

**JOURNAL OF THE SENATE**

**Fifty-seventh Legislative Assembly**

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**Bismarck, February 22, 2001**

The Senate convened at 8:30 a.m., with President Dalrymple presiding.

The prayer was offered by Pastor Charles Axness, First Lutheran Church, Mandan.

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

A quorum was declared by the President.

**MOTION**

**SEN. CHRISTMANN MOVED** that HB 1038 and HB 1117, which are on the Sixth order, be laid over one legislative day, which motion prevailed.

**MOTION**

**SEN. CHRISTMANN MOVED** that SB 2252 be moved to the bottom of the calendar, which motion prevailed.

**CONSIDERATION OF AMENDMENTS**

**SB 2371: SEN. KILZER (Human Services Committee) MOVED** that the amendments on SJ pages 613-614 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

**SECOND READING OF SENATE BILL**

**SB 2371:** A BILL for an Act to amend and reenact subsection 12 of section 43-11-01, 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 skin care, cosmetology schools, and cosmetology instructors.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 48 YEAS, 0 NAYS, 1 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; Wardner; Watne

**EXCUSED:** Wanzek

Engrossed SB 2371 passed and the title was agreed to.

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**CONSIDERATION OF AMENDMENTS**

**SCR 4026: SEN. ERBELE (Agriculture Committee) MOVED** that the amendments on SJ page 614 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

**SECOND READING OF SENATE BILL**

**SCR 4026:** A concurrent resolution urging Congress to carefully examine United States agricultural policy with a view to addressing trade and export enhancement issues, adequate loan rates for all commodities, and any other issues or provisions that would restore income protection and prosperity for this country's farmers.

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

Engrossed SCR 4026 was declared adopted, and the title was agreed to on a voice vote.

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**SECOND READING OF SENATE BILL**

**SB 2034:** A BILL for an Act to create and enact three new sections to chapter 25-03.3 of the North Dakota Century Code, relating to the referral of inmates for civil commitment and rulemaking; and to amend and reenact sections 25-03.3-01, 25-03.3-02, 25-03.3-03, 25-03.3-07, 25-03.3-08, subsection 2 of section 25-03.3-09, sections 25-03.3-10, 25-03.3-11, 25-03.3-12, 25-03.3-13, 25-03.3-17, subsection 1 of section 25-03.3-18, and section 25-03.3-19 of the North Dakota Century Code, relating to the civil commitment of sexual predators.

**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; Kroepelin; 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 2034 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2337:** A BILL for an Act to create and enact chapter 52-06.1 of the North Dakota Century Code, relating to a shared work unemployment compensation program.

**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; Kroepelin; 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 2337 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2294:** A BILL for an Act to create and enact a new section to chapter 57-38 and a new subsection to section 57-38-30.3 of the North Dakota Century Code, relating to a corporate and individual income tax credit for fees paid to the small business administration for guaranteed financing; to provide an effective date; and to provide an expiration 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 37 YEAS, 12 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Bercier; Bowman; Christmann; Cook; Dever; Erbele; Espegard; Fischer; Flakoll; Freborg; Grindberg; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroepelin; Lee; Lyson; Mathern, D.; Mathern, T.; Nelson, G.; Nething; Nichols; Polovitz; Schobinger; Stenehjem; Tallackson; Thane; Tollefson; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

**NAYS:** Andrist; Christenson; Every; Heitkamp; Kelsh; Lindaas; Mutch; Nelson, C.; O'Connell; Robinson; Solberg; Tomac

Engrossed SB 2294 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2354:** A BILL for an Act to create and enact a new section to chapter 50-06 of the North Dakota Century Code, relating to an alternatives-to-abortion services program; and to provide an appropriation.

**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; 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

Engrossed SB 2354 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2394:** A BILL for an Act to create and enact two new sections to chapter 20.1-01 and three new subsections to section 20.1-03-12 of the North Dakota Century Code, relating to fee hunting and guide license fees; and to amend and reenact section 20.1-01-02, subsection 17 of section 20.1-02-05, section 20.1-03-11.2, subsections 34, 35, 36, and 42 of section 20.1-03-12, section 20.1-03-36, and subsections 7, 8, and 9 of section 57-39.2-01 of the North Dakota Century Code, relating to licensing of outfitters and guides and sales tax definitions.

**REQUEST**

**SEN. TOMAC REQUESTED** that the Senate divide Engrossed SB 2394, which request was granted.

**DIVISION A:** Sections 2 and 9 of the bill.

**DIVISION B:** The remainder of the bill.

**ROLL CALL**

The question being on the final adoption of Division A of Engrossed SB 2394, the roll was called and there were 21 YEAS, 28 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Cook; Dever; Espegard; Fischer; Flakoll; Grindberg; Holmberg; Krebsbach; Kringstad; Lee; Lyson; Mutch; Nelson, G.; Nething; Polovitz; Stenehjem; Tallackson; Tollefson; Traynor; Wardner; Watne

**NAYS:** Andrist; Bercier; Bowman; Christenson; Christmann; Erbele; Every; Freborg; Heitkamp; Kelsh; Kilzer; Klein; Krauter; Kroepflin; Lindaas; Mathern, D.; Mathern, T.; Nelson, C.; Nichols; O'Connell; Robinson; Schobinger; Solberg; Thane; Tomac; Trenbeath; Urlacher; Wanzek

Division A of Engrossed SB 2394 lost.

**ROLL CALL**

The question being on the final adoption of Division B of Engrossed SB 2394, the roll was called and there were 34 YEAS, 15 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bowman; Christenson; Cook; Dever; Espegard; Fischer; Freborg; Grindberg; Heitkamp; Holmberg; Kilzer; Krebsbach; Kringstad; Lee; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; Polovitz; Robinson; Schobinger; Stenehjem; Tallackson; Thane; Tollefson; Traynor; Trenbeath; Wanzek; Wardner; Watne

**NAYS:** Bercier; Christmann; Erbele; Every; Flakoll; Kelsh; Klein; Krauter; Kroepflin; Lindaas; Nichols; O'Connell; Solberg; Tomac; Urlacher

Division B of Engrossed SB 2394 passed.

**SECOND READING OF SENATE BILL**

**SB 2394:** A BILL for an Act to create and enact a new section to chapter 20.1-01 and three new subsections to section 20.1-03-12 of the North Dakota Century Code, relating to fee hunting and guide license fees; and to amend and reenact section 20.1-01-02, subsection 17 of section 20.1-02-05, section 20.1-03-11.2, subsections 34, 35, 36, and 42 of section 20.1-03-12, and section 20.1-03-36 of the North Dakota Century Code, relating to licensing of outfitters and guides.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 37 YEAS, 12 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bowman; Christenson; Cook; Dever; Espegard; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Krebsbach; Kringstad; Lee; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; Polovitz; Robinson; Schobinger; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Wanzek; Wardner; Watne

**NAYS:** Bercier; Christmann; Erbele; Every; Klein; Krauter; Kroeplin; Lindaas; Nichols; O'Connell; Solberg; Urlacher

Reengrossed SB 2394 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2352:** A BILL for an Act to amend and reenact section 57-39.2-04.3 of the North Dakota Century Code, relating to a sales and use tax exemption for purchases of computer and telecommunications equipment by a new primary sector business; 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 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; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

**NAYS:** Lindaas; Nelson, C.; Solberg; Stenehjem

Engrossed SB 2352 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2403:** A BILL for an Act to create and enact a new section to chapter 50-24.1 of the North Dakota Century Code, relating to the provision of medically necessary oral maxillofacial services and associated orthodontic care through the medicaid program.

