

**JOURNAL OF THE SENATE****Fifty-eighth Legislative Assembly**

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**Bismarck, February 13, 2003**

The Senate convened at 1:00 p.m., with Deputy President Pro Tem Nothing presiding.

The prayer was offered by Pastor John Luhmann, Bismarck Evangelical Church, Bismarck.

The roll was called and all members were present except Senators Erbele and Traynor.

A quorum was declared by the Deputy President Pro Tem.

**COMMUNICATION FROM GOVERNOR JOHN HOEVEN****January 8, 2003**

Pursuant to Article VIII, Section 6 of the North Dakota Constitution, I am hereby nominating Susan Andrews of Fargo, North Dakota to replace William B. Isaacson of Stanley, North Dakota whose term expired on June 30, 2002 to the North Dakota State Board of Higher Education. The term is until July 1, 2006.

Ms. Andrew's name is submitted in accordance with NDCC 15-10-02. She is a graduate of North Dakota State University 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 Susan Andrews for this position within the first thirty days of the 2003 Legislative Session.

Thank you for your consideration.

**COMMUNICATION FROM GOVERNOR JOHN HOEVEN****January 8, 2003**

Pursuant to Article VIII, Section 6 of the North Dakota Constitution, I am hereby nominating Dick Kunkel of Devil's Lake for reappointment to the North Dakota State Board of Higher Education. The term is until July 1, 2006.

Mr. Kunkel's name is submitted in accordance with NDCC 15-10-02. He is a graduate of Minot State University 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 Dick Kunkel for this position within the first thirty days of the 2003 Legislative Session.

Thank you for your consideration.

**COMMUNICATION FROM GOVERNOR JOHN HOEVEN****January 8, 2003**

Pursuant to Article VIII, Section 6 of the North Dakota Constitution, I am hereby nominating Pamela Kostelecky of Dickinson to complete Craig Casper's term to the North Dakota State Board of Higher Education. The term is until July 1, 2005.

Ms. Kostelecky's name is submitted in accordance with NDCC 15-10-02. She is a graduate of Dickinson State University 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 Pamela Kostelecky for this position within the first thirty days of the 2003 Legislative Session.

Thank you for your consideration.

**COMMUNICATION FROM GOVERNOR JOHN HOEVEN****February 10, 2003**

Pursuant to Article VIII, Section 6 of the North Dakota Constitution, I am hereby nominating Beverly Clayburgh of Grand Forks for reappointment to the North Dakota State Board of Higher Education. The term is until July 1, 2007.

Ms. Clayburgh's name is submitted in accordance with NDCC 15-10-02. She attended Interstate Business College in Fargo 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 Beverly Clayburgh for this position within the first thirty days of the 2003 Legislative Session.

Thank you for your consideration.

**COMMUNICATION FROM GOVERNOR JOHN HOEVEN  
February 10, 2003**

Pursuant to Article VIII, Section 6 of the North Dakota Constitution, I am hereby nominating Bruce Christianson of Minot for reappointment to the North Dakota State Board of Higher Education. The term is until July 1, 2007.

Mr. Christianson's name is submitted in accordance with NDCC 15-10-02. He is a graduate of Minot State University 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 Bruce Christianson for this position within the first thirty days of the 2003 Legislative Session.

Thank you for your consideration.

**REPORT OF PROCEDURAL COMMITTEE**

**MR. PRESIDENT:** Your procedural **Committee on Committees (Sen. Stenehjem, Chairman)** respectfully submits the following names for your **Select Committee** to approve the nominees to the State Board of Higher Education: Sens. Flakoll, Cook, J. Lee, Kringstad, Klein, Heitkamp, and Taylor.

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

**MOTION**

**SEN. HOLMBERG MOVED** that the Senate reconsider its action whereby Engrossed SB 2311 passed, which motion prevailed.

**MOTION**

**SEN. CHRISTMANN MOVED** that Engrossed SB 2311 be rereferred to the **Finance and Taxation Committee**, which motion prevailed. Pursuant to Sen. Christmann's motion, Engrossed SB 2311 was rereferred.

**MOTION**

**SEN. CHRISTMANN MOVED** that SB 2272, which is on the Eleventh order, be rereferred to the **Human Services Committee**, which motion prevailed. Pursuant to Sen. Christmann's motion, SB 2272 was rereferred.

**MOTION**

**SEN. CHRISTMANN MOVED** that SB 2356 be moved to the bottom of the Eleventh order, which motion prevailed.

**MOTION**

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

**CONSIDERATION OF AMENDMENTS**

**SB 2095: SEN. WARDNER (Finance and Taxation Committee) MOVED** that the amendments on SJ page 232 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

**SECOND READING OF SENATE BILL**

**SB 2095:** A BILL for an Act to create and enact chapter 57-39.4 of the North Dakota Century Code, relating to adoption of the streamlined sales and use tax agreement as adopted by member states of the streamlined sales tax project; to repeal chapter 57-39.4 of the North Dakota Century Code, relating to participation in multistate discussions and entering the streamlined sales and use tax agreement; and to provide an effective date.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 36 YEAS, 9 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bowman; Brown; Christenson; Christmann; Cook; Dever; Espgaard; Every; Fischer; Flakoll; Freborg; Grindberg; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lyson; Mathern; Mutch; Nelson; Nething; Nichols; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Tollefson; Trenbeath; Urlacher; Wardner

**NAYS:** Bercier; Fairfield; Heitkamp; Lindaas; O'Connell; Polovitz; Robinson; Schobinger; Thane

**ABSENT AND NOT VOTING:** Erbele; Traynor

Engrossed SB 2095 passed and the title was agreed to.

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#### CONSIDERATION OF AMENDMENTS

**SB 2096: SEN. URLACHER (Appropriations Committee) MOVED** that the amendments on SJ page 251 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

#### SECOND READING OF SENATE BILL

**SB 2096:** A BILL for an Act to create and enact sections 57-39.2-29, 57-39.2-30, 57-39.2-31, and 57-39.2-32, chapters 57-39.5 and 57-39.6, a new subsection to section 57-40.2-01, and a new subsection to section 57-40.2-02.1 of the North Dakota Century Code, relating to changes necessary to conform North Dakota sales and use tax laws to the streamlined sales and use tax agreement; to amend and reenact subsection 2 of section 11-09.1-05, subsection 16 of section 40-05.1-06, sections 57-01-02.1, 57-39.2-01, and 57-39.2-02.1, subsections 7, 10, 11, 26, and 45 of section 57-39.2-04, sections 57-39.2-04.1, 57-39.2-05, and 57-39.2-08.2, subsection 1 of section 57-39.2-14, subsection 4 of section 57-40.2-01, and subsection 14 of section 57-40.2-04 of the North Dakota Century Code, relating to changes necessary to conform North Dakota sales and use tax laws to the streamlined sales and use tax agreement; to repeal sections 57-39.2-03.2 and 57-39.2-08.3 of the North Dakota Century Code, relating to changes necessary to conform North Dakota sales and use tax laws to the streamlined sales and use tax agreement; and to provide an effective date.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 36 YEAS, 9 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Brown; Christmann; Cook; Dever; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; Nichols; Robinson; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Tollefson; Trenbeath; Urlacher; Wardner

**NAYS:** Bercier; Bowman; Christenson; Fairfield; Heitkamp; O'Connell; Polovitz; Schobinger; Thane

**ABSENT AND NOT VOTING:** Erbele; Traynor

Engrossed SB 2096 passed and the title was agreed to.

