

JOURNAL OF THE SENATE

Fifty-fifth Legislative Assembly

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Bismarck, February 13, 1997

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

The prayer was offered by Deacon David L. Vaughn, Spirit of Life Catholic Church, Mandan.

The roll was called and all members were present except Senators Bowman, Goetz, Kinnoin, Krauter, O'Connell, St. Aubyn, Traynor, and Urlacher.

A quorum was declared by the President.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2152, SB 2213, SB 2232.

REQUEST

SEN. G. NELSON REQUESTED the Journal reflect that the following absent Senators are representing the Senate at the funeral of Representative Clarence Martin: Senators Goetz, Kinnoin, Krauter, O'Connell, St. Aubyn, and Urlacher. The request was granted.

CORRECTION AND REVISION OF THE JOURNAL

MADAM PRESIDENT: Your **Committee on Correction and Revision of the Journal (Sen. Sand, Chairman)** has carefully examined the Journal of the Twenty-eighth Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 324, line 32, replace "attorney" with "attorneys"

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

MOTION

SEN. G. NELSON MOVED that SB 2001 and SB 2052, which are on the Sixth order, be laid over two legislative days, which motion prevailed.

MOTION

SEN. G. NELSON MOVED that Engrossed SB 2028, which is on the Sixth order, be laid over one legislative day, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SCR 4029: SEN. TOMAC (Finance and Taxation Committee) MOVED that the amendments on SJ page 319 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

MOTION

SEN. HOLMBERG MOVED that the rules be suspended and after action taken on the Sixth order, SB 2020, as amended, be placed on the Eleventh order for immediate second reading and final passage, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2020: SEN. HOLMBERG (Appropriations Committee) MOVED that the amendments on SJ pages 328-330 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2020: A BILL for an Act to provide an appropriation for defraying the expenses of the state board for vocational and technical education; to create and enact a new subsection to section 15-20.1-03 of the North Dakota Century Code, relating to the powers and duties of the state board for vocational and technical education; to amend and reenact section 6-09.10-02.1, subsection 1 of section 6-09.10-06, sections 15-20.1-01, and 15-20.1-02 of the North Dakota Century Code, relating to the duties of the credit review board and the state board for vocational and technical education; and to provide statements of legislative intent.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 41 YEAS, 0 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

YEAS: Andrist; Berg; Christmann; Cook; DeMers; Fischer; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Klein; Krebsbach; Kringstad; LaFountain; Lee; Lindaas; Lips; Mathern; Mutch; Mutzenberger; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; Redlin; Robinson; Sand; Schobinger; Solberg; Stenehjem, B.; Stenehjem, W.; Tallackson; Thane; Thompson; Tomac; Wanzek; Watne; Wogsland; Yockim

ABSENT AND NOT VOTING: Bowman; Goetz; Kinnoin; Krauter; O'Connell; St. Aubyn; Traynor; Urlacher

Engrossed SB 2020 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2029, as engrossed: SEN. GRINDBERG (Appropriations Committee) MOVED that the amendments on SJ pages 330-331 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2047: SEN. LIPS (Appropriations Committee) MOVED that the amendments on SJ page 331 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2316: SEN. LAFOUNTAIN (Government and Veterans Affairs Committee) MOVED that the amendments on SJ page 332 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

MOTION

SEN. G. NELSON MOVED that Engrossed SB 2242, Engrossed SB 2278, and SB 2317, which are on the Eleventh order, be moved to the foot of the calendar, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2337: A BILL for an Act to amend and reenact section 39-04-10.6 of the North Dakota Century Code, relating to collector license plates.

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 40 YEAS, 0 NAYS, 0 EXCUSED, 9 ABSENT AND NOT VOTING.

YEAS: Andrist; Berg; Christmann; Cook; DeMers; Fischer; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Klein; Krebsbach; Kringstad; LaFountain; Lee; Lindaas; Lips; Mathern; Mutch; Mutzenberger; Nalewaja; Nelson, C.; Nelson, G.; Nething; Redlin; Robinson; Sand; Schobinger; Solberg; Stenehjem, B.; Stenehjem, W.; Tallackson; Thane; Thompson; Tomac; Wanzek; Watne; Wogsland; Yockim

ABSENT AND NOT VOTING: Bowman; Goetz; Kinnoin; Krauter; Naaden; O'Connell; St. Aubyn; Traynor; Urlacher

Engrossed SB 2337 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2034: A BILL for an Act to amend and reenact sections 54-52.1-04 and 54-52.1-04.9 of the North Dakota Century Code, relating to employee assistance program benefits coverage under the uniform group insurance program; to provide for transition; to provide an effective date; to provide an expiration date; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 40 YEAS, 0 NAYS, 0 EXCUSED, 9 ABSENT AND NOT VOTING.

