

JOURNAL OF THE SENATE

Fifty-seventh Legislative Assembly

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Bismarck, January 25, 2001

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

The prayer was offered by Reverend Carlyle Roth, St. Mark's Lutheran Church, Minot.

The roll was called and all members were present.

A quorum was declared by the President.

REPORT OF PROCEDURAL COMMITTEE

MR. PRESIDENT: Your procedural **Committee on Committees (Sen. G. Nelson, Chairman)** announces the appointment of Sens. Watne, Kringstad, and Polovitz to the **Senate Memorial Committee**.

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

MOTION

SEN. G. NELSON MOVED that SB 2293 be returned to the Senate floor from the **Human Services Committee** for the purpose of withdrawal, which motion prevailed.

REQUEST

SEN. G. NELSON REQUESTED the unanimous consent of the Senate to withdraw SB 2293. There being no objection, it was so ordered by the President.

CONSIDERATION OF AMENDMENTS

SB 2010: SEN. TALLACKSON (Appropriations Committee) MOVED that the amendments on SJ pages 159-160 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2112: SEN. THANE (Appropriations Committee) MOVED that the amendments on SJ page 160 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2187: SEN. T. MATHERN (Human Services Committee) MOVED that the amendments on SJ pages 160-161 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2208: SEN. ESPEGARD (Industry, Business and Labor Committee) MOVED that the amendments on SJ page 161 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2242: SEN. CHRISTMANN (Finance and Taxation Committee) MOVED that the amendments on SJ page 161 be adopted and then be placed on the Eleventh order with **DO NOT PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2073: A BILL for an Act to amend and reenact sections 2-08-03 and 2-08-04 of the North Dakota Century Code, relating to fees charged by the aeronautics commission.

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, 4 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Holmberg; Kelsh; Kilzer; Klein; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mutch; Nelson, C.; Nelson, G.;

Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

NAYS: Heitkamp; Krauter; Mathern, T.; Thane

Engrossed SB 2073 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2226: A BILL for an Act to amend and reenact sections 34-01-20 and 34-11.1-04 of the North Dakota Century Code, relating to prohibited employer retaliation for employee reporting of violations of laws, ordinances, or regulations.

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 49 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

Engrossed SB 2226 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2005: A BILL for an Act to provide an appropriation for defraying the expenses of the Indian affairs commission.

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 49 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

SB 2005 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2006: A BILL for an Act to provide an appropriation for defraying the expenses of the aeronautics commission.

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 49 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

SB 2006 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2018: A BILL for an Act to provide an appropriation for defraying the expenses of the office of administrative hearings; and to authorize a loan from the general 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 49 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroepflin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

SB 2018 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2041: 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 North Dakota university system; and to amend and reenact section 15-10-14.2 of the North Dakota Century Code, relating to the higher education system strategic plan.

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 48 YEAS, 1 NAY, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroepflin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

NAYS: Christenson

SB 2041 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2050: A BILL for an Act to provide an appropriation for gaming grants; 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 49 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroepflin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

SB 2050 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2139: A BILL for an Act to repeal chapter 23-23.1 of the North Dakota Century Code, relating to the state board of medical examiners' authority over the administration of laetrile.

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 42 YEAS, 7 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroepflin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Nelson, C.; Nelson, G.; Nething; Nichols; Polovitz; Robinson; Tallackson; Thane; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

NAYS: Every; Mutch; O'Connell; Schobinger; Solberg; Stenehjem; Tollefson

SB 2139 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2168: A BILL for an Act to amend and reenact section 50-06-19 of the North Dakota Century Code, relating to exemption from insurance premium taxes paid by the department of human services.