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#### MOTION

**SEN. CHRISTMANN MOVED** that SB 2194 be moved to the top of the Sixth order, which motion prevailed.

#### MOTION

**SEN. CHRISTMANN MOVED** that SB 2024 be moved to the bottom of the Sixth order, which motion prevailed.

#### CONSIDERATION OF AMENDMENTS

**SB 2194, as engrossed: SEN. KRAUTER (Appropriations Committee) MOVED** that the amendments on SJ page 352 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

#### SECOND READING OF SENATE BILL

**SB 2194:** A BILL for an Act to provide for the establishment of a medical assistance buy-in program for individuals with disabilities and to provide for personal care services for eligible medical assistance recipients.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bercier; Bowman; Brown; Christenson; Christmann; Cook; Dever; Espegard; Every; Fairfield; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Seymour;

Stenehjerm; Syverson; Tallackson; Taylor; Thane; Tollefson; Trenbeath; Urlacher; Wardner

**ABSENT AND NOT VOTING:** Erbele; Traynor

Reengrossed SB 2194 passed and the title was agreed to.

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#### CONSIDERATION OF AMENDMENTS

**SB 2003: SEN. KRINGSTAD (Appropriations Committee) MOVED** that the amendments on SJ pages 337-338 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

#### SECOND READING OF SENATE BILL

**SB 2003:** A BILL for an Act to provide an appropriation for defraying the expenses of the attorney general; to amend and reenact subsection 3 of section 53-06.1-14 of the North Dakota Century Code, relating to administration of gaming stamps; and to provide for racing commission expenses.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bercier; Bowman; Brown; Christenson; Christmann; Cook; Dever; Espegard; Every; Fairfield; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Seymour; Stenehjerm; Syverson; Tallackson; Taylor; Thane; Tollefson; Trenbeath; Urlacher; Wardner

**ABSENT AND NOT VOTING:** Erbele; Traynor

Engrossed SB 2003 passed and the title was agreed to.

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#### THE SENATE RECOGNIZED THE PRESENCE OF:

Former Senator Gene Hilken.

#### CONSIDERATION OF AMENDMENTS

**SB 2004: SEN. KILZER (Appropriations Committee) MOVED** that the amendments on SJ pages 338-339 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

#### SECOND READING OF SENATE BILL

**SB 2004:** A BILL for an Act to provide an appropriation for defraying the expenses of the state auditor.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bercier; Bowman; Brown; Christenson; Christmann; Cook; Dever; Espegard; Every; Fairfield; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Seymour; Stenehjerm; Syverson; Tallackson; Taylor; Thane; Tollefson; Trenbeath; Urlacher; Wardner

**ABSENT AND NOT VOTING:** Erbele; Traynor

Engrossed SB 2004 passed and the title was agreed to.

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**CONSIDERATION OF AMENDMENTS**

**SB 2007: SEN. MATHERN (Appropriations Committee) MOVED** that the amendments on SJ page 341 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

**SECOND READING OF SENATE BILL**

**SB 2007:** A BILL for an Act to provide an appropriation for defraying the expenses of the labor commissioner.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bercier; Bowman; Brown; Christenson; Christmann; Cook; Dever; Espegard; Every; Fairfield; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Trenbeath; Urlacher; Wardner

**ABSENT AND NOT VOTING:** Erbele; Traynor

Engrossed SB 2007 passed and the title was agreed to.

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**CONSIDERATION OF AMENDMENTS**

**SB 2010: SEN. TALLACKSON (Appropriations Committee) MOVED** that the amendments on SJ pages 341-342 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

**SECOND READING OF SENATE BILL**

**SB 2010:** A BILL for an Act to provide an appropriation for defraying the expenses of the insurance commissioner.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bercier; Bowman; Brown; Christenson; Christmann; Cook; Dever; Espegard; Every; Fairfield; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Trenbeath; Urlacher; Wardner

**ABSENT AND NOT VOTING:** Erbele; Traynor

Engrossed SB 2010 passed and the title was agreed to.

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**CONSIDERATION OF AMENDMENTS**

**SB 2014: SEN. KILZER (Appropriations Committee) MOVED** that the amendments on SJ pages 343-344 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

**SECOND READING OF SENATE BILL**

**SB 2014:** A BILL for an Act to provide an appropriation for defraying the expenses of the committee on protection and advocacy.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bercier; Bowman; Brown; Christenson; Christmann; Cook; Dever; Espegard; Every; Fairfield; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Seymour;

Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Trenbeath; Urlacher; Wardner

**ABSENT AND NOT VOTING:** Erbele; Traynor

Engrossed SB 2014 passed and the title was agreed to.

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#### CONSIDERATION OF AMENDMENTS

**SB 2011: SEN. TALLACKSON (Appropriations Committee) MOVED** that the amendments on SJ pages 342-343 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

#### SECOND READING OF SENATE BILL

**SB 2011:** A BILL for an Act to provide an appropriation for defraying the expenses of the securities commissioner.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bercier; Bowman; Brown; Christenson; Christmann; Cook; Dever; Espegard; Every; Fairfield; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Trenbeath; Urlacher; Wardner

**ABSENT AND NOT VOTING:** Erbele; Traynor

Engrossed SB 2011 passed and the title was agreed to.

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#### CONSIDERATION OF AMENDMENTS

**SB 2016: SEN. GRINDBERG (Appropriations Committee) MOVED** that the amendments on SJ pages 344-345 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

#### SECOND READING OF SENATE BILL

**SB 2016:** A BILL for an Act to provide an appropriation for defraying the expenses of the division of emergency management.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 43 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bercier; Bowman; Brown; Christenson; Christmann; Cook; Dever; Espegard; Every; Fairfield; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; Nichols; Polovitz; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Taylor; Thane; Tollefson; Trenbeath; Urlacher; Wardner

**ABSENT AND NOT VOTING:** Erbele; O'Connell; Tallackson; Traynor

Engrossed SB 2016 passed and the title was agreed to.