YEAS: Andrist; Berg; Christmann; Cook; DeMers; Fischer; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Klein; Krebsbach; Kringstad; LaFountain; Lee; Lindaas; Lips; Mathern; Mutch; Mutzenberger; Nalewaja; Nelson, C.; Nelson, G.; Nething; Redlin; Robinson; Sand; Schobinger; Solberg; Stenehjem, B.; Stenehjem, W.; Tallackson; Thane; Thompson; Tomac; Wanzek; Watne; Wogsland; Yockim

ABSENT AND NOT VOTING: Bowman; Goetz; Kinnoin; Krauter; Naaden; O'Connell; St. Aubyn; Traynor; Urlacher

Engrossed SB 2034 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2127: A BILL for an Act to amend and reenact sections 12-44.1-01, 12-44.1-02, 12-44.1-03, 12-4.1-04, 12-44.1-05, 12-44.1-06, 12-44.1-06.1, 12-44.1-07, 12-44.1-08, 12-44.1-09, 12-44.1-10, 12-44.1-11, 12-44.1-12, 12-44.1-13, 12-44.1-14, 12-44.1-15, 12-44.1-17, 12-44.1-18, 12-44.1-18.1, 12-44.1-18.2, 12-44.1-19, 12-44.1-20, 12-44.1-21, 12-44.1-22, 12-44.1-24, 12-44.1-25, 12-44.1-26, and 12-44.1-27, relating to correctional facilities; and to repeal sections 12-44.1-16 and 12-44.1-23, relating to jails and regional corrections centers; 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 41 YEAS, 0 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

YEAS: Andrist; Berg; Christmann; Cook; DeMers; Fischer; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Klein; Krebsbach; Kringstad; LaFountain; Lee; Lindaas; Lips; Mathern; Mutch; Mutzenberger; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; Redlin; Robinson; Sand; Schobinger; Solberg; Stenehjem, B.; Stenehjem, W.; Tallackson; Thane; Thompson; Tomac; Wanzek; Watne; Wogsland; Yockim

ABSENT AND NOT VOTING: Bowman; Goetz; Kinnoin; Krauter; O'Connell; St. Aubyn; Traynor; Urlacher

Engrossed SB 2127 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2261: A BILL for an Act to amend and reenact sections 6-08.3-02.1 and 6-08.3-13 of the North Dakota Century Code, relating to the acquisition of a North Dakota state-chartered or national bank by an out-of-state bank holding company and interstate banking authorization; and to repeal section 6-08.3-04 of the North Dakota Century Code, relating to the formation of a state-chartered bank by an out-of-state bank holding company.

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 41 YEAS, 0 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

YEAS: Andrist; Berg; Christmann; Cook; DeMers; Fischer; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Klein; Krebsbach; Kringstad; LaFountain; Lee; Lindaas; Lips; Mathern; Mutch; Mutzenberger; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; Redlin; Robinson; Sand; Schobinger; Solberg; Stenehjem, B.; Stenehjem, W.; Tallackson; Thane; Thompson; Tomac; Wanzek; Watne; Wogsland; Yockim

ABSENT AND NOT VOTING: Bowman; Goetz; Kinnoin; Krauter; O'Connell; St. Aubyn; Traynor; Urlacher

Engrossed SB 2261 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2262: A BILL for an Act to create and enact a new section to chapter 62.1-04 of the North Dakota Century Code, relating to reciprocity for concealed weapons licenses; and to

amend and reenact subsection 3 of section 62.1-02-10, subdivision a of subsection 2 of section 62.1-03-01, and section 62.1-04-04 of the North Dakota Century Code, relating to concealed weapons 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 41 YEAS, 0 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

YEAS: Andrist; Berg; Christmann; Cook; DeMers; Fischer; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Klein; Krebsbach; Kringstad; LaFountain; Lee; Lindaas; Lips; Mathern; Mutch; Mutzenberger; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; Redlin; Robinson; Sand; Schobinger; Solberg; Stenehjem, B.; Stenehjem, W.; Tallackson; Thane; Thompson; Tomac; Wanzek; Watne; Wogsland; Yockim

ABSENT AND NOT VOTING: Bowman; Goetz; Kinnoin; Krauter; O'Connell; St. Aubyn; Traynor; Urlacher

Engrossed SB 2262 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2322: A BILL for an Act to create and enact a new subsection to section 49-02-02 of the North Dakota Century Code, relating to the employment and compensation of expert help and assistance for public service commission hearings and investigations.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 13 YEAS, 28 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

YEAS: Berg; DeMers; Heitkamp; Kelsh; LaFountain; Lindaas; Mathern; Mutzenberger; Nelson, C.; Redlin; Tallackson; Tomac; Yockim

NAYS: Andrist; Christmann; Cook; Fischer; Freborg; Grindberg; Holmberg; Klein; Krebsbach; Kringstad; Lee; Lips; Mutch; Naaden; Nalewaja; Nelson, G.; Nething; Robinson; Sand; Schobinger; Solberg; Stenehjem, B.; Stenehjem, W.; Thane; Thompson; Wanzek; Watne; Wogsland

ABSENT AND NOT VOTING: Bowman; Goetz; Kinnoin; Krauter; O'Connell; St. Aubyn; Traynor; Urlacher

Engrossed SB 2322 lost.

SECOND READING OF SENATE BILL

SB 2355: A BILL for an Act to create and enact two new sections to chapter 43-29 of the North Dakota Century Code, relating to examination, licensing, and continuing education requirements of veterinarians; to amend and reenact sections 43-29-01.1, 43-29-03, 43-29-06, 43-29-07, 43-29-09, 43-29-13, 43-29-14, 43-29-15, and 43-29-16 of the North Dakota Century Code, relating to veterinarians; and to repeal sections 43-28-09 and 43-29-12 of the North Dakota Century Code, relating to veterinary certificates of registration and definition of veterinary medicine.

