

JOURNAL OF THE SENATE

Sixty-first Legislative Assembly

* * * * *

Bismarck, February 17, 2009

The Senate convened at 12:30 p.m., with President Dalrymple presiding.

The prayer was offered by Pastor Jeff Tengesdal, Good Shepherd Lutheran Church, Bismarck.

The roll was called and all members were present.

A quorum was declared by the President.

CONSIDERATION OF AMENDMENTS

SB 2049, as engrossed: SEN. KILZER (Appropriations Committee) MOVED that the amendments on SJ page 439 be adopted and then be placed on the Eleventh order with **DO NOT PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2221, as engrossed: SEN. COOK (Appropriations Committee) MOVED that the amendments on SJ page 440 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2163: SEN. OEHLKE (Government and Veterans Affairs Committee) MOVED that the amendments on SJ page 439 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2245: SEN. ERBELE (Natural Resources Committee) MOVED that the amendments on SJ pages 440-441 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2298: SEN. TRIPLETT (Natural Resources Committee) MOVED that the amendments on SJ page 441 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2357: SEN. FLAKOLL (Education Committee) MOVED that the amendments on SJ page 441 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2404: SEN. SCHNEIDER (Natural Resources Committee) MOVED that the amendments on SJ pages 442-444 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2411: SEN. TRIPLETT (Natural Resources Committee) MOVED that the amendments on SJ page 444 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2422: SEN. COOK (Government and Veterans Affairs Committee) MOVED that the amendments on SJ page 444 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2425: SEN. HORNE (Government and Veterans Affairs Committee) MOVED that the amendments on SJ pages 444-445 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2428: SEN. HOGUE (Natural Resources Committee) MOVED that the amendments on SJ page 445 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2027: SEN. COOK (Government and Veterans Affairs Committee) MOVED that the amendments on SJ page 453 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

MOTION

SEN. CHRISTMANN MOVED that SB 2243 be placed at the bottom of the calendar, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2342: A BILL for an Act providing an appropriation for defraying the expenses associated with the control of John's disease

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

YEAS: Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Dotzenrod; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Miller; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Schneider; Seymour; Stenehjem; Taylor; Triplett; Wanzek; Wardner; Warner

Engrossed SB 2342 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2343: A BILL for an Act to amend and reenact section 54-03.1-03 of the North Dakota Century Code, relating to requiring the presentation of information during the organizational session of the legislative assembly which relates to native Americans.

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 19 YEAS, 28 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; Behm; Dotzenrod; Fiebiger; Heckaman; Horne; Marcellais; Mathern; Nelson; O'Connell; Pomeroy; Potter; Robinson; Schneider; Seymour; Taylor; Triplett; Warner

NAYS: Andrist; Bowman; Christmann; Cook; Dever; Erbele; Fischer; Flakoll; Freborg; Grindberg; Hogue; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Miller; Nething; Nodland; Oehlke; Olafson; Stenehjem; Wanzek; Wardner

SB 2343 lost.

SECOND READING OF SENATE BILL

SB 2345: A BILL for an Act to provide for an investigation of development and access to trust and fee lands in Montana owned by North Dakota Indian tribes and tribal members.

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 1 YEAS, 46 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: O'Connell

NAYS: Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Dotzenrod; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg;

Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Miller; Nelson; Nething; Nodland; Oehlke; Olafson; Pomeroy; Potter; Robinson; Schneider; Seymour; Stenehjem; Taylor; Triplett; Wanzek; Wardner; Warner

SB 2345 lost.

SECOND READING OF SENATE BILL

SB 2360: A BILL for an Act to create and enact a new section to chapter 54-06 of the North Dakota Century Code, relating to authorizing a state agency to grant a temporary release from employment for an employee providing service on behalf of a public employee organization.

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 23 YEAS, 24 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; Behm; Dotzenrod; Fiebiger; Heckaman; Holmberg; Horne; Krauter; Lindaas; Marcellais; Mathern; Nelson; Nething; O'Connell; Pomeroy; Potter; Robinson; Schneider; Seymour; Taylor; Triplett; Warner

NAYS: Andrist; Bowman; Christmann; Cook; Dever; Erbele; Fischer; Flakoll; Freborg; Grindberg; Hogue; Kilzer; Klein; Krebsbach; Lee, G.; Lee, J.; Lyson; Miller; Nodland; Oehlke; Olafson; Stenehjem; Wanzek; Wardner

Engrossed SB 2360 lost.