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 49 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroepflin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

SB 2168 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2218: A BILL for an Act to create and enact a new section to chapter 57-39.2 of the North Dakota Century Code, relating to a sales and use tax exemption for office furniture and computer and telecommunications equipment in a new or expanding primary sector business; 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 28 YEAS, 21 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christenson; Erbele; Every; Fischer; Heitkamp; Holmberg; Kelsh; Klein; Krauter; Kroepflin; Lindaas; Lyson; Mathern, D.; Mathern, T.; Nelson, C.; Nichols; O'Connell; Robinson; Tallackson; Thane; Tomac; Trenbeath; Urlacher; Wardner; Watne

NAYS: Christmann; Cook; Dever; Espegard; Flakoll; Freborg; Grindberg; Kilzer; Krebsbach; Kringstad; Lee; Mutch; Nelson, G.; Nething; Polovitz; Schobinger; Solberg; Stenehjem; Tollefson; Traynor; Wanzek

SB 2218 passed and the title was agreed to.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4002: A concurrent resolution authorizing the Budget Section of the Legislative Council to hold the required legislative hearings on state plans for the receipt and expenditure of new or revised block grants passed by Congress.

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

SCR 4002 was declared adopted and the title was agreed to.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has passed, the emergency clause carried, and your favorable consideration is requested on: SB 2230.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2078, SB 2105, SB 2111, SB 2183, SB 2185, SB 2240.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The President has signed and your signature is respectfully requested on: SB 2137.

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)
MR. PRESIDENT: The House has passed, the emergency clause carried, and your favorable consideration is requested on: HB 1026, HB 1197.

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)
MR. PRESIDENT: The House has passed and your favorable consideration is requested on: HB 1028, HB 1030, HB 1064, HB 1067, HB 1068, HB 1091, HB 1107, HB 1118, HB 1133, HB 1138, HB 1139, HB 1140, HB 1143, HB 1158, HB 1166, HB 1175, HB 1189, HB 1195, HB 1296.

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)
MR. PRESIDENT: The Speaker has signed: SB 2048.

MOTION

SEN. CHRISTMANN MOVED that the Senate be on the Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 12:30 p.m., Friday, January 26, 2001, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2046: Judiciary Committee (Sen. Traynor, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2046 was placed on the Sixth order on the calendar.

Page 2, line 27, remove "Serious mental illness" and overstrike the period

Page 2, line 28, overstrike "8."

Page 4, line 1, replace "spousal support" with "separation"

Page 4, line 8, replace "spousal support" with "separation"

Page 5, line 9, after "either" insert "or both" and

Page 5, line 10, replace the second "the" with "their" and remove "of marriage"

Re-number accordingly

REPORT OF STANDING COMMITTEE

SB 2047: Judiciary Committee (Sen. Traynor, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2047 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2087: Transportation Committee (Sen. Stenehjem, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2087 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2088: Transportation Committee (Sen. Stenehjem, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2088 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2098: Human Services Committee (Sen. Lee, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2098 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "sections 23-09.3-01.1 and" with "section"

Page 1, line 2, replace "additional basic care and" with "expansion of"

Page 1, line 3, replace "beds and to exempt tribal nations within the state of North Dakota from the moratorium" with "bed capacity; and to repeal section 23-09.3-01.1 of the North Dakota Century Code, relating to the moratorium on expansion of basic care bed capacity"

Page 1, replace lines 5 through 24 with:

"SECTION 1. AMENDMENT. Section 23-16-01.1 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

23-16-01.1. Moratorium on expansion of long-term care bed capacity. ~~Notwithstanding sections section 23-16-06 and 23-16-10, except when existing beds are converted for use by the alzheimer's and related dementia population under the projects provided for in section 50-06-14.4, the state department of health may not issue a license for any additional bed capacity above the state's gross licensed capacity of seven thousand one hundred forty beds, adjusted by any reduction in beds before July 31, 1999, during the period between August 1, 1999, and July 31, 2001. Transfers of existing beds from one municipality to another municipality must be approved if the department of health licensing requirements are met, during the period August 1, 1999, to July 31, 2001, only may occur to the extent that for each bed transfer approved the total number of licensed beds in the state transferred, one is reduced by the same number transferred. Existing licensed beds released by a facility which are not immediately and transferred to another facility may not be banked for future transfer to another facility must become licensed within eighteen months of transfer. Purchasing of facilities is not subject to the two for one transfer provision.~~

SECTION 2. REPEAL. Section 23-09.3-01.1 of the North Dakota Century Code is repealed."