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 38 YEAS, 3 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

YEAS: Andrist; Berg; Christmann; Cook; DeMers; Fischer; Freborg; Grindberg; Heitkamp; Kelsh; Klein; Krebsbach; Kringstad; LaFountain; Lee; Lindaas; Lips; Mathern; Mutch; Mutzenberger; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; Redlin; Robinson; Sand; Schobinger; Solberg; Tallackson; Thane; Thompson; Tomac; Wanzek; Watne; Wogsland; Yockim

NAYS: Holmberg; Stenehjem, B.; Stenehjem, W.

ABSENT AND NOT VOTING: Bowman; Goetz; Kinnoin; Krauter; O'Connell; St. Aubyn; Traynor; Urlacher

Engrossed SB 2355 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2356: A BILL for an Act to create and enact a new section to chapter 23-25 of the North Dakota Century Code, relating to the adoption of state ambient air quality rules and standards for sulfur dioxide that are more strict than federal standards; 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 38 YEAS, 3 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

YEAS: Andrist; Berg; Christmann; Cook; DeMers; Fischer; Grindberg; Heitkamp; Holmberg; Kelsh; Klein; Krebsbach; Kringstad; LaFountain; Lee; Lindaas; Lips; Mathern; Mutch; Mutzenberger; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; Robinson; Sand; Schobinger; Solberg; Stenehjem, W.; Tallackson; Thane; Thompson; Tomac; Wanzek; Watne; Wogsland; Yockim

NAYS: Freborg; Redlin; Stenehjem, B.

ABSENT AND NOT VOTING: Bowman; Goetz; Kinnoin; Krauter; O'Connell; St. Aubyn; Traynor; Urlacher

Engrossed SB 2356 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2202: A BILL for an Act to amend and reenact subsection 6 of section 23-07.5-02 of the North Dakota Century Code, relating to testing for the human immunodeficiency virus.

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 39 YEAS, 2 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

YEAS: Andrist; Berg; Christmann; Cook; Fischer; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Klein; Krebsbach; Kringstad; Lee; Lindaas; Lips; Mathern; Mutch; Mutzenberger; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; Redlin; Robinson; Sand; Schobinger; Solberg; Stenehjem, B.; Stenehjem, W.; Tallackson; Thane; Thompson; Tomac; Wanzek; Watne; Wogsland; Yockim

NAYS: DeMers; LaFountain

ABSENT AND NOT VOTING: Bowman; Goetz; Kinnoin; Krauter; O'Connell; St. Aubyn; Traynor; Urlacher

SB 2202 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2253: A BILL for an Act to provide for a board of health services; to amend and reenact section 23-16-08.1, subsection 3 of section 23-17.4-01, subsection 1 of section 23-18.2-02, subsection 3 of section 31-01-06.3, section 43-46-01, subsection 3 of section 50-10.1-01, section 50-24.1-12, subsection 11 of section 50-24.4-01, and subsection 5 of section 54-52.4-01 of the North Dakota Century Code, relating to the certification, licensing, and registration of various occupations and professions and the duties and powers of various certification, licensing, and registration boards; to repeal chapters 43-25, 43-26, 43-32, 43-34, 43-37, 43-39, 43-40, 43-41, 43-42, 43-44, 43-45, 43-47, and 43-48 of the North Dakota Century Code, relating to the certification, licensure, and registration of massage therapists, physical therapists, psychologists, nursing home administrators, audiologists and speech-language pathologists, athletic trainers, occupational therapists, social workers, respiratory care practitioners,

dietitians, addiction counselors, counselors, and clinical laboratory personnel; and to authorize the legislative council to correct certain references in the code.

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 4 YEAS, 37 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

YEAS: Andrist; Naaden; Schobinger; Solberg

NAYS: Berg; Christmann; Cook; DeMers; Fischer; Freborg; Grindberg; Heitkamp; Holmberg; Kelsch; Klein; Krebsbach; Kringstad; LaFountain; Lee; Lindaas; Lips; Mathern; Mutch; Mutzenberger; Nalewaja; Nelson, C.; Nelson, G.; Nething; Redlin; Robinson; Sand; Stenehjem, B.; Stenehjem, W.; Tallackson; Thane; Thompson; Tomac; Wanzek; Watne; Wogslund; Yockim

ABSENT AND NOT VOTING: Bowman; Goetz; Kinnoin; Krauter; O'Connell; St. Aubyn; Traynor; Urlacher

SB 2253 lost.

MOTION

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

MOTION

SEN. G. NELSON MOVED that the Senate be on the Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 12:30 p.m., Friday, February 14, 1997, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2021: Finance and Taxation Committee (Sen. Urlacher, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2021 was placed on the Sixth order on the calendar.