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#### VOTING INTENTION

**SEN. O'CONNELL REQUESTED** that the record show he intended to vote YEA on Engrossed SB 2016, which request was granted.

#### CONSIDERATION OF AMENDMENTS

**SB 2021: SEN. SCHOBINGER (Appropriations Committee) MOVED** that the amendments on SJ pages 345-347 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

**SECOND READING OF SENATE BILL**

**SB 2021:** A BILL for an Act to provide an appropriation for defraying the expenses of the parks and recreation department and the International Peace Garden; to amend and reenact section 55-08-06 of the North Dakota Century Code, relating to park permit fees; to repeal section 55-08-14 of the North Dakota Century Code, relating to capital projects and revenue bonds authorization; and to declare an emergency.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bercier; Bowman; Brown; Christenson; Christmann; Cook; Dever; Espegard; Every; Fairfield; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Trenbeath; Urlacher; Wardner

**ABSENT AND NOT VOTING:** Erbele; Traynor

Engrossed SB 2021 passed, the title was agreed to, and the emergency clause was declared carried.

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**CONSIDERATION OF AMENDMENTS**

**SB 2006: SEN. SCHOBINGER (Appropriations Committee) MOVED** that the amendments on SJ pages 339-340 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

**SECOND READING OF SENATE BILL**

**SB 2006:** A BILL for an Act to provide an appropriation for defraying the expenses of the office of the state tax commissioner and for payment of state reimbursement under the homestead tax credit; and to provide for an exemption from the provisions of section 54-44.1-11 of the North Dakota Century Code.

**ROLL CALL**

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

**YEAS:** Andrist; Bowman; Brown; Christenson; Christmann; Cook; Dever; Espegard; Every; Fairfield; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Trenbeath; Urlacher; Wardner

**NAYS:** Bercier

**ABSENT AND NOT VOTING:** Erbele; Traynor

Engrossed SB 2006 passed and the title was agreed to.

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**VOTING INTENTION**

**SEN. BERCIER REQUESTED** that the record show he intended to vote YEA on Engrossed SB 2006, which request was granted.

**CONSIDERATION OF AMENDMENTS**

**SB 2350: SEN. WARDNER (Finance and Taxation Committee) MOVED** that the amendments on SJ page 354 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

**SECOND READING OF SENATE BILL**

**SB 2350:** A BILL for an Act to amend and reenact section 57-02-26 of the North Dakota Century Code, relating to assessment of property taxes on certain state property held under a lease; 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, the roll was called and there were 36 YEAS, 9 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bowman; Brown; Christenson; Christmann; Cook; Dever; Espegard; Fischer; Flakoll; Freborg; Grindberg; Holmberg; Kilzer; Klein; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nething; Polovitz; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Thane; Tollefson; Trenbeath; Urlacher; Wardner

**NAYS:** Bercier; Every; Fairfield; Heitkamp; Krauter; Nelson; Nichols; O'Connell; Taylor

**ABSENT AND NOT VOTING:** Erbele; Traynor

Engrossed SB 2350 passed and the title was agreed to.

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**CONSIDERATION OF AMENDMENTS**

**SB 2031: SEN. COOK (Education Committee) MOVED** that the amendments on SJ pages 349-350 be adopted and then be placed on the Eleventh order with **DO PASS**.

**REQUEST**

**SEN. KRAUTER REQUESTED** a recorded roll call vote on the motion to adopt the proposed amendments to SB 2031, which request was granted.

**ROLL CALL**

The question being on the motion to adopt the amendments to SB 2031, the roll was called and there were 33 YEAS, 12 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Brown; Christenson; Christmann; Cook; Dever; Espegard; Fairfield; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kilzer; Klein; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lyson; Mathern; Mutch; Nething; Nichols; Schobinger; Seymour; Stenehjem; Syverson; Taylor; Thane; Tollefson; Trenbeath; Wardner

**NAYS:** Andrist; Bercier; Bowman; Every; Krauter; Lindaas; Nelson; O'Connell; Polovitz; Robinson; Tallackson; Urlacher

**ABSENT AND NOT VOTING:** Erbele; Traynor

The motion to adopt the amendments to SB 2031 passed.

**SECOND READING OF SENATE BILL**

**SB 2031:** A BILL for an Act to amend and reenact section 15.1-21-02 of the North Dakota Century Code, relating to required units for approved high schools.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 31 YEAS, 14 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Brown; Christenson; Christmann; Cook; Dever; Espegard; Fischer; Flakoll; Freborg; Grindberg; Holmberg; Kilzer; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lyson; Mathern; Mutch; Nelson; Nething; Nichols; Polovitz; Schobinger; Seymour; Stenehjem; Syverson; Taylor; Thane; Tollefson; Wardner

**NAYS:** Andrist; Bercier; Bowman; Every; Fairfield; Heitkamp; Klein; Krauter; Lindaas; O'Connell; Robinson; Tallackson; Trenbeath; Urlacher

**ABSENT AND NOT VOTING:** Erbele; Traynor

Engrossed SB 2031 passed and the title was agreed to.

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**MOTION**

**SEN. CHRISTMANN MOVED** that the Senate stand in recess until 6:30 p.m., which motion prevailed.



**THE SENATE RECONVENED** pursuant to recess taken, with Deputy President Pro Tem Nething presiding.

#### CONSIDERATION OF AMENDMENTS

**SB 2033: SEN. KREBSBACH (Government and Veterans Affairs Committee) MOVED** that the amendments on SJ pages 350-351 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

#### SECOND READING OF SENATE BILL

**SB 2033:** A BILL for an Act to create and enact two new subsections to section 54-52-01 and a new section to chapter 54-52 of the North Dakota Century Code, relating to participation by peace officers and correctional officers employed by political subdivisions in the defined benefit retirement plan; and to amend and reenact section 54-52-02.1, subsection 3 of section 54-52-05, and subsection 3 of section 54-52-17 of the North Dakota Century Code, relating to participation by peace officers and correctional officers employed by political subdivisions in the defined benefit retirement plan.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bercier; Bowman; Brown; Christenson; Christmann; Cook; Dever; Espegard; Every; Fairfield; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Trenbeath; Urlacher; Wardner

**ABSENT AND NOT VOTING:** Erbele; Traynor

Engrossed SB 2033 passed and the title was agreed to.

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#### CONSIDERATION OF AMENDMENTS

**SB 2308: SEN. ESPEGARD (Industry, Business and Labor Committee) MOVED** that the amendments on SJ pages 353-354 be adopted and then be placed on the Eleventh order with **DO NOT PASS**, which motion prevailed.

