairs Committee** and be rereferred to the **Human Services Committee**, which motion prevailed.

Pursuant to Sen. Klein's motion, SB 2295 was rereferred.

## MOTION

**SEN. KLEIN MOVED** that SB 2103 be placed at the bottom of the calendar, which motion prevailed.

## SECOND READING OF SENATE BILL

**SB 2208:** A BILL for an Act to amend and reenact section 12.1-30-04 of the North Dakota Century Code, relating to retail business leases and agreements and state holidays; and to provide a penalty.

## ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 27 YEAS, 19 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Axness; Bekkedahl; Burckhard; Cook; Davison; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Kilzer; Klein; Marcellais; Mathern; Nelson; O'Connell; Oban; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Triplett; Wanzek; Wardner; Warner

**NAYS:** Anderson; Armstrong; Bowman; Campbell; Carlisle; Casper; Dever; Holmberg; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Miller; Murphy; Rust; Sorvaag; Unruh

**ABSENT AND NOT VOTING:** Flakoll

SB 2208 passed.

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

**SB 2163:** A BILL for an Act to create and enact a new section to chapter 26.1-26 of the North Dakota Century Code, relating to regulation of health benefit exchange assisters; and to provide a penalty.

#### **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 3 YEAS, 43 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Larsen; Miller

**NAYS:** Armstrong; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Murphy; Nelson; O'Connell; Oban; Oehlke; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Flakoll

SB 2163 failed.

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

**SB 2029:** A BILL for an Act to amend and reenact section 19-03.1-45 of the North Dakota Century Code, relating to probation and treatment for drug abuse; and to provide a penalty.

#### **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; Armstrong; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oban; Oehlke; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Flakoll

SB 2029 passed.

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

**SB 2157:** A BILL for an Act to create and enact a new section to chapter 39-06 of the North Dakota Century Code, relating to the restoration of a driver's license.

**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 16 YEAS, 30 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Armstrong; Bekkedahl; Casper; Cook; Davison; Dever; Dotzenrod; Erbele; Klein; Larsen; Luick; Miller; O'Connell; Unruh; Wanzek

**NAYS:** Axness; Bowman; Burckhard; Campbell; Carlisle; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Krebsbach; Laffen; Lee, G.; Lee, J.; Marcellais; Mathern; Murphy; Nelson; Oban; Oehlke; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Wardner; Warner

**ABSENT AND NOT VOTING:** Flakoll

SB 2157 failed.

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**SECOND READING OF SENATE BILL**

**SB 2186:** A BILL for an Act to amend and reenact sections 4.1-08-02, 4.1-08-06, and 4.1-08-07 of the North Dakota Century Code, relating to honey assessments; and to provide an effective date.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 45 YEAS, 1 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Armstrong; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; Oban; Oehlke; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**NAYS:** O'Connell

**ABSENT AND NOT VOTING:** Flakoll

SB 2186 passed.

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**SECOND READING OF SENATE BILL**

**SB 2183:** A BILL for an Act to amend and reenact section 4-14.2-02 of the North Dakota Century Code, relating to the membership of the northern crops council.

**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; Armstrong; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oban; Oehlke; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Flakoll

SB 2183 passed.

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**SECOND READING OF SENATE BILL**

**SB 2084:** A BILL for an Act to create and enact section 6-01-04.5 and subsection 5 to section 6-06-08 of the North Dakota Century Code, relating to the investigation of bank holding companies and fees for credit union examinations; to amend and reenact sections 6-01-02, 6-01-04.4, 6-01-09, subsection 1 of section 6-03-47.2, and section 6-08-08.1 of the North Dakota Century Code, relating to definitions, prompt corrective action for state banks, the examination of technology service providers, and investments of state banks; and to repeal section 6-05-25 of the North Dakota Century Code, relating to when subscribed capital stock must be paid in by annuity, safe deposit, surety, and trust companies.

**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; Armstrong; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oban; Oehlke; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Flakoll

SB 2084 passed.

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**SECOND READING OF SENATE BILL**

**SB 2090:** A BILL for an Act to amend and reenact sections 15.1-21-02.4 and 15.1-21-02.5 of the North Dakota Century Code, relating to eligibility for North Dakota scholarships.

**ROLL CALL**

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

**YEAS:** Nelson; Oban

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

**ABSENT AND NOT VOTING:** Flakoll

SB 2090 failed.