SECOND READING OF SENATE BILL

SB 2363: A BILL for an Act to amend and reenact subsection 3 of section 50-22-02, subsection 1 of section 50-22-02.1, and sections 50-22-04 and 50-22-05 of the North Dakota Century Code, relating to registration of charitable organizations and professional fundraisers and to annual reports by charitable organizations; and to provide a penalty.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Dotzenrod; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Miller; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Schneider; Seymour; Stenehjem; Taylor; Triplett; Wanzek; Wardner; Warner

SB 2363 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2383: A BILL for an Act to create and enact a new section to chapter 57-38 and a new subdivision to subsection 7 of section 57-38-30.3 of the North Dakota Century Code, relating to an income tax credit for employment of individuals with disabilities; 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 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Dotzenrod; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Miller; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Pomeroy;

Potter; Robinson; Schneider; Seymour; Stenehjem; Taylor; Triplett; Wanzek; Wardner; Warner

Engrossed SB 2383 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2396: A BILL for an Act to provide an appropriation to the department of human services for the purpose of implementing programs associated with the family impact initiative; and to provide for a legislative council study.

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

YEAS: Anderson; Andrist; Bakke; Behm; Cook; Dever; Dotzenrod; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Miller; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Schneider; Seymour; Stenehjem; Taylor; Triplett; Wanzek; Wardner; Warner

NAYS: Bowman; Christmann

Engrossed SB 2396 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2385: A BILL for an Act to amend and reenact section 39-04-09 of the North Dakota Century Code, relating to the issuance of license plates; 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 37 YEAS, 10 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Bakke; Bowman; Cook; Dever; Dotzenrod; Fiebiger; Fischer; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Horne; Kilzer; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Miller; Nelson; Nething; Nodland; Olafson; Pomeroy; Potter; Robinson; Schneider; Seymour; Stenehjem; Taylor; Triplett; Wardner; Warner

NAYS: Anderson; Behm; Christmann; Erbele; Flakoll; Klein; Mathern; O'Connell; Oehlke; Wanzek

Engrossed SB 2385 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2388: A BILL for an Act to create and enact a new section to chapter 57-38 and a new subdivision to subsection 7 of section 57-38-30.3 of the North Dakota Century Code, relating to an income tax credit for an employer maintaining payment of salary and related retirement plan contributions for an employee called to active military duty as a member of a reserve or national guard component; and to provide an effective date.

MOTION

SEN. COOK MOVED that Engrossed SB 2388 be amended as follows, which motion prevailed.

Page 1, line 19, after "year" insert "and an excess credit may be carried forward for up to five taxable years"

Page 2, replace lines 6 through 17 with:

"2. A partnership, subchapter S corporation, limited liability company treated like a passthrough entity, or any other similar passthrough entity that is an employer in this state must be considered to be a taxpayer for purposes of

this section. The amount of the credit determined at the passthrough entity level must be passed through to the partners, shareholders, or members in proportion to their respective interests in the passthrough entity."

Page 2, line 20, replace "benefits of deployed" with "related retirement plan contributions of mobilized"

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

YEAS: Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Dotzenrod; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Miller; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Schneider; Seymour; Stenehjem; Taylor; Triplett; Wanzek; Wardner; Warner

Reengrossed SB 2388 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2399: A BILL for an Act to provide for medical facilities and providers to give notice of programs and payments for ratings.

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

YEAS: Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Dotzenrod; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Miller; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Schneider; Seymour; Stenehjem; Taylor; Triplett; Wanzek; Wardner; Warner

Engrossed SB 2399 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2410: A BILL for an Act to amend and reenact section 37-18.1-01 of the North Dakota Century Code, relating to the membership of the administrative committee on veterans' affairs.

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

YEAS: Anderson; Bakke; Behm; Dotzenrod; Fiebiger; Heckaman; Krauter; Lindaas; Marcellais; Mathern; O'Connell; Pomeroy; Potter; Robinson; Schneider; Taylor; Triplett; Warner

NAYS: Andrist; Bowman; Christmann; Cook; Dever; Erbele; Fischer; Flakoll; Freborg; Grindberg; Hogue; Holmberg; Horne; Kilzer; Klein; Krebsbach; Lee, G.; Lee, J.; Lyson; Miller; Nelson; Nething; Nodland; Oehlke; Olafson; Seymour; Stenehjem; Wanzek; Wardner

SB 2410 lost.

SECOND READING OF SENATE BILL

SB 2417: A BILL for an Act to provide for a legislative council study relating to the state facilitating the reduction of landfill waste and the potential for development of methane processing.