**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 2403 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2232:** A BILL for an Act to provide for an appropriation and a transfer of funds to the department of economic development and finance for allocation of grants for the remodeling of abandoned public school buildings.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 0 YEAS, 49 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**NAYS:** Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroepelin; 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 2232 lost.

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**SECOND READING OF SENATE BILL**

**SB 2256:** A BILL for an Act to amend and reenact section 11 of chapter 535 of the 1999 Session Laws, relating to the issuance of bonds for construction of an outlet from Devils Lake.

**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, 3 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; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Schobinger; Solberg; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

**NAYS:** Kroepelin; Robinson; Stenehjem

SB 2256 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2264:** A BILL for an Act to amend and reenact section 11 of chapter 535 of the 1999 Session Laws, relating to the issuance of bonds for a flood control or reduction project in Grand Forks.

**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, 3 NAYS, 0 EXCUSED, 1 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; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; Polovitz; Robinson; Schobinger; Solberg; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

**NAYS:** Kroepelin; O'Connell; Stenehjem

**ABSENT AND NOT VOTING:** Nichols

SB 2264 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2268:** A BILL for an Act to provide an appropriation for the data envelopment analysis project.

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

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

**NAYS:** Andrist; Bercier; Heitkamp; Kroepelin; Lindaas; Nichols; Robinson; Thane; Tomac

SB 2268 passed and the title was agreed to.

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**MOTION**

**SEN. G. NELSON MOVED** that Senate Rule 346 be amended to read "thirty-third legislative day", thereby allowing bills and resolutions acted on by the Senate today to be transmitted to the House today.

**MOTION**

**SEN. G. NELSON MOVED** that the Senate stand in recess until 10:12 a.m., which motion prevailed.

**THE SENATE RECONVENED** pursuant to recess taken, with President Dalrymple presiding.

**SECOND READING OF SENATE BILL**

**SB 2271:** A BILL for an Act to create and enact a new section to chapter 52-08 of the North Dakota Century Code, relating to creation of a regional work force training investment program; and to provide a continuing appropriation.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 0 YEAS, 49 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

SB 2271 lost.

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**SECOND READING OF SENATE BILL**

**SB 2273:** A BILL for an Act to create and enact thirteen new sections to chapter 39-22 of the North Dakota Century Code, relating to the licensing of motor vehicle dealers; to amend and reenact sections 39-05-17, 39-22-04, 39-22-05.1, 39-22-06, and 39-22-11 of the North Dakota Century Code, relating to vehicle title transfer requirements and motor vehicle dealer licensing; to repeal sections 39-22-02, 39-22-07, and 39-22-08 of the North Dakota Century Code, relating to motor vehicle dealer licensing; to provide a penalty; 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 47 YEAS, 1 NAY, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroepelin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch;

Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjerm; Tallackson; Thane; Tollefson; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

**NAYS:** Erbele

**ABSENT AND NOT VOTING:** Tomac

SB 2273 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2290:** A BILL for an Act to amend and reenact sections 51-20-01 and 51-20-02 of the North Dakota Century Code, relating to recreation vehicle franchises.

**MOTION**

**SEN. ESPEGARD MOVED** that SB 2290 be amended as follows, which motion prevailed on a voice vote.

Page 2, line 25, after "all" insert "current year," and after the underscored comma insert "and"

Renumber accordingly

**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 35 YEAS, 14 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bowman; Christmann; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Nelson, G.; Nething; O'Connell; Robinson; Schobinger; Solberg; Tallackson; Thane; Tollefson; Tomac; Traynor; Urlacher; Wanzek; Wardner

**NAYS:** Bercier; Christenson; Cook; Dever; Erbele; Espegard; Kringstad; Mutch; Nelson, C.; Nichols; Polovitz; Stenehjerm; Trenbeath; Watne

Engrossed SB 2290 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2329:** A BILL for an Act to create and enact a new subsection to section 50-06-05.1 of the North Dakota Century Code, relating to the provision of a guardianship services system by the department of human services; and to provide an appropriation.

**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 17 YEAS, 32 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Bercier; Christenson; Erbele; Every; Kelsh; Krauter; Krebsbach; Kroeplin; Lee; Mathern, D.; Mathern, T.; Nelson, C.; Nelson, G.; O'Connell; Polovitz; Tallackson; Watne

**NAYS:** Andrist; Bowman; Christmann; Cook; Dever; Espegard; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kilzer; Klein; Kringstad; Lindaas; Lyson; Mutch; Nething; Nichols; Robinson; Schobinger; Solberg; Stenehjerm; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner

SB 2329 lost.

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**SECOND READING OF SENATE BILL**

**SB 2342:** A BILL for an Act to provide an appropriation to the national World War II memorial in Washington, District of Columbia.

**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 2342 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2345:** A BILL for an Act to amend and reenact section 20.1-08-04.5 of the North Dakota Century Code, relating to hunting deer with muzzleloading firearms.

**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 2345 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2357:** A BILL for an Act to amend and reenact subsection 3 of section 16.1-08.1-01, subsection 2 of section 16.1-08.1-02, subsection 1 of section 16.1-08.1-03, subsection 1 of section 16.1-08.1-03.1, and subsection 3 of section 16.1-08.1-03.3 of the North Dakota Century Code, relating to the definition of a contribution and reporting of campaign contributions.

**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 17 YEAS, 32 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Bercier; Christenson; Every; Heitkamp; Kelsh; Krauter; Kroepflin; Lindaas; Mathern, D.; Mathern, T.; Nelson, C.; Nichols; O'Connell; Polovitz; Robinson; Tallackson; Tomac

**NAYS:** Andrist; Bowman; Christmann; Cook; Dever; Erbele; Espegard; Fischer; Flakoll; Freborg; Grindberg; Holmberg; Kilzer; Klein; Krebsbach; Kringstad; Lee; Lyson; Mutch; Nelson, G.; Nething; Schobinger; Solberg; Stenehjem; Thane; Tollefson; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

SB 2357 lost.

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**SECOND READING OF SENATE BILL**

**SB 2364:** A BILL for an Act to create and enact a new section to chapter 41-03 and a new subsection to section 41-03-42 of the North Dakota Century Code, relating to liabilities associated with the use of electronic funds transfer facilities; and to amend and reenact subdivision g of subsection 1 of section 41-03-03 of the North Dakota Century Code, relating to the care required of banks in accepting deposits from electronic funds transfer facilities.