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**SECOND READING OF SENATE BILL**

**SB 2089:** A BILL for an Act to amend and reenact section 15.1-21-02.5 of the North Dakota Century Code, relating to eligibility for a North Dakota academic scholarship.

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

**YEAS:** Anderson; Armstrong; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg;

Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oban; Oehlke; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**NAYS:** Davison

**ABSENT AND NOT VOTING:** Flakoll

SB 2089, as amended, passed.

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

**SB 2083:** A BILL for an Act to amend and reenact sections 50-32-01, 50-32-02, 50-32-03, and 50-32-05 of the North Dakota Century Code, relating to assisted living facilities licensing; and to repeal section 50-32-02.1 of the North Dakota Century Code, relating to assisted living facilities.

#### **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; Armstrong; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oban; Oehlke; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Flakoll

Engrossed SB 2083 passed.

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

**SB 2052:** A BILL for an Act to create and enact a new section to chapter 27-20, a new section to chapter 39-08, and a new section to chapter 54-12 of the North Dakota Century Code, relating to participation in the twenty-four seven sobriety program and the use of drug court for driving under the influence offenders; to amend and reenact sections 27-20-10, 27-20-31, 39-06-03, subdivision h of subsection 2 of section 39-06-49, section 39-08-01, subsection 2 of section 39-16-03.1, section 39-20-01, subsection 2 of section 39-20-04, subsections 2 and 3 of section 39-20-05, and section 39-20-15 of the North Dakota Century Code, relating to driving under the influence offenses and participation in the twenty-four seven sobriety and drug court programs; and to provide for retroactive 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; Armstrong; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oban; Oehlke; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Flakoll

Engrossed SB 2052 passed.

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**SECOND READING OF SENATE BILL**

**SB 2172:** A BILL for an Act to amend and reenact sections 57-51-14 and 57-51.1-06 of the North Dakota Century Code, relating to allocation and distribution of the oil and gas gross production tax and the oil extraction tax pursuant to the distribution rules in place when revenue is received; and to provide an effective date.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 45 YEAS, 1 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

**NAYS:** Triplett

**ABSENT AND NOT VOTING:** Flakoll

SB 2172 passed.

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**SECOND READING OF SENATE BILL**

**SB 2143:** A BILL for an Act to amend and reenact subsection 5 of section 57-15-56 and section 57-39.2-26.2 of the North Dakota Century Code, relating to matching grants to counties for senior citizen services and programs; 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 PASS, the roll was called and there were 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Flakoll

Engrossed SB 2143 passed.

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**SECOND READING OF SENATE BILL**

**SB 2159:** A BILL for an Act to authorize the state board of higher education and the state board of agricultural research and education to convey certain real property in Stark County owned by the state of North Dakota; to authorize the state board of higher education and the state board of agricultural research and education to acquire certain real property in Stark County; to provide a continuing appropriation; and to declare an emergency.

**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; Armstrong; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oban; Oehlke; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Flakoll

SB 2159 passed and the emergency clause was declared carried.

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

**SB 2057:** A BILL for an Act to create and enact a new section to chapter 54-35 of the North Dakota Century Code, relating to the legislative management assignment of regular legislative interim committee review of statutory provisions providing economic development tax incentives.

#### **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; Armstrong; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oban; Oehlke; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Flakoll

SB 2057 passed.

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

**SB 2195:** A BILL for an Act to amend and reenact section 57-15-19.2 of the North Dakota Century Code, relating to the township special road fund.

#### **ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Flakoll

SB 2195 passed.

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

**SCR 4007:** A concurrent resolution directing the Legislative Management to study the feasibility and desirability of implementing a Results First Initiative program evaluation process in North Dakota.

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

committee recommendation of DO PASS.

SCR 4007 was declared adopted on a voice vote.

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**MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)**

**MR. SPEAKER:** The Senate has passed, and your favorable consideration is requested on: SB 2028, SB 2131.

**MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)**

**MR. SPEAKER:** The Senate has passed, and your favorable consideration is requested on: SB 2043, SB 2063, SB 2214.

**MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)**

**MR. SPEAKER:** The Senate has passed, the emergency clause carried, and your favorable consideration is requested on: SB 2100.

**MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)**

**MR. SPEAKER:** The Senate has passed, the emergency clause carried, and your favorable consideration is requested on: SB 2176, SB 2177.