Page 2, remove lines 1 through 11

Re-number accordingly

REPORT OF STANDING COMMITTEE

SB 2117: Judiciary Committee (Sen. Traynor, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2117 was placed on the Sixth order on the calendar.

Page 1, line 1, after the comma insert "a new subsection to section 44-04-17.1,"

Page 1, line 6, after the first comma insert "and" and remove ", and section 65-05-32"

Page 2, line 3, remove the overstrike over "or" and remove ", order of the"

Page 2, remove line 4

Page 2, line 5, remove "education," and replace "director" with "individual in charge"

Page 2, line 6, remove "administrative" and replace "when a majority of the members are not" with "or institution"

Page 2, line 7, remove "employees of the agency"

Page 2, after line 18, insert:

"SECTION 3. A new subsection to section 44-04-17.1 of the 1999 Supplement to the North Dakota Century Code is created and enacted as follows:

"Task force or working group" means a group of individuals which has been formally designated to meet as a group to assist, advise, or act on behalf of the individual in charge of a state agency or institution when a majority of the members of the group are not employees of the agency or institution."

Page 5, remove lines 14 through 30

Page 6, remove lines 1 through 12

Re-number accordingly

REPORT OF STANDING COMMITTEE

SB 2138: Human Services Committee (Sen. Lee, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2138 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact sections 23-32-01 and 23-32-03 of the North Dakota Century Code, relating to plastic products degradation and labeling; and to repeal sections 23-32-02 and 23-32-04 of the North Dakota Century Code, relating to plastic products degradation and labeling.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 23-32-01 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

23-32-01. Definitions. As used in ~~sections 23-32-01 through 23-32-04~~ this chapter:

1. "Degradable" means capable of being reduced to environmentally benign subunits under the action of normal environmental forces, including biodegradation, photodegradation, chemical degradation, or hydrolysis within reasonable time lines specific for waste types and waste management methods.
2. "Department" means the state department of health.
3. ~~"Label" means a molded imprint or raised symbol.~~
4. "Plastic" means any material made of polymeric organic compounds and additives that can be shaped by flow.
5. ~~4.~~ "Plastic bottle" means a plastic container that has a neck that is smaller than the body of the container, accepts a screw-type, snap cap, or other closure, and has a capacity of at least sixteen fluid ounces [453.60 grams] but less than five gallons [18.93 liters].
6. ~~"Rigid plastic container" means any formed or molded container, other than a bottle, intended for single use, composed predominately of plastic resin, and having a relatively inflexible finite shape or form with a capacity of at least eight ounces [226.80 grams] but not more than five gallons [18.93 liters].~~

SECTION 2. AMENDMENT. Section 23-32-03 of the North Dakota Century Code is amended and reenacted as follows:

~~23-32-03. Plastic bottles and containers—Label—Penalty~~ Rules.

1. ~~All plastic bottles and rigid plastic containers sold in this state after December 31, 1991, must have a label indicating the plastic resin used to produce the bottle or container. The numbers and letters used on the label must be at least one-half inch [12.7 millimeters] high and must appear on~~

~~the bottom of the plastic bottle or rigid plastic container. The label must consist of the following numbers, placed inside three triangulated arrows, and letters placed immediately below the three triangulated arrows depending on the plastic resin used. The triangulated arrows must be equilateral, formed by three arrows with the apex of each point of the triangle at the midpoint of each arrow, rounded with a short radius. The pointer (arrowhead) of each arrow must be at the midpoint of each side of the triangle with a short gap separating the pointer from the base of the adjacent arrow. The triangle formed by the three arrows curved at their midpoints must depict a clockwise path around the code number. The numbers and letters used must be as follows:~~