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

**YEAS:** Cook; Fischer; Grindberg; Krauter; Nelson, G.; Solberg; Stenehjerm; Thane; Traynor

**NAYS:** Andrist; Bercier; Bowman; Christenson; Christmann; Dever; Erbele; Espeward; Every; Flakoll; Freborg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krebsbach; Kringstad; Kroepflin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Tallackson; Tollefson; Tomac; Trenbeath; Urlacher; Wanzek; Wardner; Watne

SB 2364 lost.

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**SECOND READING OF SENATE BILL**

**SB 2368:** A BILL for an Act to provide for a peace officers' bill of rights; 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, 46 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Christmann; Holmberg; Polovitz

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

SB 2368 lost.

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**SECOND READING OF SENATE BILL**

**SB 2388:** A BILL for an Act to amend and reenact subsection 2 of section 47-05-02.1 of the North Dakota Century Code, relating to duration of easements.

**MOTION**

**SEN. CHRISTMANN MOVED** the previous question, which motion prevailed.

**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 29 YEAS, 20 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bowman; Christmann; Cook; Erbele; Fischer; Flakoll; Grindberg; Kelsh; Klein; Krauter; Krebsbach; Kringstad; Lee; Lindaas; Lyson; Mathern, T.; Nelson, G.; Nichols; O'Connell; Schobinger; Solberg; Tallackson; Tomac; Traynor; Trenbeath; Wanzek; Wardner; Watne

**NAYS:** Bercier; Christenson; Dever; Espeward; Every; Freborg; Heitkamp; Holmberg; Kilzer; Kroepflin; Mathern, D.; Mutch; Nelson, C.; Nething; Polovitz; Robinson; Stenehjerm; Thane; Tollefson; Urlacher

SB 2388 passed and the title was agreed to.

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**THE SENATE RECOGNIZED THE PRESENCE OF:**

Former Senator Dan Wogsland.

**SECOND READING OF SENATE BILL**

**SB 2393:** A BILL for an Act to amend and reenact section 23-13-03.2 of the North Dakota Century Code, relating to liquefied petroleum gas containers.

**MOTION**

**SEN. MUTCH MOVED** that SB 2393 be amended as follows, which motion prevailed on a voice vote.

Page 1, line 8, remove "disconnect,"

ReNUMBER accordingly

**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; Espgaard; 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; Stenehjerm; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

Engrossed SB 2393 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2395:** A BILL for an Act to amend and reenact section 39-21-39 of the North Dakota Century Code, relating to windows of motor vehicles.

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

**YEAS:** Espgaard; Krebsbach; Mutch; Schobinger; Tallackson; Tollefson; Trenbeath

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

SB 2395 lost.

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**SECOND READING OF SENATE BILL**

**SB 2400:** A BILL for an Act to amend and reenact subsection 1 of section 47-16-14 and section 47-16-15 of the North Dakota Century Code, relating to termination of leases.

**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; Bowman; Christmann; Cook; Dever; Espgaard; Fischer; Flakoll; Freborg; Grindberg; Holmberg; Kelsh; Klein; Krebsbach; Kringstad; Lee; Lyson; Mutch; Nelson, G.; Nething; Schobinger; Solberg; Stenehjerm; Tollefson; Traynor; Urlacher; Wanzek; Watne

**NAYS:** Bercier; Christenson; Erbele; Every; Heitkamp; Kilzer; Krauter; Kroepflin; Lindaas; Mathern, D.; Mathern, T.; Nelson, C.; Nichols; O'Connell; Polovitz; Robinson; Tallackson; Thane; Tomac; Trenbeath; Wardner

SB 2400 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2411:** A BILL for an Act to amend and reenact sections 39-04-08, 39-04-10.4, and 39-04-11 of the North Dakota Century Code, relating to number plates.

**MOTION**

**SEN. G. NELSON MOVED** the previous question, which motion prevailed.

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

**YEAS:** Andrist; Bercier; Bowman; Christenson; Christmann; Dever; Erbele; Espegard; Fischer; Flakoll; Kringstad; Mathern, D.; Mutch; Polovitz; Schobinger; Solberg; Tollefson; Trenbeath; Wanzek

**NAYS:** Cook; Every; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kroeplin; Lee; Lindaas; Lyson; Mathern, T.; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Robinson; Stenehjerm; Tallackson; Thane; Tomac; Traynor; Urlacher; Wardner; Watne

SB 2411 lost.

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**MOTION**

**SEN. CHRISTMANN MOVED** that the Senate stand in recess until 1:00 p.m., which motion prevailed.

**THE SENATE RECONVENED** pursuant to recess taken, with President Dalrymple presiding.

**SECOND READING OF SENATE BILL**

**SB 2418:** A BILL for an Act to amend and reenact sections 49-03-01.3 and 49-03-01.4 of the North Dakota Century Code, relating to exclusions from limitations on electric distribution line extension and service.

**MOTION**

**SEN. G. NELSON MOVED** that SB 2418 be laid on the table.

**REQUEST**

**SEN. HEITKAMP REQUESTED** a recorded roll call vote on the motion to lay SB 2418 on the table, which request was granted.

**ROLL CALL**

The question being on the motion to lay SB 2418 on the table, the roll was called and there were 33 YEAS, 16 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bowman; Christmann; Cook; Dever; Erbele; Espegard; Fischer; Flakoll; Freborg; Grindberg; Holmberg; Kilzer; Klein; Krebsbach; Kringstad; Lee; Lyson; Mutch; Nelson, G.; Nething; Schobinger; Solberg; Stenehjerm; Tallackson; Thane; Tollefson; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

**NAYS:** Bercier; Christenson; Every; Heitkamp; Kelsh; Krauter; Kroeplin; Lindaas; Mathern, D.; Mathern, T.; Nelson, C.; Nichols; O'Connell; Polovitz; Robinson; Tomac

The motion to lay SB 2418 on the table prevailed.

**SECOND READING OF SENATE BILL**

**SB 2427:** A BILL for an Act to amend and reenact subsection 6 of section 20.1-03-11 of the North Dakota Century Code, relating to the hunting of deer by handicapped persons.

**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 35 YEAS, 14 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bowman; Christmann; Cook; Dever; Erbele; Espegard; Fischer; Flakoll; Freborg; Grindberg; Holmberg; Kilzer; Klein; Krebsbach; Kringstad; Lee; Lyson; Mutch; Nelson, G.; Nething; Polovitz; Schobinger; Solberg; Stenehjerm; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

**NAYS:** Bercier; Christenson; Every; Heitkamp; Kelsh; Krauter; Kroeplin; Lindaas; Mathern, D.; Mathern, T.; Nelson, C.; Nichols; O'Connell; Robinson

SB 2427 passed and the title was agreed to.

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### SECOND READING OF SENATE BILL

**SB 2435:** A BILL for an Act to amend and reenact section 46-05-01 of the North Dakota Century Code, relating to qualifications required of newspapers to publish legal notices.