**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 27, 2015, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

**SB 2032: Energy and Natural Resources Committee (Sen. Schaible, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2032 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "oil and gas development strategic planning authority" with "western infrastructure strategy office"

Page 1, line 2, replace "a continuing" with "an"

Page 1, line 7, replace "**Oil and gas development strategic planning authority**" with "**Western infrastructure strategy office**"

Page 1, line 8, replace "oil and gas development strategic planning authority" with "western infrastructure strategy office"

Page 1, line 8, remove "industrial"

Page 1, line 9, replace "commission. The industrial commission" with "department of commerce. The department of commerce"

Page 1, line 9, remove "hire"

Page 1, line 10, remove "employees or"

Page 1, line 12, replace "**Oil and gas development strategic planning**" with "**Duties of the western infrastructure strategy office**"

Page 1, line 13, replace "authority" with "director"

Page 1, line 20, replace "industrial commission" with "department of commerce, as well as the North Dakota association of oil and gas producing counties"



Page 2, line 3, replace "industrial commission" with "department of commerce"

Page 2, line 5, replace "industrial commission" with "department of commerce"

Page 2, line 8, after "information" insert "and, as requested, coordinate and direct state-funded studies relating to western infrastructure and impacts"

Page 2, remove lines 10 through 26

Page 2, line 27, replace "17-10-05" with "17-10-04"

Page 2, line 28, replace "authority" with "director"

Page 2, line 28, replace "its" with "the western infrastructure strategy office's"

Page 2, line 29, replace "authority" with "western infrastructure strategy office"

Page 2, line 29, replace "authority" with "director"

Page 2, line 30, replace "industrial commission" with "department of commerce"

Page 2, line 31, after the underscored period insert "The director shall provide annual updates to the budget section of the legislative management, the North Dakota association of oil and gas producing counties, and the legislative management."

**SECTION 2. APPROPRIATION.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$300,000, or so much of the sum as may be necessary, to the department of commerce for the purpose of establishing the western infrastructure strategy office, for the biennium beginning July 1, 2015, and ending June 30, 2017."

Renumber accordingly

#### **REPORT OF STANDING COMMITTEE**

**SB 2036: Finance and Taxation Committee (Sen. Cook, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2036 was placed on the Eleventh order on the calendar.

#### **REPORT OF STANDING COMMITTEE**

**SB 2058: Energy and Natural Resources Committee (Sen. Schaible, 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 2058 was placed on the Sixth order on the calendar.

Page 1, line 2, after "fund" insert "; and to provide an effective date"

Page 1, line 21, overstrike "planning for and"

Page 2, line 1, remove "is not available to the state water commission or any employees of or"

Page 2, remove lines 2 and 3

Page 2, line 3, replace "engineering" with "may not be expended for planning or studying the feasibility of water projects, for the internal administration of the commission, for atmospheric resource activities, or for water appropriation activities"

Page 2, after line 11, insert:

**"SECTION 2. EFFECTIVE DATE.** This Act becomes effective on July 1, 2017."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2067: Industry, Business and Labor Committee (Sen. Klein, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2067 was placed on the Sixth order on the calendar.

Page 1, line 10, replace "one thousand" with "seven hundred fifty"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2094: Finance and Taxation Committee (Sen. Cook, Chairman)** recommends **DO PASS** (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2094 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2105: Industry, Business and Labor Committee (Sen. Klein, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2105 was placed on the Sixth order on the calendar.

Page 2, line 3, after the first "the" insert "increased"

Page 2, line 3, replace "determined by a representative of" with "approved by"

Page 2, line 4, replace "or calculated using the insurer's cost estimator" with "before the loss"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2136: Industry, Business and Labor Committee (Sen. Klein, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2136 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2190: Energy and Natural Resources Committee (Sen. Schaible, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2190 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2286: Finance and Taxation Committee (Sen. Cook, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2286 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2289: Human Services Committee (Sen. J. Lee, Chairman)** recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (5 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). SB 2289 was rereferred to the **Appropriations Committee**.

**REPORT OF STANDING COMMITTEE**

**HB 1087, as engrossed: Education Committee (Sen. Flakoll, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1087 was placed on the Fourteenth order on the calendar.