Page 1, line 5, after the second comma insert "57-15-37,"

Page 10, line 17, replace "one hundred ten" with "eighty-five"

Page 10, line 18, after "county" insert ", except the levy for a county with more than two hundred seventy-five thousand acres [110000 hectares] held in trust by the United States for the benefit of Indian tribes may not exceed one hundred ten mills"

Page 17, line 11, remove "Levying" and overstrike "a tax to establish a public recreation system in"

Page 17, line 12, overstrike "accordance with section 40-55-09", remove "and a park district", and overstrike "may levy a tax not exceeding"

Page 17, overstrike lines 13 and 14

Page 17, line 15, overstrike "3.", remove "Levying", and overstrike "a tax providing for forestry activities in accordance"

Page 17, overstrike line 16

Page 17, line 17, overstrike "4."

Page 17, line 19, overstrike "5" and insert immediately thereafter "3"

Page 19, after line 27, insert:

"SECTION 23. AMENDMENT. Section 57-15-37 of the North Dakota Century Code is amended and reenacted as follows:

57-15-37. Tax levy for airport purposes in park districts. In park districts supporting airports, a levy not exceeding the limitation in ~~subsection 4 of~~ section

57-15-12.2 may be made for such purpose; provided, however, that the levy may be made by not more than one of the political subdivisions in any taxing district."

Page 22, line 27, after "1996" insert an underscored comma

Page 22, after line 28, insert:

"5. The state supervisor of assessments shall determine "statewide average" for counties, cities, and park districts under this section and certify that information to county auditors on or before June first of each year. County auditors shall provide this information to cities and park districts in the county on or before June tenth of that year."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2139: Education Committee (Sen. Freborg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2139 was placed on the Sixth order on the calendar.

Page 1, line 3, remove "and" and after "application" insert "; and to provide a statement of legislative intent"

Page 2, line 1, after the second boldfaced period insert "Section 1 of this Act does not apply to existing contracts between school districts and their employees under which the school district pays the teacher contribution pursuant to subsection 2 of section 15-39.1-09."

Page 2, after line 3, insert:

"SECTION 4. INTENT. It is the intent of the legislative assembly that the one percent increase in the employer contribution contained in subsection 1 of section 15-39.1-09 be considered during the 1997-98 school district-employee salary negotiations."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2147, as engrossed: Appropriations Committee (Sen. Nething, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2147 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2167: Judiciary Committee (Sen. W. Stenehjem, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2167 was placed on the Sixth order on the calendar.

Page 1, line 13, replace "a" with ":

- a. The persistent and willful denial or interference with visitation;
- b. The child's present environment may endanger the child's physical or emotional health or impair the child's emotional development; or
- c. The primary physical care of the child has changed to the other parent for longer than six months."

Page 1, remove lines 14 through 16

Page 1, line 19, replace "affidavit" with "affidavits"

Page 2, line 4, remove the second "or"

Page 2, line 6, after "development" insert "; or

- c. The primary physical care of the child has changed to the other parent for longer than six months"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2181: Judiciary Committee (Sen. W. Stenehjem, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2181 was placed on the Sixth order on the calendar.

Page 1, line 7, after "agency's" insert "written" and replace "convictions" with "policies"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2182: Appropriations Committee (Sen. Nething, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2182 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2191: Finance and Taxation Committee (Sen. Urlacher, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2191 was placed on the Sixth order on the calendar.

Page 1, line 2, remove the first "and" and after "57-38-50" insert ", subsections 3, 4, 5, and 6 of section 57-39.2-13, subsections 3, 4, 5, and 6 of section 57-40.2-16, subsections 2, 3, and 4 of section 57-40.3-07.1, subsections 3, 4, and 6 of section 57-43.1-17.4, and subsections 3, 4, and 6 of section 57-43.2-16.3"

Page 3, after line 8, insert:

"SECTION 4. AMENDMENT. Subsections 3, 4, 5, and 6 of section 57-39.2-13 of the 1995 Supplement to the North Dakota Century Code are amended and reenacted as follows:

3. ~~In order to preserve the lien against subsequent mortgagees, purchasers, or Any mortgagee, purchaser, judgment creditors, for value and without notice of the lien, creditor, or lien claimant acquiring any interest in, or lien on, any property situated in the state, prior to the commissioner shall file with filing in the central notice system maintained by the secretary of state, a notice of the lien provided for in section 57-39.2-12, takes free of, or has priority over, the lien.~~
4. ~~The secretary of state commissioner shall enter index in the central indexing notice system the following data, under the names of taxpayers, arranged alphabetically:~~
 - a. ~~The name of the taxpayer.~~
 - b. ~~The tax identification number or social security number of the taxpayer.~~
 - c. ~~The name "State of North Dakota" as claimant.~~
 - e- d. ~~Time The date and time the notice of lien was received indexed.~~
 - d. ~~Date of notice.~~
 - e. ~~Amount The amount of the lien then due.~~
 - f. ~~When satisfied.~~

~~The secretary of state shall endorse on each notice of lien the day, hour, and minute when received and preserve the same, and shall index the notice in the central indexing system and the~~ The notice of lien is effective from the time of indexing as of eight a.m. next following the indexing of the notice. Any notice of lien filed by the commissioner with a register of deeds before July 1, 1996, may be ~~refiled with the secretary of state~~ indexed in the central notice system without changing its original priority as to property in the county where the lien was filed.