### MOTION

**SEN. C. NELSON MOVED** that SB 2435 be amended as follows, which motion failed on a voice vote.

Page 1, line 10, remove the overstrike over the colon

Page 1, line 11, remove the overstrike over "~~4. Have~~" and remove "have"

Page 1, line 12, remove the overstrike over "~~, with a bona fide subscription list of at least one hundred fifty regular~~"

Page 1, remove the overstrike over line 13

Page 1, line 14, remove the overstrike over "~~2. Be~~", remove "and be", and remove the overstrike over "~~; and~~"

Page 1, line 15, remove the overstrike over "~~3.~~" and insert immediately thereafter "a." and remove the overstrike over "~~Have been admitted to the United States mails and have complied with the~~"

Page 1, remove the overstrike over line 16

Page 1, line 17, remove the overstrike over "~~least one year~~" and insert immediately thereafter ";  
or

- b. (1) Contain at least twenty-four pages per issue;
- (2) Contain no more than seventy-five percent advertising content;  
and
- (3) Be owned or controlled by persons who do not publish the newspaper as an auxiliary to and for the advancement of the main business or calling of those who own or control the publication."

Renumber accordingly

### 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, 47 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Christenson; Nelson, C.

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

SB 2435 lost.

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### SECOND READING OF SENATE BILL

**SB 2452:** A BILL for an Act to amend and reenact sections 15-36-11, 15-36-11.1, 15-36-11.2, and 15-36-11.3 of the North Dakota Century Code or in the alternative to amend and

reenact sections 15.1-13-17, 15.1-13-20, and 15.1-13-21 of the North Dakota Century Code, relating to teacher licensure.

### 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 21 YEAS, 28 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bowman; Christmann; Cook; Dever; Espegard; Fischer; Freborg; Grindberg; Klein; Krebsbach; Kringstad; Lee; Mutch; Nelson, G.; Nething; Solberg; Stenehjelm; Traynor; Wanzek; Watne

**NAYS:** Bercier; Christenson; Erbele; Every; Flakoll; Heitkamp; Holmberg; Kelsh; Kilzer; Krauter; Kroepelin; Lindaas; Lyson; Mathern, D.; Mathern, T.; Nelson, C.; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Tallackson; Thane; Tollefson; Tomac; Trenbeath; Urlacher; Wardner

SB 2452 lost.

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### SECOND READING OF SENATE CONCURRENT RESOLUTION

**SCR 4023:** A concurrent resolution urging Congress to monitor the anticompetitive conditions in the grain and meatpacking industries and to take whatever action necessary to ensure that the consequences of such anticompetitive conditions do not further harm producers and consumers.

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

SCR 4023 was declared adopted, and the title was agreed to on a voice vote.

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### SECOND READING OF SENATE BILL

**SB 2252:** A BILL for an Act to amend and reenact paragraph 5 of subdivision 1 of subsection 1 of section 57-38-01.2 and subsection 5 of section 57-38-30.3 of the North Dakota Century Code, relating to income tax deductions or credits for adoption expenses; and to provide an effective date.

### MOTION

**SEN. KRAUTER MOVED** that Engrossed SB 2252 be amended as follows, which motion prevailed on a voice vote.

Page 1, line 7, remove "up to" and remove "of expenses"

Page 1, remove line 8

Page 1, line 9, remove "state, or political subdivision source," and remove "special needs"

Page 1, line 10, remove the overstrike over "twenty one", remove "eighteen", and remove "For"

Page 1, remove line 11

Page 1, line 12, remove "any of the special needs described in section 50-09-02.2."

Page 1, line 14, remove "special needs"

Renumber accordingly

### MOTION

**SEN. KRAUTER MOVED** that Reengrossed SB 2252 be amended as follows, which motion prevailed on a voice vote.

Page 1, line 7, remove the overstrike over "one", remove "two", replace "five" with "seven", and after "hundred" insert "fifty"

Page 3, line 2, replace "two" with "one" and replace "five" with "seven"

Page 3, line 3, after "hundred" insert "fifty"

Renumber accordingly

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 25 YEAS, 24 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Bercier; Christenson; Dever; Every; Heitkamp; Kelsh; Krauter; Kringstad; Kroepflin; Lindaas; Lyson; Mathern, D.; Mathern, T.; Nelson, C.; Nichols; O'Connell; Polovitz; Robinson; Stenehjem; Tallackson; Thane; Tomac; Urlacher; Wanzek; Wardner

**NAYS:** Andrist; Bowman; Christmann; Cook; Erbele; Espegard; Fischer; Flakoll; Freborg; Grindberg; Holmberg; Kilzer; Klein; Krebsbach; Lee; Mutch; Nelson, G.; Nething; Schobinger; Solberg; Tollefson; Traynor; Trenbeath; Watne

Reengrossed SB 2252 passed and the title was agreed to.

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### SECOND READING OF SENATE CONCURRENT RESOLUTIONS ON CONSENT CALENDAR

**SCR 4032:** A concurrent resolution directing the Legislative Council to study the feasibility and desirability of exempting funds set aside in a trust for a child's education when determining the child's eligibility for certain human services programs.

**SCR 4033:** A concurrent resolution directing the Legislative Council to study the commitment procedures for individuals with mental illness.

**SCR 4034:** A concurrent resolution directing the Legislative Council to study the issues and concerns of implementing charitable choice, the privatization of federally funded welfare services through faith-based organizations.

**SCR 4035:** A concurrent resolution directing the Legislative Council to study the state's implementation of federal full faith and credit provisions relating to domestic violence protection orders and the Uniform Interstate Enforcement of Domestic Violence Protection Orders Act.

### ROLL CALL

The question being on the final adoption of the resolutions, which have been read, 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

SCR 4032, SCR 4033, SCR 4034, and SCR 4035 were declared adopted and the titles were agreed to.

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### COMMUNICATION FROM GOVERNOR JOHN HOEVEN

February 8, 2001

Pursuant to Article VIII, Section 6 of the North Dakota Constitution, I am hereby nominating Ralph Kingsbury of Grafton to serve on the State Board of Higher Education succeeding Jeanette Satrom, whose term will end on July 1, 2001.

Mr. Kingsbury's name is submitted in accordance with NDCC 15-10-02. He is a graduate of University of North Dakota and meets the requirements of Article VIII, Section 6 of the North Dakota Constitution and NDCC 15-10. Therefore, I ask the Senate to confirm Ralph Kingsbury for this position.

I would appreciate the Senate confirming this nomination within the first thirty legislative days of this session.

Thank you for your consideration.

**COMMUNICATION FROM GOVERNOR JOHN HOEVEN**

February 8, 2001

Pursuant to Article VIII, Section 6 of the North Dakota Constitution, I am hereby nominating Craig Caspers of Wahpeton to serve another term on the State Board of Higher Education. His current term ends July 1, 2001.

Mr. Caspers' name is submitted in accordance with NDCC 15-10-02. He is a graduate of North Dakota State College of Science and meets the requirements of Article VIII, Section 6 of the North Dakota Constitution and NDCC 15-10. Therefore, I ask the Senate to confirm Craig Caspers for this position.

I would appreciate the Senate confirming this nomination within the first thirty legislative days of this session.