**FIRST READING OF SENATE BILLS**

Sens. Bekkedahl, Dever, Hogue and Reps. Boschee, Fehr, K. Koppelman introduced:

**SB 2335:** A BILL for an Act to amend and reenact section 43-17-41 of the North Dakota Century Code, relating to the duty of a physician to report certain injuries.

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

Sens. Hogue, Klein, Wardner and Reps. Damschen, Hofstad, Hunsakor introduced:

**SB 2336:** A BILL for an Act to amend and reenact subsection 3 of section 61-40-10 of the North Dakota Century Code, relating to approval of the state water commission for

expansion of the western area water supply project.  
Was read the first time and referred to the **Industry, Business and Labor Committee**.

Sen. O'Connell and Rep. Hunsakor introduced:

**SB 2337:** A BILL for an Act to amend and reenact subsection 10 of section 57-51.1-03 of the North Dakota Century Code, relating to an oil extraction tax exemption; and to provide an effective date.

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

Sen. O'Connell and Reps. D. Anderson, Hunsakor, M. Nelson introduced:

**SB 2338:** A BILL for an Act to create and enact a new section to chapter 38-08 of the North Dakota Century Code, relating to county emergency management access to well sites, pipelines, and waste disposal sites.

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

Sens. Erbele, Luick, Warner and Reps. Brandenburg, D. Johnson, Kiefert introduced:

**SB 2339:** A BILL for an Act to amend and reenact paragraph 2 of subdivision a of subsection 15 of section 57-02-08 of the North Dakota Century Code, relating to the inclusion of buildings used in agritourism within the property tax exemption for farm buildings; and to provide an effective date.

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

Sens. Campbell, Robinson, Sorvaag and Reps. Keiser, Mock, Steiner introduced:

**SB 2340:** A BILL for an Act to amend and reenact section 57-38-01.33 of the North Dakota Century Code, relating to an income tax credit for purchases of manufacturing machinery and equipment for automating manufacturing processes; and to provide an effective date.

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

Sens. Rust, Wardner, Warner and Reps. Hunsakor, Kempenich introduced:

**SB 2341:** A BILL for an Act to amend and reenact section 38-11.1-08.1 of the North Dakota Century Code, relating to loss of production payments for surface owners.

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

Sens. Axness, Rust, Warner and Reps. M. Nelson, Onstad introduced:

**SB 2342:** A BILL for an Act to create and enact a new section to chapter 38-08 of the North Dakota Century Code, relating to settlements of civil penalties.

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

Sens. Triplett, Mathern, Warner and Rep. Onstad introduced:

**SB 2343:** A BILL for an Act to amend and reenact section 38-08-06.4 of the North Dakota Century Code, relating to flaring.

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

Sens. Schneider, Armstrong introduced:

**SB 2344:** A BILL for an Act to create and enact a new chapter to title 54 of the North Dakota Century Code, relating to the North Dakota legacy foundation.

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

Sens. Burckhard, Luick, Sorvaag and Reps. D. Johnson, Maragos introduced:

**SB 2345:** A BILL for an Act to amend and reenact section 53-06.1-08 of the North Dakota Century Code, relating to the maximum prize value for pull tabs and punchboards.

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

Sen. Dever and Rep. Fehr introduced:

**SB 2346:** A BILL for an Act to amend and reenact section 37-14-18 of the North Dakota Century Code, relating to county veterans' service officers.

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

Sens. Bowman, Dever, O'Connell and Reps. Fehr, Onstad, Steiner introduced:

**SB 2347:** A BILL for an Act to amend and reenact subdivision a of subsection 3 of section 49-23-04 of the North Dakota Century Code, relating to markers of excavation sites.

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

Sens. Heckaman, Erbele and Reps. Mock, Nathe, Oversen introduced:

**SB 2348:** A BILL for an Act to amend and reenact section 32-03.1-02.3 of the North Dakota Century Code, relating to training in the use of automated external defibrillators.  
Was read the first time and referred to the **Human Services Committee**.

Sens. Laffen, Bekkedahl, Murphy, Poolman and Reps. Rich S. Becker, Strinden introduced:  
**SB 2349:** A BILL for an Act to amend and reenact section 57-38-30 and subsection 1 of section 57-38-30.3, relating to reduction of the individual and corporation income tax rates; and to provide an effective date.  
Was read the first time and referred to the **Finance and Taxation Committee**.