5. The commissioner is exempt from the payment of the filing fees as otherwise provided by law for the ~~filing~~ indexing of the notice of lien, or for its satisfaction.
6. Upon ~~the~~ payment of a the tax as to which the commissioner has ~~filed~~ indexed notice ~~with the secretary of state in the central notice system~~, the commissioner shall ~~file with the secretary of state~~ index a satisfaction of the ~~tax and the secretary of state shall enter the satisfaction on the notice on file and indicate that fact~~ lien in the central indexing notice system.

SECTION 5. AMENDMENT. Subsections 3, 4, 5, and 6 of section 57-40.2-16 of the 1995 Supplement to the North Dakota Century Code are amended and reenacted as follows:

3. ~~In order to preserve the lien against subsequent mortgagees, purchasers, or Any mortgagee, purchaser, judgment creditors, for value and without notice of the lien, creditor, or lien claimant acquiring any interest in, or lien on, any property situated in the state, prior to the commissioner shall file with filing in the central notice system maintained by the secretary of state, a notice of the lien provided for in this section, takes free of, or has priority over, the lien.~~
4. The ~~secretary of state~~ commissioner shall ~~enter~~ index in the central indexing notice system the following data, ~~under the names of taxpayers, arranged alphabetically:~~
 - a. ~~The name of the taxpayer.~~
 - b. ~~The tax identification number or social security number of the taxpayer.~~
 - c. ~~The name "State of North Dakota" as claimant.~~
 - e- d. ~~Time~~ The date and time the notice of lien was received indexed.
 - d. ~~Date of notice.~~
 - e. ~~Amount~~ The amount of the lien then due.
 - f. ~~When satisfied.~~

~~The secretary of state shall endorse on each notice of lien the day, hour, and minute when received and preserve the same, and shall index the notice in the central indexing system, and the~~ The notice of lien is effective from the time of indexing as of eight a.m. next following the indexing of the notice. Any notice of lien filed by the commissioner with a register of deeds before July 1, 1996, may be ~~refiled with the secretary of state~~ indexed in the central notice system without changing its original priority as to property in the county where the lien was filed.

5. The commissioner is exempt from the payment of the recording and filing fees as otherwise provided by law for the ~~recording and filing~~ indexing of the notice of lien, or for its satisfaction.
6. Upon ~~the~~ payment of a the tax as to which the commissioner has ~~filed~~ indexed notice ~~with the secretary of state in the central notice system~~, the commissioner shall ~~file with the secretary of state~~ index a satisfaction of the ~~tax and the secretary of state shall enter the satisfaction on the notice on file and indicate that fact~~ lien in the central indexing notice system.

SECTION 6. AMENDMENT. Subsections 2, 3, and 4 of section 57-40.3-07.1 of the 1995 Supplement to the North Dakota Century Code are amended and reenacted as follows:

2. ~~In order to preserve the lien against subsequent mortgagees, purchasers, or Any mortgagee, purchaser, judgment creditors, for value and without notice of the lien, creditor, or lien claimant acquiring any interest in, or lien on, any property situated in the state, prior to the commissioner shall file with filing in the central notice system maintained by the secretary of state,~~

a notice of the lien provided for in this section, takes free of, or has priority over, the lien.

3. ~~The secretary of state commissioner shall enter index in the central indexing notice system the following data, under the names of taxpayers, arranged alphabetically:~~
 - a. The name of the taxpayer.
 - b. The tax identification number or social security number of the taxpayer.
 - c. The name "State of North Dakota" as claimant.
 - e- d. The date and time the notice of lien was received indexed.
 - d- ~~The date of notice.~~
 - e. The amount of the lien ~~then due.~~
 - f. ~~When satisfied.~~

~~The secretary of state shall endorse on each notice of lien the day, hour, and minute received and preserve and index the notice in the central indexing system, and the~~ The notice of lien is effective from the time of the indexing as of eight a.m. next following the indexing of the notice. Any notice of lien filed by the commissioner with a register of deeds ~~before July 1, 1996, may be refiled with the secretary of state indexed in the central notice system~~ without changing its original priority as to property in the county where the lien was filed. The commissioner is exempt from the payment of fees otherwise provided by law for the ~~filing indexing~~ or the satisfaction of the lien.

4. ~~Upon the payment of a the tax relative to which the commissioner has filed indexed notice with the secretary of state in the central notice system, the commissioner shall file with the secretary of state index a satisfaction of the tax, and the secretary of state shall enter the satisfaction on the notice on file and indicate that fact~~ lien in the central indexing notice system.