#### SECOND READING OF SENATE BILL

**SB 2308:** A BILL for an Act to amend and reenact subsection 1 of section 39-16.1-09 and subsection 1 of 39-16.1-19 of the North Dakota Century Code, relating to proof of insurance; to provide for application; and to provide an expiration date.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 27 YEAS, 18 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bowman; Christenson; Christmann; Dever; Freborg; Kilzer; Klein; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Nelson; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Seymour; Syverson; Tallackson; Thane; Urlacher; Wardner

**NAYS:** Bercier; Brown; Cook; Espegard; Every; Fairfield; Fischer; Flakoll; Grindberg; Heitkamp; Holmberg; Krauter; Mutch; Nething; Stenehjem; Taylor; Tollefson; Trenbeath

**ABSENT AND NOT VOTING:** Erbele; Traynor

Engrossed SB 2308 passed and the title was agreed to.

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#### CONSIDERATION OF AMENDMENTS

**SB 2161: SEN. CHRISTENSON (Political Subdivisions Committee) MOVED** that the amendments on SJ pages 351-352 be adopted and then be placed on the Eleventh order with **DO NOT PASS**, which motion prevailed.

**SECOND READING OF SENATE BILL**

**SB 2161:** A BILL for an Act to create and enact a new section to chapter 53-01 of the North Dakota Century Code, relating to mixed fighting style competitions; and to amend and reenact sections 53-01-02, 53-01-03, 53-01-07, and 53-01-17 of the North Dakota Century Code, relating to the regulation of mixed fighting style competitions.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 16 YEAS, 29 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Bercier; Brown; Christmann; Espegard; Fischer; Flakoll; Freborg; Grindberg; Holmberg; Klein; Krebsbach; Kringstad; Lee, J.; Lyson; Polovitz; Trenbeath

**NAYS:** Andrist; Bowman; Christenson; Cook; Dever; Every; Fairfield; Heitkamp; Kilzer; Krauter; Lee, G.; Lindaas; Mathern; Mutch; Nelson; Nething; Nichols; O'Connell; Robinson; Schobinger; Seymour; Stenehjerm; Syverson; Tallackson; Taylor; Thane; Tollefson; Urlacher; Wardner

**ABSENT AND NOT VOTING:** Erbele; Traynor

Engrossed SB 2161 lost.

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**CONSIDERATION OF AMENDMENTS**

**SB 2282: SEN. FISCHER (Human Services Committee) MOVED** that the amendments on SJ pages 352-353 be adopted and then be **REFERRED** to the **Appropriations Committee** with **DO PASS**, which motion prevailed.

**CONSIDERATION OF AMENDMENTS**

**SB 2288: SEN. BROWN (Government and Veterans Affairs Committee) MOVED** that the amendments on SJ page 353 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

**SECOND READING OF SENATE BILL**

**SB 2288:** A BILL for an Act to create and enact a new section to chapter 16.1-03 of the North Dakota Century Code, relating to requirements for political parties conducting presidential preference caucuses; to amend and reenact sections 16.1-11-15, 16.1-11-30, and 16.1-12-02 and subsection 2 of section 28-32-01 of the North Dakota Century Code, relating to circulating petitions to establish a political party, independent nominations for president of the United States, and rules adopted by the secretary of state for the presidential preference contest; and to repeal sections 16.1-11-02, 16.1-11-02.1, 16.1-11-02.3, 16.1-11-03, and 16.1-11-04 of the North Dakota Century Code, relating to the presidential preference contest.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bercier; Bowman; Brown; Christenson; Christmann; Cook; Dever; Espegard; Every; Fairfield; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Seymour; Stenehjerm; Syverson; Tallackson; Taylor; Thane; Tollefson; Trenbeath; Urlacher; Wardner

**ABSENT AND NOT VOTING:** Erbele; Traynor

Engrossed SB 2288 passed and the title was agreed to.

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**CONSIDERATION OF AMENDMENTS**

**SCR 4023: SEN. POLOVITZ (Human Services Committee) MOVED** that the amendments on SJ page 355 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

**SECOND READING OF SENATE CONCURRENT RESOLUTION**

**SCR 4023:** A concurrent resolution urging the Congress to enact a Medicare prescription drug benefit.

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

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

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#### CONSIDERATION OF AMENDMENTS

**SB 2024: SEN. GRINDBERG (Appropriations Committee) MOVED** that the amendments on SJ pages 347-349 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

#### SECOND READING OF SENATE BILL

**SB 2024:** A BILL for an Act to provide an appropriation for defraying the expenses of various state retirement and investment agencies.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bercier; Bowman; Brown; Christenson; Christmann; Cook; Dever; Espegard; Every; Fairfield; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Trenbeath; Urlacher; Wardner

**ABSENT AND NOT VOTING:** Erbele; Traynor

Engrossed SB 2024 passed and the title was agreed to.

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#### SECOND READING OF SENATE BILL

**SB 2162:** A BILL for an Act to amend and reenact section 39-24-03 of the North Dakota Century Code, relating to snowmobile registration fees.

#### 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 24 YEAS, 20 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Bercier; Christenson; Dever; Espegard; Every; Fischer; Grindberg; Heitkamp; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Mathern; Nelson; Nething; Nichols; Polovitz; Robinson; Seymour; Tallackson; Taylor; Thane; Trenbeath

**NAYS:** Bowman; Brown; Christmann; Cook; Fairfield; Flakoll; Freborg; Holmberg; Kilzer; Klein; Kringstad; Lyson; Mutch; O'Connell; Schobinger; Stenehjem; Syverson; Tollefson; Urlacher; Wardner

**ABSENT AND NOT VOTING:** Andrist; Erbele; Traynor

SB 2162 passed and the title was agreed to.

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#### VOTING INTENTION

**SEN. ANDRIST REQUESTED** that the record show he intended to vote NAY on SB 2162, which request was granted.

#### SECOND READING OF SENATE BILL

**SB 2125:** A BILL for an Act to amend and reenact subsections 1 and 2 of section 38-08-04.5 and section 38-08-04.9 of the North Dakota Century Code, relating to confiscation by the state of well-site equipment and salable oil; 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 44 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bercier; Bowman; Brown; Christenson; Christmann; Cook; Dever; Espegard; Every; Fairfield; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Urlacher; Wardner

**ABSENT AND NOT VOTING:** Erbele; Traynor; Trenbeath

Engrossed SB 2125 passed and the title was agreed to.

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#### VOTING INTENTION

**SEN. TRENBEATH REQUESTED** that the record show he intended to vote YEA on Engrossed SB 2125, which request was granted.