Sens. Armstrong, Campbell, Poolman and Reps. Kasper, Ruby, Streyle introduced:  
**SB 2350:** A BILL for an Act to amend and reenact section 43-09-16 of the North Dakota Century Code, relating to functions that do not require licensure as an electrician.  
Was read the first time and referred to the **Industry, Business and Labor Committee**.

Sens. Wanzek, Miller, O'Connell and Reps. Headland, D. Johnson, Trottier introduced:  
**SB 2351:** A BILL for an Act to create and enact section 10-06.1-12.1 of the North Dakota Century Code, relating to the ownership or leasing of farm and ranch land by corporations.  
Was read the first time and referred to the **Agriculture Committee**.

Sens. Oehlke, Rust introduced:  
**SB 2352:** A BILL for an Act to amend and reenact section 39-10-47 of the North Dakota Century Code, relating to vehicles obstructing highways; and to amend and reenact section 39-10-48 of the North Dakota Century Code, relating to vehicles illegally parked on highways.  
Was read the first time and referred to the **Transportation Committee**.

Sen. Schneider and Reps. Mock, Oversen introduced:  
**SB 2353:** A BILL for an Act to amend and reenact section 16.1-05-07 of the North Dakota Century Code, relating to casting of provisional ballots; and to provide a penalty.  
Was read the first time and referred to the **Government and Veterans Affairs Committee**.

Sens. Dever, Schaible, Warner and Reps. Fehr, M. Nelson, Thoreson introduced:  
**SB 2354:** A BILL for an Act to create and enact sections 43-20-14, 43-20-15, and 43-28-02.1 of the North Dakota Century Code, relating to advanced practice dental hygienists and practice on Indian reservations; to amend and reenact sections 43-20-01.1, 43-20-01.2, 43-20-01.4, 43-20-02.1, 43-20-03, 43-20-05, 43-20-08, 43-20-10, 43-20-11, 43-20-12.2, 43-20-12.3, and 43-28-06 and subsection 9 of section 43-28-18 of the North Dakota Century Code, relating to advanced practice dental hygienists and the practice of dental-related fields on Indian reservations; to provide a penalty; and to provide for a report to the legislative management and the administrative rules committee.  
Was read the first time and referred to the **Human Services Committee**.

Sens. Davison, Unruh and Reps. Carlson, Dosch introduced:  
**SB 2355:** A BILL for an Act to create and enact a new section to chapter 15.1-13 of the North Dakota Century Code, relating to licenses issued by the education standards and practices board; to amend and reenact subdivision c of subsection 2 of section 12-60-24, section 15-19-01, subsection 12 of section 15-39.1-04, sections 15-39.1-09, 15-39.1-19.2, 15.1-01-02, 15.1-02-13, 15.1-06-06, 15.1-06-06.1, 15.1-07-32, 15.1-09-33, 15.1-09-33.1, 15.1-09-57, 15.1-13-01, 15.1-13-02, 15.1-13-03, 15.1-13-04, 15.1-13-05, 15.1-13-06, 15.1-13-08, 15.1-13-09, 15.1-13-10, 15.1-13-10.1, 15.1-13-11, 15.1-13-12, 15.1-13-12.1, 15.1-13-13, 15.1-13-14, 15.1-13-15, 15.1-13-16, 15.1-13-17, 15.1-13-18, 15.1-13-20, 15.1-13-22, 15.1-13-23, 15.1-13-24, 15.1-13-25, 15.1-13-26, 15.1-13-27, 15.1-13-30, 15.1-13-31, 15.1-13-34, 15.1-14-07, 15.1-14-17, 15.1-14-27, 15.1-15-11, 15.1-16-01, 15.1-16-20, 15.1-18-01, 15.1-18-02, 15.1-18-06, 15.1-18-07, 15.1-18-08, 15.1-18-09, 15.1-18-10, 15.1-18.1-02, 15.1-18.2-05, 15.1-18.2-07, 15.1-22-02, 15.1-23-07, 15.1-23-09, 15.1-23-10, 15.1-23-11, 15.1-23-12, 15.1-29-14, 15.1-37-01, and 54-07-01.2 of the North Dakota Century Code, relating to the education standards and practices board; to repeal sections 15.1-02-16.1, 15.1-13-07, 15.1-13-29, 15.1-18-11, 15.1-18.1-01, and 15.1-18.2-06 of the North Dakota Century Code, relating to accreditation rules, quorum requirements, administrator licenses, date extensions, definitions, and teacher support programs;

and to provide for legislative council reconciliation of statutory references to the education standards and practices board and for replacement of administrative rules of the education standards and practices board.