- ~~a. 1-PETE if the product used is polyethylene terephthalate.~~
 - ~~b. 2-HDPE if the product used is high density polyethylene.~~
 - ~~c. 3-V if the product used is vinyl.~~
 - ~~d. 4-LDPE if the product used is low density polyethylene.~~
 - ~~e. 5-PP if the product used is polypropylene.~~
 - ~~f. 6-PS if the product used is polystyrene.~~
 - ~~g. 7-OTHER if the product used is multilayer.~~
 - ~~h. 8-D if the product used is degradable.~~
- ~~2. The department shall maintain a list of the label code contained in this section and shall provide a copy of the list to any person upon request.~~
 - ~~3. Any person who violates this section is guilty of an infraction.~~

~~The department may adopt rules consistent with national or regional standards which relate to the promotion of plastic bottle recycling and the maintenance of safe plastic bottle recycling practices in the state.~~

SECTION 3. REPEAL. Sections 23-32-02 and 23-32-04 of the North Dakota Century Code are repealed."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2149: Education Committee (Sen. Freborg, Chairman) recommends **DO NOT PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2149 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2169: Agriculture Committee (Sen. Wanzek, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2169 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2171: Agriculture Committee (Sen. Wanzek, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2171 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2190: 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 2190 was placed on the Sixth order on the calendar.

Page 1, line 16, remove the overstrike over "civil action by"

Page 2, line 25, remove the overstrike over "civil action by"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2196: Judiciary Committee (Sen. Traynor, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2196 was placed on the Sixth order on the calendar.

Page 1, line 10, replace "made" with "served"

Page 1, line 11, remove "and must contain a copy of"

Page 1, line 12, remove "the execution"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2206: 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 2206 was placed on the Sixth order on the calendar.

Page 1, line 1, after the first comma insert "subsection 2 of section 43-23.3-08,"

Page 1, after line 18, insert:

"SECTION 2. AMENDMENT. Subsection 2 of section 43-23.3-08 of the North Dakota Century Code is amended and reenacted as follows:

2. An applicant for a permit to practice as a licensed appraiser must have a high school education or its equivalent. In addition, an applicant must have successfully completed the minimum education requirements established by the appraisal ~~subcommittee~~ foundation and the board."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2212: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2212 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2219: Judiciary Committee (Sen. Traynor, Chairman) recommends **DO NOT PASS** (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2219 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3005: Transportation Committee (Sen. Stenehjem, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3005 was placed on the Fourteenth order on the calendar.

FIRST READING OF SENATE BILLS

Sens. Espgaard, Heitkamp, C. Nelson, Thane and Reps. Cleary, Solberg introduced:

SB 2367: A BILL for an Act to amend and reenact section 57-36-32 of the North Dakota Century Code, relating to the rate of tax on the sale of cigarettes; to provide an appropriation for school nursing project grants; and to provide an effective date. Was read the first time and referred to the **Finance and Taxation Committee**.

Sens. Watne, Dever and Reps. Hawken, Mahoney, Meier introduced:

SB 2368: A BILL for an Act to provide for a peace officers' bill of rights; and to provide a penalty. Was read the first time and referred to the **Judiciary Committee**.

Sen. Lee and Rep. Svedjan introduced:

SB 2369: A BILL for an Act to create and enact a new chapter to title 43 of the North Dakota Century Code, relating to the practice of acupuncture; and to provide a penalty. Was read the first time and referred to the **Human Services Committee**.