SECTION 7. AMENDMENT. Subsections 3, 4, and 6 of section 57-43.1-17.4 of the 1995 Supplement to the North Dakota Century Code are amended and reenacted as follows:

3. ~~To preserve the lien against subsequent mortgagees, purchasers, or Any mortgagee, purchaser, judgment creditors, for value and without notice of the lien, creditor, or lien claimant acquiring any interest in, or lien on, any property situated in a county the state, prior to the commissioner shall file a notice of the lien with filing in the central notice system maintained by the secretary of state, a notice of the lien provided for in this section, takes free of, or has priority over, the lien.~~
4. ~~The secretary of state commissioner shall enter index in the central indexing notice system the following data, under the names of taxpayers, arranged alphabetically:~~
 - a. The name of the taxpayer.
 - b. The tax identification number or social security number of the taxpayer.
 - c. The name "State of North Dakota" as claimant.
 - e- d. The date and time the notice of lien was received indexed.
 - d- ~~The date of notice.~~
 - e. The amount of the lien then due.
 - f. ~~The date of satisfaction.~~

~~The secretary of state shall endorse on each notice of lien the day, hour, and minute when received and preserve the same, and shall index the notice in the central indexing system and the~~ The notice of lien is effective from the time of indexing as of eight a.m. next following the indexing of the notice. Any notice of lien filed by the commissioner with a register of deeds before July 1, 1996, may be refiled with the secretary of state indexed in the central notice system without changing its original priority as to property in the county where the lien was filed.

6. Upon payment of a the tax as to which the commissioner has filed indexed notice with the secretary of state in the central notice system, the commissioner shall file with the secretary of state index a satisfaction of tax and the secretary of state shall enter the satisfaction on the notice on file and indicate the fact on the lien in the central indexing notice system.

SECTION 8. AMENDMENT. Subsections 3, 4, and 6 of section 57-43.2-16.3 of the 1995 Supplement to the North Dakota Century Code are amended and reenacted as follows:

3. ~~To preserve the lien against subsequent mortgagees, purchasers, or Any mortgagee, purchaser, judgment creditors, for value and without notice of the lien, creditor, or lien claimant acquiring any interest in, or lien on, any property situated in a county the state, prior to the commissioner shall file a notice of the lien with filing in the central notice system maintained by the secretary of state a notice of the lien provided for in this section, takes free of, or has priority over, the lien.~~
4. ~~The secretary of state commissioner shall enter index in the central indexing notice system the following data, under the names of taxpayers, arranged alphabetically:~~
- a. ~~The name of the taxpayer.~~
 - b. ~~The tax identification number or social security number of the taxpayer.~~
 - c. ~~The name "State of North Dakota" as claimant.~~
 - e. ~~d. The date and time the notice of lien was received indexed.~~
 - d. ~~The date of notice.~~
 - e. ~~The amount of the lien then due.~~
 - f. ~~The date of satisfaction.~~

~~The secretary of state shall endorse on each notice of lien the day, hour, and minute when received and preserve the same, and shall index the notice in the central indexing system and the~~ The notice of lien is effective from the time of indexing as of eight a.m. next following the indexing of the notice. Any notice of lien filed by the commissioner with a register of deeds before July 1, 1996, may be refiled with the secretary of state indexed in the central notice system without changing its original priority as to property in the county where the lien was filed.

6. Upon payment of a the tax as to which the commissioner has filed indexed notice with the secretary of state in the central notice system, the commissioner shall file with the secretary of state index a satisfaction of tax and the secretary of state shall enter the satisfaction on the notice on file and indicate the fact the lien in the central indexing notice system."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2196: Appropriations Committee (Sen. Nething, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2196 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2203: Appropriations Committee (Sen. Nething, Chairman) recommends **DO NOT PASS** (8 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). SB 2203 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2210: Judiciary Committee (Sen. W. Stenehjem, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2210 was placed on the Sixth order on the calendar.

Page 1, line 24, remove "and" and after "dissolution" insert ", and any annual report in which a registered office or registered agent has been established or changed"

Page 3, line 19, replace "of" with "that is"

Page 5, line 17, after "be" insert "a"

Page 8, line 7, after "than" insert "to"

Page 16, line 18, replace "Except, if" with "If"

Page 18, line 14, replace "designated" with "designation"

Page 18, line 30, after the underscored period insert "The fee prescribed in section 10-33-140 does not apply when the registered agent or registered office is established or changed in the annual report."

Page 29, line 3, replace "section" with "sections" and after "10-33-36" insert "and 10-33-37"

Page 34, line 30, replace "10-33-44" with "10-33-45"

Page 41, line 29, replace the third "or" with "for"

Page 47, line 21, replace "10-33-70" with "10-33-69"

Page 52, line 22, replace "3" with "5"

Page 66, line 1, replace "10-33-92" with "10-33-91"

Page 67, line 14, after the second "of" insert "a"

Page 68, line 20, replace "10-33-126" with "10-33-125"

Page 98, line 7, replace "10-33-121" with "10-33-120"

Page 99, line 30, replace "subsection 4" with "subsections 5 and 6"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2220: Judiciary Committee (Sen. W. Stenehjem, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2220 was placed on the Sixth order on the calendar.

Page 1, line 12, overstrike "selected by the court"

Page 1, line 14, overstrike "responsible party" and remove "other than the department of corrections and"

Page 1, line 15, remove "rehabilitation", overstrike "selected", remove "and supervised", and overstrike "by the court" and insert immediately thereafter "community corrections program other than the department of corrections and rehabilitation. If an appropriate community corrections program is not reasonably available, the court may place the defendant under the supervision and management of the department of corrections and rehabilitation"

Page 5, line 30, remove "unless"

Page 5, line 31, remove "the court, on the record, directs otherwise"

Page 7, line 5, replace "d" with "4"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2221: Judiciary Committee (Sen. W. Stenehjem, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2221 was placed on the Sixth order on the calendar.