#### SECOND READING OF SENATE BILL

**SB 2246:** A BILL for an Act to create and enact a new subsection to section 14-09-09.3 and a new section to chapter 50-09 of the North Dakota Century Code, relating to late fees charged to a child support income payer and the withholding, restriction, or suspension of licenses, permits, and registrations for failure to pay child support or comply with a subpoena; and to amend and reenact subsection 3 of section 14-09-08.1, subsection 2 of section 14-09-08.16, subsection 2 of section 14-09-09.3, and subsection 6 of section 14-09-25 of the North Dakota Century Code, relating to notice of child support arrears, duties and responsibilities of a child support income payer, and judgment interest for past-due child support.

#### 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 33 YEAS, 12 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bercier; Brown; Dever; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, J.; Lindaas; Mathern; Nelson; Nething; Nichols; O'Connell; Polovitz; Robinson; Seymour; Syverson; Tallackson; Taylor; Tollefson; Urlacher; Wardner

**NAYS:** Bowman; Christenson; Christmann; Cook; Fairfield; Lee, G.; Lyson; Mutch; Schobinger; Stenehjem; Thane; Trenbeath

**ABSENT AND NOT VOTING:** Erbele; Traynor

SB 2246 passed and the title was agreed to.

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#### SECOND READING OF SENATE BILL

**SB 2355:** A BILL for an Act to create and enact a new section to chapter 12.1-32 of the North Dakota Century Code, relating to mandatory service of periods of imprisonment.

#### 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 13 YEAS, 32 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Brown; Cook; Dever; Fischer; Freborg; Lee, G.; Nething; Robinson; Schobinger; Seymour; Syverson; Thane; Tollefson

**NAYS:** Andrist; Bercier; Bowman; Christenson; Christmann; Espegard; Every; Fairfield; Flakoll; Grindberg; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nichols; O'Connell; Polovitz; Stenehjem; Tallackson; Taylor; Trenbeath; Urlacher; Wardner

**ABSENT AND NOT VOTING:** Erbele; Traynor

SB 2355 lost.

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**SECOND READING OF SENATE BILL**

**SB 2255:** A BILL for an Act to create and enact chapter 51-26 of the North Dakota Century Code, relating to telephone solicitations; and to provide a penalty.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 40 YEAS, 5 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Bercier; Bowman; Brown; Christenson; Christmann; Cook; Dever; Espegard; Every; Fairfield; Fischer; Flakoll; Grindberg; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lindaas; Lyson; Mathern; Nelson; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Thane; Trenbeath; Urlacher; Wardner

**NAYS:** Andrist; Freborg; Lee, J.; Mutch; Tollefson

**ABSENT AND NOT VOTING:** Erbele; Traynor

Engrossed SB 2255 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2321:** A BILL for an Act to amend and reenact section 53-08-05 of the North Dakota Century Code, relating to the limited liability of the owner of land used for recreational purposes.

**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 44 YEAS, 1 NAY, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bercier; Bowman; Brown; Christenson; Christmann; Dever; Espegard; Every; Fairfield; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Trenbeath; Urlacher; Wardner

**NAYS:** Cook

**ABSENT AND NOT VOTING:** Erbele; Traynor

SB 2321 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2290:** A BILL for an Act relating to organization and representation of political subdivision employees, collective bargaining between political subdivision employers and their employees, and establishment of an employment relations board.

**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 18 YEAS, 27 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Bercier; Christenson; Cook; Every; Fairfield; Heitkamp; Krauter; Lindaas; Mathern; Nelson; Nichols; O'Connell; Polovitz; Robinson; Seymour; Syverson; Tallackson; Taylor

**NAYS:** Andrist; Bowman; Brown; Christmann; Dever; Espegard; Fischer; Flakoll; Freborg; Grindberg; Holmberg; Kilzer; Klein; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lyson; Mutch; Nething; Schobinger; Stenehjem; Thane; Tollefson; Trenbeath; Urlacher; Wardner

**ABSENT AND NOT VOTING:** Erbele; Traynor

SB 2290 lost.

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**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)**  
**MR. SPEAKER:** The Senate has passed and your favorable consideration is requested on: SB 2001, SB 2005, SB 2060, SB 2224, SB 2266, SB 2280, SB 2318, SB 2332, SB 2372, SCR 4008, SCR 4020, SCR 4026, SCR 4029.

**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 2020, SB 2085, SB 2414.

**MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has passed and your favorable consideration is requested on: HB 1123, HB 1145, HB 1148, HB 1264, HB 1278, HB 1345, HB 1399, HB 1411, HB 1421, HB 1475, HB 1481, HB 1492, HB 1498, HCR 3043, HCR 3044.

#### MOTION

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

#### 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 12:00 p.m., Friday, February 14, 2003, which motion prevailed.

#### REPORT OF STANDING COMMITTEE

**SB 2002: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2002 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "; and to amend and reenact section 54-09-05 of the North" with a period

Page 1, remove line 3

Page 1, line 12, replace "2,178,282" with "2,156,301"

Page 1, line 14, replace "12,000" with "8,000"

Page 1, line 16, replace "9,302,779" with "9,276,798"

Page 1, line 18, replace "3,902,866" with "3,876,885"

Page 1, line 23, replace "4,238,866" with "4,212,885"

Page 2, line 2, replace "9,638,779" with "9,612,798"

Page 2, remove lines 3 through 9

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### Senate Bill No. 2002 - Summary of Senate Action

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Secretary of State			
Total all funds	\$9,302,779	(\$25,981)	\$9,276,798
Less estimated income	5,399,913		5,399,913
General fund	\$3,902,866	(\$25,981)	\$3,876,885
Public Printing			
Total all funds	\$336,000	\$0	\$336,000
Less estimated income			
General fund	\$336,000	\$0	\$336,000
Bill Total			
Total all funds	\$9,638,779	(\$25,981)	\$9,612,798
Less estimated income	5,399,913		5,399,913
General fund	\$4,238,866	(\$25,981)	\$4,212,885

**Senate Bill No. 2002 - Secretary of State - Senate Action**

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$2,178,282	(\$21,981)	\$2,156,301
Operating expenses	2,112,497		2,112,497
Petition review	12,000	(4,000)	8,000
Election reform	<u>5,000,000</u>		<u>5,000,000</u>
Total all funds	\$9,302,779	(\$25,981)	\$9,276,798
Less estimated income	<u>5,399,913</u>		<u>5,399,913</u>
General fund	\$3,902,866	(\$25,981)	\$3,876,885
FTE	26.00	0.00	26.00

**Dept. 108 - Secretary of State - Detail of Senate Changes**

	REMOVES RECOMMENDED SALARY INCREASE 1	REDUCES FUNDING FOR PETITION REVIEW	TOTAL SENATE CHANGES
Salaries and wages	(\$21,981)		(\$21,981)
Operating expenses			
Petition review		(\$4,000)	(4,000)
Election reform			
Total all funds	(\$21,981)	(\$4,000)	(\$25,981)
Less estimated income			
General fund	(\$21,981)	(\$4,000)	(\$25,981)
FTE	0.00	0.00	0.00

<sup>1</sup> This amendment removes the Governor's recommendation for state employee salary increases and retains the recommended state payment for health insurance premiums. Section 2 of the bill is removed which included the statutory changes relating to the Secretary of State's salary increase. The Secretary of State's salary will remain at the current level of \$68,018 per year.