Sens. G. Nelson, Krebsbach, Stenehjem and Reps. Kliniske, Weisz introduced:

SB 2370: A BILL for an Act to create and enact a new section to chapter 13-03.1 of the North Dakota Century Code, relating to licensing businesses to allow currency exchange services; and to amend and reenact sections 13-03.1-01, 13-03.1-03, 13-03.1-06,

13-03.1-08, 13-03.1-09, 13-03.1-10, 13-03.1-11, 13-03.1-12, 13-03.1-13, 13-03.1-14, 13-03.1-15, 13-03.1-15.1, 13-03.1-16, and 13-03.1-17 of the North Dakota Century Code, relating to the licensing of businesses under the Consumer Finance Act.

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

Sens. Espegard, Lee and Reps. Kasper, Nottestad introduced:

SB 2371: A BILL for an Act to amend and reenact section 43-11-16 and subdivisions b and c of subsection 1 of section 43-11-27 of the North Dakota Century Code, relating to cosmetology schools and cosmetology instructors.

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

Sen. Dever and Reps. Dosch, Meier introduced:

SB 2372: A BILL for an Act to create and enact a new subsection to section 16.1-07-08 of the North Dakota Century Code, relating to absent voter's ballots; and to amend and reenact section 16.1-07-04 of the North Dakota Century Code, relating to the distribution of absent voter's ballots.

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

Sens. Dever, Cook introduced:

SB 2373: A BILL for an Act to amend and reenact subdivision a of subsection 1 of section 14-09-09.7 of the North Dakota Century Code, relating to gross income under child support guidelines of the department of human services.

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

Sens. Robinson, Wardner and Rep. N. Johnson introduced:

SB 2374: A BILL for an Act to amend and reenact subsection 1 of section 57-35.3-05 and section 57-38-01.7 of the North Dakota Century Code, relating to financial institutions tax and income tax credits for contributions to support institutions of higher education; and to provide an effective date.

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

FIRST READING OF HOUSE BILLS

HB 1026: A BILL for an Act making an appropriation for defraying the expenses of various state departments and institutions; and to declare an emergency.

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

HB 1028: A BILL for an Act to amend and reenact subsection 6 of section 28-32-02 of the North Dakota Century Code or in the alternative to amend and reenact section 28-32-03 of the North Dakota Century Code, relating to authorization by the administrative rules committee before administrative rules may be effective on an emergency basis; and to provide an effective date.

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

HB 1030: A BILL for an Act to create and enact a new chapter 28-32 of the North Dakota Century Code, relating to administrative agencies practices; to amend and reenact section 4-18.1-19, subsection 1 of section 4-18.1-20, subsection 2 of section 4-18.1-21, subdivision a of subsection 1 of section 10-04-16.1, section 15-38.1-05, subdivision d of subsection 2 of section 19-03.1-33, sections 20.1-13.1-09, 20.1-15-09, 23-01-23, 23-20.2-04, 23-20.2-08, 28-32-18, 38-08-13, 38-08-14, 38-14.1-35, 39-06.2-10.7, and 39-20-06, subsection 8 of section 43-06-15, sections 43-07-15, 43-10-19, 43-11-32, 43-32-28.1, and 43-41-11, subsection 9 of section 50-01.2-06, subsection 9 of section 50-24.4-01.1, sections 54-03-24, 54-23.4-11, and 54-35-02.6, subsection 3 of section 54-57-01, subsection 1 of section 54-57-03, sections 54-57-04, 57-57-10, and 61-04-06 of the North Dakota Century Code, relating to correction of statutory references to provisions in North Dakota Century Code chapter 28-32 and the authority of the administrative rules committee to suspend administrative rules; to repeal existing chapter 28-32 of the North Dakota Century Code, relating to administrative agencies practices; and to provide an effective date.

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

HB 1064: A BILL for an Act to amend and reenact section 57-51-02.2, subsection 2 of section 57-51-05, subsection 2 of section 57-51-09, section 57-51-19, subsections 3 and 10 of section 57-51.1-01, and subsection 3 of section 57-51.1-03 of the North Dakota Century Code, relating to publication of the gas base rate adjustment, tax payment, computation of tax on incorrect returns, time for claim of credits or refunds, and date limitations under the oil and gas gross production tax and oil extraction tax.