Page 2, line 6, after the period insert "However, the perpetrator's assumption of risk does not eliminate the crime victim's duty to protect against attractive nuisance, nor does the assumption of risk apply to perpetrators who are mentally incompetent or deficient."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2227: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends **DO NOT PASS** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). SB 2227 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2267: Finance and Taxation Committee (Sen. Urlacher, Chairman) recommends **DO NOT PASS** (5 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). SB 2267 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2275, as engrossed: Appropriations Committee (Sen. Nething, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2275 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2325: Judiciary Committee (Sen. W. Stenehjem, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2325 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "; and to amend and reenact section 12.1-20-05 of the North Dakota Century"

Page 1, line 3, remove "Code, relating to the penalty for corruption of a minor"

Page 1, remove lines 5 through 14

Page 1, line 15, remove the underscore under "Teen pregnancy prevention media campaign."

Page 1, remove the underscore under lines 16 through 24

Page 2, remove the underscore under lines 1 through 7

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2338: Education Committee (Sen. Freborg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). SB 2338 was placed on the Sixth order on the calendar.

Page 1, line 3, after "districts" insert "; and to provide an appropriation"

Page 1, line 19, replace "thirty-five" with "forty-two"

Page 1, line 21, replace "thirteen" with "eleven"

Page 3, line 8, replace "thirty-three" with "thirty-two", overstrike "for the", remove "1997-98", and overstrike "school"

Page 3, line 9, overstrike "year and", remove "thirty-four", overstrike "mills for the", remove "1998-99", and overstrike "school year"

Page 4, line 19, replace "seventy-five" with "sixty-five"

Page 4, line 25, remove the overstrike over "sixty-five" and remove "eighty-five"

Page 4, line 31, replace "seventy-five" with "sixty-five"

Page 5, line 5, remove the overstrike over "sixty-five" and remove "eighty-five"

Page 5, line 12, replace "seventy-five" with "sixty-five"

Page 5, line 17, remove the overstrike over "sixty-five" and remove "eighty-five"

Page 5, line 24, replace "seventy-five" with "sixty-five"

Page 5, line 29, remove the overstrike over "sixty-five" and remove "eighty-five"

Page 7, line 21, replace "seventy-five" with "sixty-five"

Page 8, line 6, remove the overstrike over "sixty-five" and remove "eighty-five"

Page 8, line 11, replace "seventy-five" with "sixty-five"

Page 8, line 19, remove the overstrike over "sixty-five" and remove "eighty-five"

Page 8, line 26, replace "seventy-five" with "sixty-five"

Page 9, line 3, remove the overstrike over "sixty-five" and remove "eighty-five"

Page 9, line 9, replace "seventy-five" with "sixty-five"

Page 9, line 16, remove the overstrike over "sixty-five" and remove "eighty-five"

Page 9, line 22, replace "seventy-five" with "sixty-five"

Page 9, line 30, remove the overstrike over "sixty-five" and remove "eighty-five"

Page 10, line 6, replace "seventy-five" with "sixty-five"

Page 10, line 13, remove the overstrike over "sixty-five" and remove "eighty-five"

Page 10, line 18, replace "seventy-five" with "sixty-five"

Page 10, line 29, remove the overstrike over "sixty-five"

Page 10, line 30, remove "eighty-five"

Page 12, after line 27, insert:

"SECTION 5. APPROPRIATION. There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$5,000,000, or so much of the sum as may be necessary, to the superintendent of public instruction for the purpose of providing technology grants to school districts, for the biennium beginning July 1, 1997, and ending June 30, 1999. Each year, the superintendent of public instruction shall divide \$2,500,000 by the number of students in average daily membership in the state to arrive at a per student payment under this section. The amount to which each school district in the state is entitled during each year of the biennium is the product of the per student payment calculated under this section times the number of students in average daily membership in the school district. The amount to which each school district is entitled under this section is subject to a ten percent match by the district. Each school district in the state shall use the grants provided under this section to purchase or to offset a recent purchase of computer technology."

ReNUMBER accordingly

REPORT OF STANDING COMMITTEE

SB 2343, as engrossed: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2343 was placed on the Sixth order on the calendar.

Page 2, line 21, remove "For the first"

Page 2, remove lines 22 through 24

Page 2, line 25, remove "three years."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2344: Judiciary Committee (Sen. W. Stenehjem, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2344 was placed on the Sixth order on the calendar.

Page 6, line 5, remove "which is the"

Page 6, line 6, remove "same size as the original document"

Page 83, line 7, overstrike the second "to" and insert immediately thereafter "at"

Page 84, line 24, replace "proposed" with "proposes"

Page 103, line 5, replace "**limited liability companies**" with "**corporations**"

Page 120, line 7, remove "which is the same size as the original"

Page 120, line 8, remove "document"

Page 152, line 16, overstrike "during" and insert immediately thereafter "within"

Page 152, line 17, replace "or" with "after" and replace "at" with "or"

Page 194, line 7, remove the overstrike over "~~constitutes~~"

Page 194, line 11, remove the overstrike over "~~constitutes~~"

Page 236, line 27, replace the second "to" with "at"

Page 255, line 23, remove "which is the same size as the original"

Page 255, line 24, remove "document"

Page 255, line 27, replace "45-22-23" with "45-10.1-15"

Page 261, line 23, replace "corporate" with "limited partnership"

Page 268, line 24, remove "which is the same size as the original"

Page 268, line 25, remove "document"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2345: Human Services Committee (Sen. Thane, Chairman) recommends **DO NOT PASS** (5 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2345 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2359: Judiciary Committee (Sen. W. Stenehjem, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2359 was placed on the Sixth order on the calendar.