**REPORT OF STANDING COMMITTEE**

**SB 2017: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2017 was placed on the Sixth order on the calendar.

Page 1, line 9, replace "3,607,007" with "3,572,028"

Page 1, line 13, replace "193,918" with "193,120"

Page 1, line 15, replace "6,376,811" with "6,323,730"

Page 1, line 16, replace "15,422,702" with "15,376,042"

Page 1, line 17, replace "278,094" with "275,456"

Page 1, line 18, replace "30,046,360" with "29,908,204"

Page 1, line 19, replace "20,824,132" with "20,728,749"

Page 1, line 20, replace "9,222,228" with "9,179,455"

Page 1, line 22, replace "\$71,291" with "\$70,843"

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:****Senate Bill No. 2017 - Adjutant General - Senate Action**

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$3,607,007	(\$34,979)	\$3,572,028
Operating expenses	2,685,827		2,685,827
Capital assets	144,987		144,987
Grants	329,514		329,514
Civil Air Patrol	193,918	(798)	193,120
Tuition and enlistment	1,007,500		1,007,500

compensation			
Air Guard contract	6,376,811	(53,081)	6,323,730
Army Guard contract	15,422,702	(46,660)	15,376,042
Veterans' Cemetery	278,094	(2,638)	275,456
Total all funds	\$30,046,360	(\$138,156)	\$29,908,204
Less estimated income	<u>20,824,132</u>	<u>(95,383)</u>	<u>20,728,749</u>
General fund	\$9,222,228	(\$42,773)	\$9,179,455
FTE	139.00	0.00	139.00

**Dept. 540 - Adjutant General - Detail of Senate Changes**

	REMOVES RECOMMENDED SALARY INCREASE <sup>1</sup>	TOTAL SENATE CHANGES
Salaries and wages	(\$34,979)	(\$34,979)
Operating expenses		
Capital assets		
Grants		
Civil Air Patrol	(798)	(798)
Tuition and enlistment compensation		
Air Guard contract	(53,081)	(53,081)
Army Guard contract	(46,660)	(46,660)
Veterans' Cemetery	<u>(2,638)</u>	<u>(2,638)</u>
Total all funds	(\$138,156)	(\$138,156)
Less estimated income	<u>(95,383)</u>	<u>(95,383)</u>
General fund	(\$42,773)	(\$42,773)
FTE	0.00	0.00

<sup>1</sup> This amendment removes the Governor's recommendation for state employee salary increases and retains the recommended state payment for health insurance premiums.

**REPORT OF STANDING COMMITTEE**

**SB 2023: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). SB 2023 was placed on the Sixth order on the calendar.

Page 1, line 9, replace "32,673,205" with "32,421,470"

ReNUMBER accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2023 - Workers Compensation Bureau - Senate Action**

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Workers Compensation Bureau	<u>\$32,673,205</u>	<u>(\$251,735)</u>	<u>\$32,421,470</u>
Total all funds	\$32,673,205	(\$251,735)	\$32,421,470
Less estimated income	<u>32,673,205</u>	<u>(251,735)</u>	<u>32,421,470</u>
General fund	\$0	\$0	\$0
FTE	228.00	0.00	228.00

**Dept. 485 - Workers Compensation Bureau - Detail of Senate Changes**

	REMOVES RECOMMENDED SALARY INCREASE <sup>1</sup>	TOTAL SENATE CHANGES
Workers Compensation Bureau	<u>(\$251,735)</u>	<u>(\$251,735)</u>
Total all funds	(\$251,735)	(\$251,735)
Less estimated income	<u>(251,735)</u>	<u>(251,735)</u>
General fund	\$0	\$0
FTE	0.00	0.00

<sup>1</sup> This amendment removes the Governor's recommendation for state employee salary increases and retains the recommended state payment for health insurance premiums.



**REPORT OF STANDING COMMITTEE**

**SB 2032: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **DO NOT PASS** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2032 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2041, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). Engrossed SB 2041 was placed on the Sixth order on the calendar.

Page 1, line 3, replace "sections" with "section" and remove ", 12-60-16.9, 12-60-18, and"

Page 1, line 4, remove "62.1-04-03"

Page 1, line 5, remove "and to the fees for criminal history checks and concealed weapons permits"

Page 3, remove lines 11 through 22

Page 3, remove lines 30 and 31

Page 4, remove lines 1 through 31

Page 5, remove lines 1 through 31

Page 6, remove lines 1 through 19

Re-number accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2048: Natural Resources Committee (Sen. Fischer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REFERRED** to the **Appropriations Committee** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). SB 2048 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "section" with "sections" and after "20.1-03-07.1" insert "and 20.1-08-04"

Page 1, line 2, after "hunters" insert "and time limits on duck hunting"

Page 2, line 1, after the underscored period insert "The governor may adjust the result by up to twenty-five percent in the governor's proclamation."

Page 2, after line 2, insert:

**"SECTION 2. AMENDMENT.** Section 20.1-08-04 of the North Dakota Century Code is amended and reenacted as follows:

**20.1-08-04. Contents of governor's order or proclamation relating to the taking of big game, small game, fish, and fur-bearers - Special permits.**

1. A gubernatorial order or proclamation under this chapter must prescribe, as to each species of wildlife named ~~therein~~ in the order or proclamation, the following:
  - a. In what manner ~~they~~ the species may be taken.
  - b. In what numbers ~~they~~ the species may be taken and possessed and may limit the numbers by sex.
  - c. In what places ~~they~~ the species may be taken.
  - d. At what times ~~they~~ the species may be taken and possessed.
2. The governor shall prescribe that ducks may be hunted for a time period no longer than from one-half hour before sunrise to one p.m. central daylight time for the first fourteen days of the fall duck season.
3. The governor in the governor's proclamation or order may determine the number of resident and nonresident big game licenses to be issued for the

taking of each species, age, or sex. When a limited number of big game licenses or special permits are to be issued, the governor shall by order or proclamation declare the manner of issuance of the licenses and permits. The governor may by proclamation or order determine the time period for which a recipient of a big game license or special permit obtained by lottery is ineligible to apply for the same type of license or special permit.

3. 4. In addition to the regular big game hunting licenses, the governor, by order or proclamation, may authorize the issuance of special permits to hunt big game in certain restricted areas. Special permits issued under this subsection must be issued in strict compliance with the governor's order or proclamation. When acting pursuant to this subsection, the governor shall designate in the proclamation:
- a. The species of big game which can be hunted.
  - b. The boundaries of the restricted area.
  - c. The number of special permits to be issued.
  - d. The procedure to determine which applicants ~~should~~ receive the special permits.
  - e. The manner and times in which the big game may be taken.