Thank you for your consideration.

**MOTION**

**SEN. CHRISTMANN MOVED** that the communications from Governor Hoeven be printed in the Journal, which motion prevailed.

**POINT OF PERSONAL PRIVILEGE**

**SEN. LINDAAS REQUESTED** that his remarks be printed in the Journal, which request was granted.

**REMARKS OF SENATOR LINDAAS**

Last weekend the Mayville, Portland, Clifford, Galesburg Girls Volleyball Team won first place in the North Dakota State Tournament. As always, this happens not only as a result of athletic ability. More importantly, from the dedication and hard work of the coach and players. Add to that the strong support and encouragement by the parents and school administration.

I would also like to note that three of the girls were named to the All Tournament Team and their coach, Mary Chilvers, was designated "Coach of the Year". It is with a great deal of pride that I offer sincere congratulations to Coach Chilvers and the team. Thank you.

**REQUEST**

**SEN. CHRISTMANN REQUESTED** that his announcement be printed in the Journal, which request was granted.

**ANNOUNCEMENT OF SENATOR CHRISTMANN**

Employees of the Senate have worked many hours of uncompensated overtime since the session began. In recognition of the uncompensated overtime, employees of the Senate will be paid for Friday, February 23, 2001, even though the Senate will be in recess on that day.

Furthermore, Monday, January 15, 2001, was Martin Luther King Day and Monday, February 19, 2001, was George Washington's birthday, both official state holidays. Although both days were paid holidays for most state employees, Legislative Assembly employees were required to work on both days. The Legislative Assembly will be in recess on Monday and Tuesday, February 26-27, 2001. Legislative Assembly employees will be paid for those two days in lieu of the two holidays.

**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 2004, SB 2007, SB 2011, SB 2012, SB 2032, SB 2195, SB 2285, SB 2361, SB 2373, SB 2384, SB 2446, SB 2451, SB 2455.

**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 2019, SB 2380, SB 2444.

**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 2427, SCR 4023, SCR 4032, SCR 4033, SCR 4034, SCR 4035.

**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 2371, SCR 4026.

**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 2034, SB 2294, SB 2337, SB 2354.

**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 2256, SB 2264, SB 2268, SB 2273, SB 2290, SB 2342, SB 2345, SB 2352, SB 2388, SB 2393, SB 2394, SB 2400, SB 2403.

**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 2252.

**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 1196, HB 1377, HB 1442.

**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 1013, HB 1269.

**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 1003, HB 1033, HB 1043, HB 1045, HB 1046, HB 1065, HB 1074, HB 1109, HB 1182, HB 1215, HB 1252, HB 1261, HB 1270, HB 1272, HB 1283, HB 1287, HB 1305, HB 1306, HB 1319, HB 1324, HB 1344, HB 1350, HB 1371, HB 1400, HB 1407, HB 1410, HB 1414, HB 1416, HB 1417, HB 1435, HCR 3035, HCR 3042, HCR 3051.

**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 1012, HB 1015, HB 1055, HB 1102, HB 1108, HB 1115, HB 1141, HB 1200, HB 1208, HB 1217, HB 1273, HB 1281, HB 1328, HB 1349, HB 1399, HB 1419, HB 1441, HB 1478, HCR 3049, HCR 3050, HCR 3057, HCR 3064.

**MOTION**

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

**MOTION**

**SEN. CHRISTMANN MOVED** that the Senate be on the Fourth, Fifth, Seventh, and Thirteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 1:00 p.m., Wednesday, February 28, 2001, which motion prevailed.

**FIRST READING OF HOUSE BILLS**

**HB 1003:** A BILL for an Act to provide an appropriation for defraying the expenses of the attorney general; to require the state fire marshal to inspect buildings as requested by a political subdivision; to provide statements of legislative intent; to amend and reenact sections 53-06.1-12 and 54-12-11 of the North Dakota Century Code, relating to gaming and excise tax collections and the salary of the attorney general; and to declare an emergency.

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

**HB 1012:** A BILL for an Act to provide an appropriation for defraying the expenses of the department of human services; to provide for the transfer of appropriation authority between agencies and institutions; to provide statements of legislative intent; to provide an exception to section 54-16-04 of the North Dakota Century Code, relating to emergency commission approval for line item transfers; to create and enact a new subsection to section 50-10-06 of the North Dakota Century Code, relating to eligibility for children's special health services; and to amend and reenact subsection 3 of section 50-01.2-03.2 of the North Dakota Century Code, relating to county reimbursements.

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

**HB 1013:** A BILL for an Act to provide an appropriation for defraying the expenses of the department of public instruction, the school for the deaf, the school for the blind, and the state library; to provide statements of legislative intent; to amend and reenact subsection 4 of section 15-40.1-07.8 or in the alternative to amend and reenact subsection 4 of section 15.1-27-11, and section 15.1-02-02 of the North Dakota Century Code, relating to supplemental payments and the salary of the superintendent of public instruction; and to declare an emergency.

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

**HB 1015:** A BILL for an Act to provide an appropriation for defraying the expenses of the various divisions under the supervision of the director of the office of management and budget; to provide for various transfers and financial transactions; to provide an exemption from the provisions of section 54-44.1-11 of the North Dakota Century Code;



to provide statements of legislative intent relating to state employee compensation adjustments; to provide for a reduction in fire and tornado insurance premiums; and to provide for a statewide radio system planning fund assessment.

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

**HB 1033:** A BILL for an Act to amend and reenact section 51-08.1-06 of the North Dakota Century Code, relating to an investigation of an antitrust violation.

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

**HB 1043:** A BILL for an Act to provide for payment of certain student loans for students in specified industries; and to provide an appropriation.

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

**HB 1045:** A BILL for an Act to create and enact chapters 15.1-13, 15.1-14, 15.1-15, 15.1-16, 15.1-17, 15.1-18, 15.1-20, 15.1-21, 15.1-22, 15.1-23, 15.1-27, 15.1-28, 15.1-29, 15.1-30, 15.1-31, 15.1-32, 15.1-33, 15.1-34, 15.1-35, and 15.1-36 of the North Dakota Century Code, relating to elementary and secondary education; to repeal chapters 15-21.1, 15-29, 15-34.1, 15-34.2, 15-35, 15-36, 15-37, 15-38, 15-38.1, 15-38.2, 15-40.1, 15-40.2, 15-40.3, 15-41, 15-43, 15-44, 15-45, 15-47, 15-54, 15-59, 15-59.2, 15-59.3, and 15-60 of the North Dakota Century Code, relating to elementary and secondary education provisions addressed in the creation of North Dakota Century Code title 15.1; to provide a penalty; and to provide a continuing appropriation.