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

Sens. Miller, Rust, Warner and Reps. Damschen, M. Nelson, Zubke introduced:

**SB 2356:** A BILL for an Act to provide for a legislative management study of oil and gas and abandoned gravel pit reclamation practices.

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

Sens. Schneider, Armstrong, Casper and Reps. Hanson, Kretschmar, Maragos introduced:

**SB 2357:** A BILL for an Act to create and enact section 12.1-17-07.2 and a new section to chapter 32-03 of the North Dakota Century Code, relating to the distribution of graphic or intimate images of someone without consent; and to provide a penalty.

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

Sens. Campbell, Burckhard, Miller and Reps. Damschen, Trottier introduced:

**SB 2358:** A BILL for an Act to authorize the department of human services to convey land in Walsh County.

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

Sen. Wardner introduced:

**SB 2359:** A BILL for an Act to create and enact a new section to chapter 28-22 of the North Dakota Century Code, relating to the exemption from judicial process of assets in college and education savings accounts, health savings accounts, and medical savings accounts; and to amend and reenact sections 28-22-03.1, 47-18-01, 47-18-04, and 47-18-14 of the North Dakota Century Code, relating to accounts and assets exempt from judicial process and the homestead exemption.

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

Sen. Schneider and Reps. Mock, Oversen introduced:

**SB 2360:** A BILL for an Act to create and enact a new section to chapter 15-10 of the North Dakota Century Code, relating to the disclosure of directory information by institutions of higher education.

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

Sen. Miller and Reps. Rick C. Becker, Olson introduced:

**SB 2361:** A BILL for an Act to amend and reenact subsection 2 of section 61-40-05 of the North Dakota Century Code, relating to the use of eminent domain by the western area water supply authority.

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

Sens. Casper, Poolman, Unruh and Reps. Beadle, Owens introduced:

**SB 2362:** A BILL for an Act to amend and reenact subsection 1 of section 57-38-01.26 of the North Dakota Century Code, relating to extending the time for remitting funds to an angel fund to qualify for an income tax credit for the taxable year; and to provide an effective date.

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

Sen. Dotzenrod introduced:

**SB 2363:** A BILL for an Act to amend and reenact subsection 5 of section 57-40.3-04 of the North Dakota Century Code, relating to a motor vehicle excise tax exemption for transfer of a motor vehicle without consideration from grandparent to grandchild; and to provide an effective date.

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

Sen. J. Lee introduced:

**SB 2364:** A BILL for an Act to amend and reenact subsection 2 of section 54-59-25, subsection 2 of section 54-59-26, and section 54-59-29 of the North Dakota Century Code, relating to the health information technology loan fund and confidential health information; and to repeal section 6-09-42 of the North Dakota Century Code, relating to the health information technology loan fund.

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

Sens. Dever, J. Lee introduced:

**SB 2365:** A BILL for an Act to amend and reenact section 44-04-09 of the North Dakota Century Code, relating to nepotism.

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

Sens. Triplett, Schneider and Reps. Onstad, Oversen introduced:

**SB 2366:** A BILL for an Act to amend and reenact sections 38-08-01, 54-17.6-01, 54-17.6-03, 54-17.6-04, subsection 5 of section 54-17.6-05, and sections 54-17.6-06 and 54-60-03 of the North Dakota Century Code, relating to regulation of the oil industry by the industrial commission and promotion of the oil industry by the department of commerce.

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

Sens. Poolman, Marcellais, Rust and Reps. Delmore, Fehr, Larson introduced:

**SB 2367:** A BILL for an Act to provide for the creation of a task force on substance exposed newborns; and to provide for a report to the legislative management.

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

Sens. Casper, Axness, Oehlke, Sinner and Reps. Beadle, Owens introduced:

**SB 2368:** A BILL for an Act to create and enact chapter 39-34 of the North Dakota Century Code, relating to transportation network company services.

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

Sens. Warner, Wanzek introduced:

**SB 2369:** A BILL for an Act to create and enact a new section to chapter 16.1-16 of the North Dakota Century Code, relating to audits of ballots and voting equipment.