~~Special permits issued under this subsection shall be issued in strict compliance with the governor's proclamation."~~

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2135, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING). Engrossed SB 2135 was placed on the Sixth order on the calendar.

Page 2, line 16, replace "sixty thousand nine" with "\$60,900"

Page 2, line 17, remove "hundred dollars" and after the second "the" insert "department of public instruction for the purpose of providing a grant to the"

Page 2, line 18, remove "the purpose of"

Page 2, line 21, replace "sixteen thousand" with "\$16,000"

Page 2, line 22, remove "dollars" and after the second "the" insert "department of public instruction for the purpose of providing a grant to the"

Page 2, line 23, remove "the purpose of" and replace "two thousand dollars" with "\$2,000"

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

This amendment changes the entity to receive the general fund appropriation from the Education Standards and Practices Board to the Department of Public Instruction.

#### REPORT OF STANDING COMMITTEE

**SB 2160, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **DO PASS** (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). Engrossed SB 2160 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2193: Natural Resources Committee (Sen. Fischer, Chairman)** recommends **DO PASS** (5 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2193 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2195: Human Services Committee (Sen. J. Lee, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS**

(6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2195 was placed on the Sixth order on the calendar.

Page 2, line 18, overstrike "membership in", remove the overstrike over "~~the~~", and remove "an"

Page 2, line 19, overstrike "association"

Page 2, replace lines 22 through 27 with:

- "5. "Credible coverage" means, with respect to an individual, coverage of the individual provided under:
- a. A group health plan;
  - b. Health insurance;
  - c. Part A or part B of title XVIII of the federal Social Security Act [42 U.S.C. 1395 et seq.], relating to health insurance for the aged and disabled;
  - d. Title XIX of the federal Social Security Act [42 U.S.C. 1396 et seq.], relating to grants to states for medical assistance programs, with the exception of coverage consisting solely of benefits under section 1928 of the federal Social Security Act [Pub. L. 103-66; 107-637; 42 U.S.C. 1396s], relating to the program for distribution of pediatric vaccines;
  - e. Chapter 55 of United States Code title 10 [10 U.S.C. 1071 et seq.], relating to armed forces medical and dental care;
  - f. A medical care program of the Indian health service or of a tribal organization;
  - g. A state health benefits risk pool;
  - h. A public health plan as defined in federal regulations;
  - i. A health plan offered under chapter 89 of United States Code title 5 [5 U.S.C. 8901 et seq.], relating to government employee health insurance; or
  - j. A benefit plan under section 5(e) of the federal Peace Corps Act [Pub. L. 87-293; 75 Stat. 613; 22 U.S.C. 2504(e)]."

Page 4, line 21, remove "~~the~~"

Page 5, line 11, remove the overstrike over "~~commissioner~~"

Page 5, line 12, remove "board"

Page 5, line 14, remove "over" and after "sixty-five" insert "and over"

Page 7, line 2, after "of" insert "subsection 10 of"

Page 11, line 6, after "of" insert "not less than"

Page 12, remove lines 7 through 21

Page 12, line 24, replace "Over age" with "Age" and after "sixty-five" insert "and over"

Page 12, line 25, after the first "~~medicare~~" insert "basic"

Page 12, line 26, replace "must include over age sixty-five supplement one; over age" with "and standard supplemental plan must be offered to"

Page 12, line 27, remove "sixty-five supplement six; disabled supplement one; and disabled supplement six for"

Page 12, line 28, after the period insert "Supplemental plans issued by the association must be developed by the lead carrier and approved by the board."

Page 17, line 15, replace "director" with "commissioner"

Page 17, line 16, after "basis" insert an underscored comma

Page 18, line 3, overstrike "of twenty-five dollars"

Page 19, line 28, replace "An" with "A standard" and remove "A"

Page 20, line 12, replace "An" with "A Health Insurance Portability and Accountability Act of 1996" and remove "B"

Page 20, line 26, replace "b" with "a"

Page 21, line 3, remove "over" and after "sixty-five" insert "and over"

Page 21, line 23, replace "reduce" with "reduced"

Page 23, line 14, replace "is" with "if"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2225: Industry, Business and Labor Committee (Sen. Mutch, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). SB 2225 was placed on the Sixth order on the calendar.

Page 1, line 1, replace the second "section" with "sections" and after "52-06-05" insert "and 52-07.1-05"

Page 1, line 3, replace "and" with a comma and after "benefits" insert ", and eligibility for extended benefits"

Page 3, after line 8, insert:

**"SECTION 3. AMENDMENT.** Section 52-07.1-05 of the North Dakota Century Code is amended and reenacted as follows:

#### **52-07.1-05. Eligibility requirements for extended benefits.**

1. An individual is eligible to receive extended benefits with respect to any week of unemployment in the individual's eligibility period only if the bureau finds that with respect to such week:
  - 4- a. The individual is an "exhaustee" as defined in subsection 3 of section 52-07.1-03; and
  - 2- b. The individual has satisfied the requirement of this chapter for the receipt of regular benefits that are applicable to individuals claiming extended benefits, including not being subject to a disqualification for the receipt of benefits.
2. To qualify for extended benefits, an individual must have been paid wages for insured work in at least two calendar quarters of the individual's base period totaling not less than one and one-half times the individual's total wages paid during the quarter of the individual's base period in which the individual's wages were the highest.

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2233: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **DO NOT PASS** (10 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING). SB 2233 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2236: Natural Resources Committee (Sen. Fischer, Chairman)** recommends **DO NOT PASS** (4 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). SB 2236 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2242: Natural Resources Committee (Sen. Fischer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2242 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "create and enact a new section to chapter 20.1-04 of the North Dakota"

Page 1, line 2, remove "Century Code, relating to hunting of Canada geese; and to"

Page 1, line 3, remove "nonresident waterfowl"

Page 1, line 4, replace "licenses" with "of Canada geese by nonresidents"

Page 1, line 11, remove the overstrike over "~~The~~" and remove "Except for a license issued under section 2 of this Act, the"

Page 1, line 21, after the period insert "The fourteen-day, seven-day, and two 7-day hunting period restrictions do not apply to nonresidents hunting during the early September Canada goose season."

Page 1, remove lines 22 and 23

Page 2, remove lines 1 through 3

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2251: 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 2251 was placed on the Sixth order on the calendar.

Page 1, after line 13, insert:

1. "Basic property insurance" means insurance against direct loss to property as defined and limited in standard fire policies and extended coverage endorsements thereon.
2. "Homeowners insurance" means insurance on owner-occupied dwellings providing personal multi-peril property and liability coverage."