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

**HB 1046:** A BILL for an Act to create and enact two new sections to chapter 15-10, a new section to chapter 15.1-09, and a new section to chapter 15.1-19 of the North Dakota Century Code, relating to oaths by faculty members, vehicle and heating fuel purchases, and student usage of alcohol or controlled substances; to amend and reenact subsection 1 of section 6-09.4-23, sections 15-19-01, 15-19-04, 15.1-06-01, 15.1-07-02, 15.1-07-03, 15.1-07-17, and 15.1-08-06, subsection 2 of section 15.1-09-01, subsection 4 of section 15.1-09-05, sections 15.1-09-25, 15.1-09-26, 15.1-09-31, 15.1-09-34, and 15.1-09-50, subsection 9 of section 15.1-12-10, section 15.1-19-09, subsection 7 of section 21-03-07, sections 21-06-12, 25-01.2-13, 34-07-02, and 34-07-15, subsection 5 of section 50-11.1-02, subsection 1 of section 54-07-01.2, sections 54-23.2-04.2, 57-15-14, 57-15-14.2, 57-15-55.1, 57-16-04, and 57-51.1-08, and subsection 1 of section 57-62-02 of the North Dakota Century Code, relating to evidences of indebtedness, correspondence courses, school admission, school district petitions, school district contracts, military installation school districts, school board member oaths, school board size, school board minutes, fuel purchases, school board powers, reorganization, bond issuances, labor by minors, early childhood services, boards and commissions, vital records, educational foundations, special education, mill levies, education funding, and the coal development trust fund; and to repeal sections 15.1-07-22 and 15.1-09-37 of the North Dakota Century Code, relating to oaths of school district business managers and fees.

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

**HB 1055:** A BILL for an Act to amend and reenact section 57-38-30.3 of the North Dakota Century Code, relating to individual income tax determination under the simplified optional method of computing state income taxes; and to provide an effective date.

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

**HB 1065:** A BILL for an Act to create and enact section 57-38-08.1 of the North Dakota Century Code, relating to the allocation and apportionment of partnership income for income tax purposes; to amend and reenact subsections 4, 5, and 6 of section 57-38-04 and section 57-38-08 of the North Dakota Century Code, relating to the allocation and apportionment of an individual's gross income and the distribution of partnership income for income tax purposes; to repeal section 57-38-10 of the North Dakota Century Code, relating to allocation and apportionment of partnership income for income tax purposes; and to provide an effective date.

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

**HB 1074:** A BILL for an Act to provide for the transfer of certain mineral interests to the lands and minerals trust fund.

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

**HB 1102:** A BILL for an Act to create and enact a new section to chapter 15-39.1 of the North Dakota Century Code, relating to postretirement benefit adjustments under the teachers' fund for retirement; to amend and reenact subsection 2 of section 15-39.1-10 of the North Dakota Century Code, relating to the computation of benefits under the teachers' fund for retirement; and to provide for application.

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

**HB 1108:** A BILL for an Act to create and enact a new section to chapter 50-09 of the North Dakota Century Code, relating to victims of domestic violence; to amend and reenact subsection 2 of section 50-01.2-00.1, sections 50-09-06, 50-09-06.1, and subsection 1 of section 50-09-29 of the North Dakota Century Code, relating to the temporary assistance for needy families program; and to repeal sections 50-06-01.8 and 50-09-26 of the North Dakota Century Code, relating to transition to the temporary assistance for needy families program.

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

**HB 1109:** A BILL for an Act to create and enact a new section to chapter 50-24.5 and a new subsection to section 50-24.5-02 of the North Dakota Century Code, relating to registration fees, requirements, and complaints to the department of human services regarding assisted living facilities; to amend and reenact subsection 2 of section 23-09-01, subsection 1 of section 23-09.3-01, and sections 50-24.5-01 and 50-24.5-04 of the North Dakota Century Code, relating to requiring assisted living facilities to be licensed as boardinghouses, definitions, and limits on cost of services provided; to repeal section 23-09.3-03 of the North Dakota Century Code, relating to choice of pharmacy services; and to provide an effective date.

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

**HB 1115:** A BILL for an Act to create and enact a new section to chapter 50-24.1 of the North Dakota Century Code, relating to a personal care option for individuals residing in basic care facilities.

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

**HB 1141:** A BILL for an Act to amend and reenact sections 15.1-12-10 and 15.1-12-11.1 of the North Dakota Century Code, relating to the general fund and building fund levies of a newly reorganized school district and the school district reorganization bonus.

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

**HB 1145:** A BILL for an Act to amend and reenact sections 15-40.1-07 and 15-40.1-08 of the North Dakota Century Code or in the alternative to amend and reenact sections 15.1-27-06 and 15.1-27-07 of the North Dakota Century Code, relating to the adjustment of weighting factors for per student state aid payments to school districts.

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

**HB 1173:** A BILL for an Act to amend and reenact section 39-08-01.3 of the North Dakota Century Code, relating to driving under the influence of intoxicating liquor repeat offenders.

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

**HB 1182:** A BILL for an Act to amend and reenact section 49-21-01.1 of the North Dakota Century Code, relating to the definition of telecommunications service for purposes of telecommunications regulation.

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

**HB 1196:** A BILL for an Act to create and enact a new subsection to section 21-10-06 and a new chapter to title 43 of the North Dakota Century Code, relating to funds under the management of the state investment board and the nursing facility nurses student loan payment program; to amend and reenact sections 6-09.16-01, 6-09.16-02, 6-09.16-03, 6-09.16-04, 6-09.16-05, 6-09.16-06, 23-09.3-01.1, 23-16-01.1, 50-24.4-30, 50-30-01, 50-30-02, and 50-30-04 of the North Dakota Century Code, relating to the nursing facility alternative loan fund, the moratorium on the expansion of basic care bed capacity, the moratorium on the expansion of long-term care bed capacity, the government nursing facility funding pool, and nursing facility loans; to provide for a transfer from the nursing facility alternative grant fund; to provide for a transfer from the health care trust fund; to provide a statement of legislative intent; to provide for a legislative council study; to provide an appropriation; to provide a continuing appropriation; to provide an expiration date; and to declare an emergency.

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

**HB 1200:** A BILL for an Act to authorize the north central research extension center to purchase certain land in Ward County and to authorize the Williston research extension center to purchase certain land in Williams County, North Dakota; and to provide an appropriation.

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

**HB 1208:** A BILL for an Act to amend and reenact section 31-13-03 of the North Dakota Century Code, relating to DNA testing.

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

**HB 1210:** A BILL for an Act to create and enact a new section to chapter 54-21.3 of the North Dakota Century Code, relating to recognition of third-party building, electrical, fire, and plumbing inspections for modular residential and commercial structures.

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

**HB 1215:** A BILL for an Act providing an appropriation to the adjutant general's office for maintenance and repair of political subdivision-owned armories.

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

**HB 1217:** A BILL for an Act to amend and reenact subsection 3 of section 54-52-01, sections 54-52.6-01, 54-52.6-02, 54-52.6-03, 54-52.6-06, and subsection 2 of section 54-52.6-09 of the North Dakota Century Code, relating to eligibility to participate in and payment of administrative expenses of the defined contribution retirement plan; to authorize the borrowing of funds; to provide an appropriation; to provide an effective date; and to provide for application.