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

HB 1067: A BILL for an Act to amend and reenact section 51-05.1-01.1 of the North Dakota Century Code, relating to auctioneer's and auction clerk's license renewals and fees;

and to repeal section 51-05.1-06 of the North Dakota Century Code, relating to auctioneer and auction clerk license renewal requirements.

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

HB 1068: A BILL for an Act to amend and reenact subsection 5 of section 15-20.4-03 and section 15-20.4-05 of the North Dakota Century Code, relating to authorization and incorporation of private postsecondary educational institutions.

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

HB 1091: A BILL for an Act to amend and reenact section 64-02-10 of the North Dakota Century Code, relating to fees for testing or calibrating weighing and measuring devices.

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

HB 1107: A BILL for an Act to provide for the adoption of the Uniform Foreign Money-Judgments Recognition Act.

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

HB 1118: A BILL for an Act to amend and reenact section 18-08-12 of the North Dakota Century Code, relating to fire inspection of state buildings and institutions.

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

HB 1133: A BILL for an Act to amend and reenact section 47-19-33 of the North Dakota Century Code, relating to the proof of a document.

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

HB 1138: A BILL for an Act to amend and reenact section 43-07-04 of the North Dakota Century Code, relating to contractor licenses.

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

HB 1139: A BILL for an Act to amend and reenact subsection 14 of section 45-10.1-15 and subsection 1 of section 45-10.1-52 of the North Dakota Century Code, relating to the foreign limited partnership amendment fee and registration filed with the secretary of state.

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

HB 1140: A BILL for an Act to amend and reenact subsection 5 of section 45-22-03 of the North Dakota Century Code, relating to limited liability partnership registrations filed with the secretary of state.

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

HB 1143: A BILL for an Act to amend and reenact sections 26.1-22.1-07, 26.1-22.1-08, 26.1-22.1-09, and 26.1-22.1-10 of the North Dakota Century Code, relating to fees for inspection of boilers.

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

HB 1158: A BILL for an Act to amend and reenact section 61-24.3-01 of the North Dakota Century Code, relating to the amount of bonds that may be issued to finance the southwest pipeline project.

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

HB 1166: A BILL for an Act to amend and reenact section 48-01.1-04 of the North Dakota Century Code, relating to the department of transportation procuring plans and specifications for buildings to be used for the storage and housing of road materials, machinery, equipment, and tools.

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

HB 1175: A BILL for an Act to amend and reenact section 39-06.2-01, subdivision b of subsection 2 of section 39-06.2-09, and section 39-06.2-10 of the North Dakota Century Code, relating to driving a commercial motor vehicle; and to provide a penalty.

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

HB 1189: A BILL for an Act to amend and reenact section 39-06-20, subsection 6 of section 39-06-32, subsection 1 of section 39-06-33, section 39-06.1-04, subsection 2 of section 39-06.1-13, section 39-16.1-01, subsection 2 of section 39-20-03.2, and subsection 1 of section 39-20-05 of the North Dakota Century Code, relating to notice of change of address for an operator's license or permit, suspension for failure to appear in court or post and forfeit bond, means to request a hearing, reduction of point total, proof of financial responsibility, serving results of a blood test on a nonresident operator, and extension of a temporary operator's permit.

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

HB 1195: A BILL for an Act to amend and reenact section 43-01-18 of the North Dakota Century Code, relating to fees charged by abstracters.

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

HB 1197: A BILL for an Act to amend and reenact section 54-06-09 of the North Dakota Century Code, relating to mileage and travel expense reimbursement for state officials and employees; and to declare an emergency.

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

HB 1296: A BILL for an Act to amend and reenact section 23-07.5-04 of the North Dakota Century Code, relating to the human immunodeficiency virus record maintenance.

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

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

WILLIAM R. HORTON, Secretary