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

Sens. Larsen, Oban and Reps. D. Anderson, Froseth, Hunsakor, Oversen introduced:

**SB 2370:** A BILL for an Act to amend and reenact section 38-08-05 of the North Dakota Century Code, relating to setbacks for oil and gas wells.

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

Sen. Laffen and Rep. Mock introduced:

**SB 2371:** A BILL for an Act to create and enact subsection 30 to section 40-05-02 of the North Dakota Century Code, relating to the authority of a city council or board of city commissioners to establish administrative boards.

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

Sens. Unruh, Oban and Reps. Boe, Delzer, Porter, Seibel introduced:

**SB 2372:** A BILL for an Act to create and enact a new subsection to section 23-25-04.1 of the North Dakota Century Code, relating to air pollution analyses.

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

Sen. O'Connell introduced:

**SB 2373:** A BILL for an Act to provide for payment of a share of property taxes on land by the owners of severed mineral interests if a producing oil or gas well is generating royalty payments to those owners; and to provide an effective date.

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

Sens. Wardner, Warner and Reps. B. Anderson, Mock introduced:

**SB 2374:** A BILL for an Act to create and enact a new section to chapter 38-08 of the North Dakota Century Code, relating to regulation of gathering pipelines; to amend and reenact subsection 3 of section 38-08-04.5 of the North Dakota Century Code, relating to the abandoned oil and gas well plugging and site reclamation fund; and to provide for a legislative management study.

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

Sens. Bekkedahl, Unruh and Reps. Hatlestad, Steiner, Streyle, Zubke introduced:

**SB 2375:** A BILL for an Act to create and enact chapter 40-64 of the North Dakota Century Code, relating to formation of a community facilities district for public improvements.

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

Sens. Sinner, Armstrong, Laffen, Murphy and Reps. D. Anderson, Mock introduced:

**SB 2376:** A BILL for an Act to create and enact a new section to chapter 20.1-03 of the North Dakota Century Code, relating to lifetime hunting licenses; and to provide for a

legislative management study.

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

Sens. Bekkedahl, Bowman, Rust and Rep. Hatlestad introduced:

**SB 2377:** A BILL for an Act to amend and reenact subsection 1 of section 38-12.1-03, section 38-14.1-02, subsection 3 of section 38-14.1-05, subsection 3 of section 38-14.1-13, subdivisions r and s of subsection 1 of section 38-14.1-14, subdivision c of subsection 2 of section 38-14.1-14, paragraph 2 of subdivision e of subsection 3 of section 38-14.1-21, subdivision b of subsection 4 of section 38-14.1-21, subsections 1 and 1.1 of section 38-14.1-24, subdivision b of subsection 3 of section 38-14.1-24, subsections 5, 10, and 18 of section 38-14.1-24, section 38-14.1-25, subdivision b of subsection 1 of section 38-14.1-27, and subsections 1, 3, and 4 of section 38-14.1-37 of the North Dakota Century Code, relating to the definition of coal and leonardite.

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

Sens. Unruh, Dever, Laffen, Poolman introduced:

**SB 2378:** A BILL for an Act to create and enact sections 6-09-49 and 57-38-01.36 and a new subdivision to subsection 7 of section 57-38-30.3 of the North Dakota Century Code, relating to local community incentive fund grants and tax credits; to amend and reenact subsection 9 of section 57-38-57 of the North Dakota Century Code, relating to confidentiality of tax information; and to provide an effective date.

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

#### **FIRST READING OF SENATE CONCURRENT RESOLUTIONS**

Sens. Armstrong, Schneider introduced:

**SCR 4014:** A concurrent resolution directing the Legislative Management to study reinvestment scenarios and potential priorities for legacy fund earnings.

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

Sens. Carlisle, Anderson, Kilzer and Rep. Maragos introduced:

**SCR 4015:** A concurrent resolution urging Congress to repeal the portions of the federal Affordable Care Act which are overreaching and the portions which are counter to good governance.

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

Sens. Heckaman, Wanzek and Reps. Devlin, Headland, Pollert, Vigesaa introduced:

**SCR 4016:** A concurrent resolution urging Congress and the President of the United States to direct the federal Food and Drug Administration to allow the use of experimental medications to treat Pantothenate kinase-associated neurodegeneration (PKAN) for the benefit of the three children of the Kulsrud family living in Grace City, North Dakota.

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

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

**Jane Schaible, Secretary**