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

**HB 1220:** A BILL for an Act to amend and reenact subsection 2 of section 39-06-01.1 of the North Dakota Century Code, relating to restricted operators' licenses for minors.

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

**HB 1252:** A BILL for an Act to create and enact a new subsection to section 44-06-13.1 of the North Dakota Century Code, relating to signatures on notarial certificates; and to amend and reenact section 47-19-03 of the North Dakota Century Code, relating to documents entitled to recording.

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

**HB 1261:** A BILL for an Act to amend and reenact sections 39-04-21, 39-06.1-08, and paragraph 2 of subdivision a of subsection 3 of section 39-06.1-10 of the North Dakota Century Code, relating to the temporary registration of motor vehicles; and to provide a penalty.

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

**HB 1269:** A BILL for an Act to create and enact two new subsections to section 20.1-03-12 of the North Dakota Century Code, relating to nonresident hunting fees; to amend and reenact section 20.1-03-07.1 of the North Dakota Century Code, relating to nonresident waterfowl hunting zones; and to declare an emergency.

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

**HB 1270:** A BILL for an Act to provide for an interstate compact for adult offender supervision; and to provide an expiration date.

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

**HB 1272:** A BILL for an Act to amend and reenact subsection 3 of section 20.1-03-11 of the North Dakota Century Code, relating to gratis licenses to hunt deer.

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

**HB 1273:** A BILL for an Act to create and enact a new chapter to title 13 of the North Dakota Century Code, relating to the licensing of deferred presentment service providers; and to provide a penalty.

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

**HB 1281:** A BILL for an Act to amend and reenact sections 65-01-13, 65-02-03.3, 65-02-05, 65-02-06.1, 65-02-13.1, 65-02-23, and 65-02-30 of the North Dakota Century Code, relating to removing the workers compensation bureau from the biennial appropriations process; to provide an appropriation; and to provide an expiration date.

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

**HB 1283:** A BILL for an Act to provide for a student loan interest rate buydown program for employees in technology occupations.

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

**HB 1287:** A BILL for an Act to create and enact a new section to chapter 4-35 of the North Dakota Century Code, relating to the presence of pesticides in agricultural products; and to provide a penalty.

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

**HB 1305:** A BILL for an Act to amend and reenact section 53-06.1-07.2 of the North Dakota Century Code, relating to conduct of poker under the games of chance laws.

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

**HB 1306:** A BILL for an Act to amend and reenact section 53-06.1-10 and subsection 5 of section 53-06.1-11 of the North Dakota Century Code, relating to the limit on wagers in the game twenty-one and rent limits under the games of chance laws.

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

**HB 1318:** A BILL for an Act to amend and reenact subsection 2 of section 16.1-05-01, subsection 2 of section 16.1-07-08, subsection 3 of section 16.1-10-01, sections 16.1-10-02, 16.1-10-04.1, 16.1-11-18, 16.1-11-19, and 16.1-15-25 of the North Dakota Century Code, relating to political party reorganization, election officer appointment, absentee ballot affidavits, corrupt election practices, and filling vacancies; and to repeal sections 16.1-12-08 and 46-05-05 of the North Dakota Century Code, relating to filling vacancies and rates for political announcements.

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

**HB 1319:** A BILL for an Act to amend and reenact paragraphs 1 and 2 of subdivision a of subsection 17 of section 52-01-01 of the North Dakota Century Code, relating to unemployment compensation coverage for corporations and limited liability companies.

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

**HB 1324:** A BILL for an Act to amend and reenact sections 51-07-01, 51-07-01.1, 51-07-02, and 51-07-03 of the North Dakota Century Code, relating to the relationship between semitrailer wholesalers and retailers.

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

**HB 1327:** A BILL for an Act to amend and reenact sections 58-06-02, 58-07-01, 58-08-01, and 58-09-02 of the North Dakota Century Code, relating to compensation of township officers.

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

**HB 1328:** A BILL for an Act to amend and reenact section 11 of chapter 31 of the 1999 Session Laws, relating to the membership and the responsibilities of the crop harmonization committee; and to provide an appropriation.

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

**HB 1338:** A BILL for an Act to restrict the sale and use of genetically modified wheat seed; and to provide an expiration date.

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

**HB 1344:** A BILL for an Act to create and enact three new sections to chapter 15-40.1 of the North Dakota Century Code or in the alternative to create and enact three new sections to chapter 15.1-27 of the North Dakota Century Code, relating to the reimbursement of school districts for increases in teacher compensation; and to amend and reenact subdivision a of subsection 2 of section 15-40.1-06 of the North Dakota Century Code or in the alternative to amend and reenact section 15.1-27-04 of the North Dakota Century Code, relating to per student payments.

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

**HB 1349:** A BILL for an Act to amend and reenact section 4-37-02 of the North Dakota Century Code, relating to the agriculture in the classroom council.

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

**HB 1350:** A BILL for an Act to create and enact a new section to chapter 12-47 of the North Dakota Century Code, relating to the transporting of certain prisoners.

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

**HB 1371:** A BILL for an Act to amend and reenact section 15-34.1-01 of the North Dakota Century Code or in the alternative to amend and reenact section 15.1-20-01 of the North Dakota Century Code, relating to the compulsory attendance of students.

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

**HB 1377:** A BILL for an Act to create and enact a new section to chapter 43-05 of the North Dakota Century Code, relating to the authority of the board of podiatric medicine to borrow funds from the Bank of North Dakota; and to declare an emergency.

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

**HB 1386:** A BILL for an Act to amend and reenact section 48-01.1-09 of the North Dakota Century Code, relating to construction managers.

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

**HB 1391:** A BILL for an Act to amend and reenact sections 23-37-01, 23-37-02, 23-37-03, 23-37-04, 23-37-05, 23-37-06, 23-37-07, 23-37-08, 23-37-09, 23-37-10, 23-37-11, 23-37-12, 23-37-13, 23-37-14, 23-37-15, 23-37-16, 23-37-17, 23-37-18, 23-37-19, 23-37-20, 23-37-21, 23-37-22, 23-37-23, 23-37-24, 23-37-25, 23-37-26, 23-37-27, 23-37-28, 23-37-29, and 23-37-30 of the North Dakota Century Code, relating to petroleum release remediation.

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

**HB 1399:** A BILL for an Act to amend and reenact section 57-38-30.3 of the North Dakota Century Code, relating to determination of income tax liability on the short-form state income tax return; and to provide an effective date.

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

**HB 1400:** A BILL for an Act to create and enact a new section to chapter 54-34.3 of the North Dakota Century Code, relating to a rural growth incentive program administered by the department of economic development and finance; and to provide for allocation of the North Dakota development fund.

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

**HB 1407:** A BILL for an Act to provide for a cost-benefit analysis of mandated health insurance coverage of services; to provide for a legislative council study; and to provide an appropriation.

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

**HB 1410:** A BILL for an Act to provide for a study of extraterritorial zoning.

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

**HB 1414:** A BILL for an Act to provide for the business products utilization commission; to amend and reenact sections 54-34.3-08 and 54-34.3-11 of the North Dakota Century Code, relating to powers of the business products utilization commission; and to provide an appropriation.