Page 1, line 7, remove "and municipal judges." and overstrike "within their respective jurisdictions, by" and insert immediately thereafter ", municipal judges."

Page 1, line 8, overstrike the first "by", overstrike "of the gospel", overstrike "of every church", overstrike the second "by", and overstrike the third "of"

Page 1, line 9, overstrike "the gospel", overstrike "regular church bodies or" and insert immediately thereafter "recognized", and overstrike "and serving as pastors of"

Page 1, line 10, overstrike "churches" and insert immediately thereafter "pursuant to chapters 10-24 through 10-28", overstrike "forms and usages" and insert immediately thereafter "rituals and practices", and overstrike "church or"

Page 1, overstrike line 11

Page 1, line 12, overstrike "chapters 10-24 through 10-28" and insert immediately thereafter "persuasion"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2381: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends **DO NOT PASS** (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2381 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2383: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2383 was placed on the Sixth order on the calendar.

Page 1, line 7, replace "persons defined by subdivision h of subsection 16 of section" with "a clerk, assessor, treasurer, or member of the board of supervisors of an organized township, if the contract for insurance is to provide protection for a person mentioned in this subsection and that person is not employed by the township in any other capacity"

Page 1, line 8, remove "65-01-02"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2386: Transportation Committee (Sen. B. Stenehjem, Chairman) recommends **DO NOT PASS** (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2386 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2388: Judiciary Committee (Sen. W. Stenehjem, Chairman) recommends **BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2388 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2390: Judiciary Committee (Sen. W. Stenehjem, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2390 was placed on the Sixth order on the calendar.

Page 1, line 7, replace "resources" with "income"

Page 1, line 8, replace "resources" with "income" and remove "or obligee in order"

Page 1, line 9, after "ordered" insert "unless the financial circumstances and income of an obligor's spouse are, to a significant extent, subject to control by the obligor"

Page 1, line 10, replace "court may not subtract the needs of a spouse, or a dependent of a spouse," with "income of an obligor's spouse may be considered by the court in a proceeding to establish or modify a child support obligation if the obligor and the obligor's spouse have children in common."

Page 1, remove line 11

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2392: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends **DO NOT PASS** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). SB 2392 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4023: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4023 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4035: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4035 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1256: Finance and Taxation Committee (Sen. Urlacher, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1256 was placed on the Sixth order on the calendar.

Page 1, line 17, replace "To preserve the lien under this section against subsequent mortgagees." with "Any"

Page 1, line 18, remove "purchasers, or" and replace "creditors, for value and without notice of the lien, on" with "creditor, or lien claimant acquiring any interest in, or lien on,"

Page 1, line 19, after the underscored comma insert "prior to" and replace "shall file a notice of the lien with" with "filing in the central notice system maintained by"

Page 1, line 20, after the first "state" insert ", a notice of the lien provided for in this section, takes free of, or has priority over, the lien", replace the second "secretary of state" with "commissioner", replace "enter" with "index", and replace "indexing" with "notice"

Page 1, line 21, remove ", under the alphabetically arranged names of the"

Page 1, line 22, remove "producers or purchasers"

Page 1, after line 23, insert:

"b. The tax identification number or social security number of the taxpayer."

Page 1, line 24, replace "b" with "c"

Page 2, line 1, replace "c" with "d", after "The" insert "date and", and replace "received" with "indexed"

Page 2, remove line 2

Page 2, line 3, remove "when due"

Page 2, remove lines 4 through 6

Page 2, line 7, remove "indexing system.", after "The" insert "notice of", and replace "against subsequent creditors, purchasers," with "of eight a.m. of the first day following the indexing of the notice"

Page 2, line 8, remove "and encumbrancers from the time of the indexing"

Page 2, line 10, replace "refiled with the secretary of state" with "indexed in the central notice system" and after "priority" insert "as to property"

Page 2, line 13, replace "filed" with "indexed" and replace "of lien with" with "in the central notice system"

Page 2, line 14, remove "the secretary of state", replace "file" with "index", and replace "with the" with "in the central notice system"

Page 2, line 15, remove "secretary of state"

Page 2, line 16, remove "filing"

Page 2, line 17, replace "filing" with "indexing"

Renumber accordingly

FIRST READING OF SENATE CONCURRENT RESOLUTION

Sens. Fischer, Krebsbach, Nalewaja and Reps. Carlson, Skarphol, Wald introduced:

SCR 4043: A concurrent resolution directing the Legislative Council to study the issue of insurance brokers acting as consultants and the public policy of prohibiting insurance consultants from collecting commissions, consulting fees, and policy fees.

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

The Senate stood adjourned pursuant to Senator G. Nelson's motion.

William C. Parker, Secretary