Page 1, line 14, replace "1." with "3."

Page 1, line 15, after the second comma insert "basic" and replace "casualty" with "homeowners"

Page 1, line 17, replace "2." with "4."

Page 1, line 18, after "securing" insert "basic"

Page 1, line 19, replace "casualty" with "homeowners"

Page 2, line 28, after the period insert "The commissioner may require the board to waive the assessment requirement for an insurer if the assessment would cause a significant financial impairment to the insurer or would jeopardize the solvency of the insurer."

Page 2, line 30, after the second comma insert "basic", remove "and casualty", and after "thereof" insert "in multi-peril policies or homeowners insurance"

Page 3, line 5, after "reported" insert "from income from this state"

Page 3, line 6, replace the semicolon with a colon and replace "farmowners multiple peril," with "and"

Page 3, line 7, remove ", and commercial multiple peril (nonliability portion)"

Page 3, line 9, replace "dwelling insurance," with "basic property and" and remove ", mobilehomeowners insurance, farmowners"

Page 3, line 10, remove "insurance, condominiumowners insurance, and commercial property insurance"

Page 3, line 11, replace the first comma with "or", remove "liability, or such manufacturing", and remove "as may"

Page 3, line 12, remove "be excluded by the commissioner"

Page 3, line 15, after the period insert "Rates must be actuarially sound under chapter 26.1-25 and may not actively compete with rates in the voluntary market."

Page 3, line 16, after "coverage" insert ", in writing,"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2327: Industry, Business and Labor Committee (Sen. Mutch, Chairman)** recommends **DO NOT PASS** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). SB 2327 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2328: Judiciary Committee (Sen. Traynor, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2328 was placed on the Sixth order on the calendar.

Page 1, line 15, replace "sexual assault as provided in" with "is a violation of"

Page 1, line 16, replace "12.1-20-10.1, or 12.1-20-10.2" with "12.1-20-12.1, or 12.1-20-12.2"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2336: Finance and Taxation Committee (Sen. Urlacher, Chairman)** recommends **DO NOT PASS** (5 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2336 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2351: Industry, Business and Labor Committee (Sen. Mutch, Chairman)** recommends **DO NOT PASS** (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2351 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2337, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **DO PASS** (7 YEAS, 4 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2337 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2342: Transportation Committee (Sen. Trenbeath, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2342 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2345: Human Services Committee (Sen. J. Lee, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2345 was placed on the Sixth order on the calendar.

Page 1, line 1, remove ", subsection 3 of section 25-03.1-21,"

Page 1, line 2, remove "and subsection 1 of section 25-03.1-26"

Page 1, line 15, replace ", the regional human service center may have access to medical" with "and the individual that is the subject of the screening does not authorize the disclosure of the individual's protected health information, upon the request of the regional human service center, any mental health professional who has treated the individual within the previous six months shall disclose, subject to the requirements of title 42, Code of Federal Regulations, part 2, to the human service center any relevant protected health information regarding that treatment"

Page 1, remove line 16

Page 1, line 17, remove "authorizes the release of the medical records"

Page 1, remove lines 22 and 23

Page 2, remove lines 1 through 31

Page 3, remove lines 1 through 6

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2349: Human Services Committee (Sen. J. Lee, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2349 was placed on the Sixth order on the calendar.

Page 1, line 7, replace "1. A person" with "An individual licensed under this chapter"

Page 1, line 13, replace "a person" with "an individual"

Page 1, remove line 16

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2357: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **DO NOT PASS** (9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). SB 2357 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2361: Finance and Taxation Committee (Sen. Urlacher, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2361 was placed on the Sixth order on the calendar.

Page 1, line 13, replace "The" with "After deduction by the tax department of a reasonable amount for costs of collection of these optional contributions, the remaining"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2379: Judiciary Committee (Sen. Traynor, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2379 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 provide for a legislative council study of the doctrine of assumption of risk."

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

##### SECTION 1. ASSUMPTION OF RISK - LEGISLATIVE COUNCIL STUDY.

The legislative council shall consider studying, during the 2003-04 interim, the doctrine of assumption of risk and the impact the reenactment of the doctrine would have on other state laws. The legislative council shall report its findings and recommendations, together with any legislation required to implement the legislation, to the fifty-ninth legislative assembly."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2389: Education Committee (Sen. Freborg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2389 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 subsection 1 of section 15.1-27-26 of the North Dakota Century Code, relating to school district transportation payments.

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

**SECTION 1. AMENDMENT.** Subsection 1 of section 15.1-27-26 of the North Dakota Century Code is amended and reenacted as follows:

1. Each school district providing transportation to students in contract schoolbuses or in district-owned and operated schoolbuses, and each school district with students riding commercial buses to and from school is entitled to receive the following amounts:
  - a. Twenty-five cents per mile [1.61 kilometers] for each schoolbus and school vehicle having a capacity of nine or fewer students and transporting students who reside outside the incorporated limits of the city in which the students' school is located.
  - b. Sixty-seven cents per mile [1.61 kilometers] for each schoolbus and school vehicle having a capacity of ten or more students and transporting students who reside outside the incorporated limits of the city in which the students' school is located.
  - c. Twenty-five cents per mile [1.61 kilometers] for each schoolbus and school vehicle having a capacity of nine or fewer students and transporting students who reside within the incorporated limits of a city in which the students' school is located.
  - d. ~~Thirty-five~~ Fifty cents per mile [1.61 kilometers] for each schoolbus and school vehicle having a capacity of ten or more students and transporting students who reside within the incorporated limits of a city in which the students' school is located.
  - e. Twenty cents for each one-way trip by a student who rides a schoolbus or a commercial bus to or from school and who resides within the incorporated limits of the city in which the student's school is located."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2400: Finance and Taxation Committee (Sen. Urlacher, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2400 was placed on the Sixth order on the calendar.

Page 2, line 1, replace "before" with "with an effective date that precedes the date of official notice to the record title holder which states that property taxes are delinquent and constitute a property lien"

Page 2, remove line 2

Page 2, line 3, remove "which the tax lien relates"

Page 2, line 18, after "recorded" insert "with an effective date that precedes the date of official notice to the record title holder which states that property taxes are delinquent and constitute a property lien"

Page 2, remove line 19

Page 2, line 20, remove "the tax lien relates"

Renumber accordingly



**REPORT OF STANDING COMMITTEE**

**SCR 4011: Transportation Committee (Sen. Trenbeath, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4011 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SCR 4025: Finance and Taxation Committee (Sen. Urlacher, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4025 was placed on the Eleventh order on the calendar.

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

**WILLIAM R. HORTON, Secretary**