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

**HB 1416:** A BILL for an Act to amend and reenact subsection 2 of section 53-06.1-11 of the North Dakota Century Code, relating to allowable expenses for games of chance.

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

**HB 1417:** A BILL for an Act to create and enact a new chapter to title 4 of the North Dakota Century Code, relating to a loan program and the issuance of revenue bonds or other evidences of indebtedness by the industrial commission of North Dakota for the establishment of meatpacking plants.

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

**HB 1419:** A BILL for an Act to provide for a legislative council study of workers' compensation insurance study; and to provide for an appropriation.

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

**HB 1423:** A BILL for an Act to amend and reenact sections 18-08-12, 18-12-25, and 54-21.3-03 of the North Dakota Century Code, relating to the state building code; and to provide for transition.

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

**HB 1431:** A BILL for an Act to provide for a legislative council study of this state's correctional system.

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

**HB 1435:** A BILL for an Act to provide for a prohibition on discrimination and preferential treatment by the state.

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

**HB 1441:** A BILL for an Act to create and enact a new subsection to section 50-24.1-02.6 of the North Dakota Century Code, relating to medical assistance benefits; and to amend and reenact section 50-29-03 of the North Dakota Century Code, relating to the children's health insurance program.

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

**HB 1442:** A BILL for an Act relating to the sampling of genetically modified crops; and to declare an emergency.

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

**HB 1455:** A BILL for an Act to amend and reenact subsection 1 of section 28-32-14 and sections 28-32-17, 28-32-19, subsection 1 of section 28-34-01, and section 54-57-03 of the North Dakota Century Code, relating to finality of decisions of administrative law judges in adjudicative proceedings of administrative agencies and appeals from decisions of local governing bodies.

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

**HB 1456:** A BILL for an Act to create and enact a new section to chapter 16.1-08.1 of the North Dakota Century Code, relating to the filing of campaign contribution statements by political committees; and to provide a penalty.

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

**HB 1459:** A BILL for an Act to create and enact a new section to title 39 of the North Dakota Century Code, relating to theft of motor fuels; and to provide a penalty.

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

**HB 1468:** A BILL for an Act to create and enact a new subsection to section 20.1-03-12 of the North Dakota Century Code, relating to nonresident hunting fees; to amend and reenact subsection 1 of section 20.1-03-07, section 20.1-03-07.1, and subsections 2, 7, 8, 37, 38, and 39 of section 20.1-03-12 of the North Dakota Century Code, relating to nonresident hunting and fishing licenses and fees; to provide an effective date; and to declare an emergency.

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

**HB 1469:** A BILL for an Act to provide that certain custom agricultural operation employment is exempt from workers' compensation coverage.

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

**HB 1474:** A BILL for an Act to amend and reenact section 54-03-27 of the North Dakota Century Code, relating to a leave of absence from employment for service in the legislative assembly.

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

**HB 1478:** A BILL for an Act to create and enact a new section to chapter 12-44.1 of the North Dakota Century Code, relating to charging inmates for room and board at correctional facilities.

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

#### FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

**HCR 3002:** A concurrent resolution directing the Legislative Council to study the completed revision of those provisions of Title 15 of the North Dakota Century Code which relate to elementary and secondary education for the purpose of reconciling any inconsistencies or irregularities.

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

**HCR 3016:** A concurrent resolution urging Congress to make grain grading for federal crop insurance more equivalent to industry standards.

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

**HCR 3019:** A concurrent resolution urging that if the Congress of the United States authorizes the return of federal lands around Lake Sakakawea and Lake Oahe to the Three Affiliated Tribes and the Standing Rock Sioux Tribe, that the interests of all persons, including the affected Indian tribes, in lands and resources on those lands that are adjacent to Lake Sakakawea and Lake Oahe be protected, that individuals who have invested resources in developing the recreational facilities around Lake Sakakawea and Lake Oahe be guaranteed free access to those facilities, and that other excess federal lands acquired for the Pick-Sloan Project be returned to their original owners, their heirs, or the state of North Dakota.

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

**HCR 3026:** A concurrent resolution directing the Legislative Council to study the feasibility and desirability of wind energy development in North Dakota.

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

**HCR 3032:** A concurrent resolution urging the director of the Department of Transportation place into the state highway system the route from the South Dakota border through

Venturia, Ashley, and Lehr to Interstate 94; the route from Cross Ranch State Park to State Highway 200A; and the route from U.S. Highway 2 near York to State Highway 17.

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

**HCR 3033:** A concurrent resolution urging Congress to acknowledge the difference between marijuana and industrial hemp; to acknowledge that allowing and encouraging farmers to produce industrial hemp will improve the balance of trade by promoting domestic sources of industrial hemp; and to assist United States producers by clearly authorizing the commercial production of industrial hemp and by being the leading advocate for the industrial hemp industry.

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

**HCR 3035:** A concurrent resolution urging Congress to support efforts to prohibit meatpackers from owning, feeding, or controlling livestock for more than 14 days before slaughter and to amend the federal Packers and Stockyards Act to accomplish this goal.

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

**HCR 3041:** A concurrent resolution urging Congress to hold hearings regarding pricing structures and practices within the agricultural sector, giving particular attention to wheat prices, and to initiate an investigation by the United States Department of Justice regarding the pricing structures and practices within the agricultural sector, giving particular attention to the organizational structure of and relationships between large corporate participants in the purchasing and pricing of agricultural commodities, especially wheat and grains.

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

**HCR 3042:** A concurrent resolution urging Congress to ensure the economic viability and competitiveness of American farmers by adopting legislation that would grant states the authority to issue state registrations to parties who wish to import Canadian crop protection products that are identical or substantially similar to products registered with the Environmental Protection Agency for use in the United States.

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

**HCR 3044:** A concurrent resolution directing the Legislative Council to study the feasibility and desirability of establishing a putative fathers' adoption registry.

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

**HCR 3045:** A concurrent resolution directing the Legislative Council to study the feasibility and desirability of establishing an at-home infant child care program.

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

**HCR 3049:** A concurrent resolution directing the Legislative Council to study the effect of obesity on health care costs and methods to expand awareness of the problem of obesity and improve treatment modalities.

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

**HCR 3050:** A concurrent resolution directing the Legislative Council to study the feasibility and desirability of realigning the divisions within the Department of Human Services or moving some divisions or functions to the Department of Health or other state agencies.

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

**HCR 3051:** A concurrent resolution directing the Legislative Council to study the impact a constitutional guarantee of the right to individual privacy would have on state laws.

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

**HCR 3057:** A concurrent resolution directing the Legislative Council to study the technological capacity and needs of the state.

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

**HCR 3064:** A concurrent resolution directing the Legislative Council to study workers' compensation fraud by employers, employees, attorneys, health care providers, and rehabilitation service providers in order to identify the financial impact of such fraud on the North Dakota workers' compensation fund, the most appropriate method of addressing such fraud, and the cost of addressing such fraud.

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

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