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 42 YEAS, 5 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; Behm; Bowman; Cook; Dotzenrod; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Horne; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Miller; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Schneider; Seymour; Taylor; Triplett; Wanzek; Wardner; Warner

NAYS: Andrist; Christmann; Dever; Kilzer; Stenehjem

Engrossed SB 2417 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2421: A BILL for an Act to provide for a legislative council study.

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

YEAS: Anderson; Bakke; Behm; Bowman; Christmann; Cook; Dotzenrod; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Miller; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Schneider; Seymour; Taylor; Triplett; Wanzek; Wardner; Warner

NAYS: Andrist; Dever; Lee, G.; Stenehjem

Engrossed SB 2421 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2423: A BILL for an Act to create and enact a new section to chapter 50-06 of the North Dakota Century Code, relating to audits and reimbursements of private providers for individuals with developmental disabilities; and to provide for a report to the legislative assembly.

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

YEAS: Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Dotzenrod; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Miller; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Schneider; Seymour; Stenehjem; Taylor; Triplett; Wanzek; Wardner; Warner

Engrossed SB 2423 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2426: A BILL for an Act to amend and reenact section 65-05-09.4 of the North Dakota Century Code, relating to workers' compensation additional benefit payable; and to provide for application.

ROLL CALL

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

YEAS: Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Dotzenrod; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Horne; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Miller; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Schneider; Seymour; Stenehjem; Taylor; Triplett; Wanzek; Wardner; Warner

NAYS: Kilzer

Engrossed SB 2426 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2433: A BILL for an Act to create and enact a new section to chapter 65-05.1 of the North Dakota Century Code, relating to data collection of workers' compensation claims that receive vocational rehabilitation services; and to amend and reenact subsection 4 of section 65-05.1-04 of the North Dakota Century Code, relating to work searches by disabled workers.

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

YEAS: Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Dotzenrod; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Miller; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Schneider; Seymour; Stenehjem; Taylor; Triplett; Wanzek; Wardner; Warner

Engrossed SB 2433 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2436: A BILL for an Act to amend and reenact section 16.1-11.1-01 of the North Dakota Century Code, relating to polling places for elections held by mail ballot.

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 8 YEAS, 38 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson; Christmann; Erbele; Freborg; Horne; Klein; O'Connell; Potter

NAYS: Andrist; Bakke; Behm; Bowman; Cook; Dever; Dotzenrod; Fiebiger; Fischer; Flakoll; Grindberg; Heckaman; Hogue; Kilzer; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Miller; Nelson; Nething; Nodland; Oehlke; Olafson; Pomeroy; Robinson; Schneider; Seymour; Stenehjem; Taylor; Triplett; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Holmberg

SB 2436 lost.

SECOND READING OF SENATE BILL

SB 2270: A BILL for an Act to amend and reenact section 40-49-14 of the North Dakota Century Code, relating to bid requirements for park districts.

ROLL CALL

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

YEAS: Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Dotzenrod; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Miller; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Schneider; Seymour; Stenehjem; Taylor; Triplett; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Holmberg

Engrossed SB 2270 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2016: A BILL for an Act to provide an appropriation for defraying the expenses of job service North Dakota.

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

YEAS: Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Dotzenrod; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Miller; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Schneider; Seymour; Stenehjem; Taylor; Triplett; Wanzek; Wardner; Warner

SB 2016 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2336: A BILL for an Act to amend and reenact section 54-35-02.7 of the North Dakota Century Code, relating to the Garrison diversion overview committee.

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

YEAS: Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Dotzenrod; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Miller; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Schneider; Seymour; Stenehjem; Taylor; Triplett; Wanzek; Wardner; Warner

Engrossed SB 2336 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2355: A BILL for an Act to provide a short-term shelter and assessment pilot program for at-risk youth; to provide a report to the legislative council; to provide for a legislative council study; 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 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Dotzenrod; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais;

Mathern; Miller; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Schneider; Seymour; Stenehjem; Taylor; Triplett; Wanzek; Wardner; Warner

Engrossed SB 2355 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2368: A BILL for an Act to amend and reenact subdivision a of subsection 17 of section 4-22-26 of the North Dakota Century Code, relating to the mill levy limit for soil conservation districts; 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 NOT PASS, the roll was called and there were 26 YEAS, 21 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson; Andrist; Bakke; Behm; Dotzenrod; Erbele; Fiebiger; Heckaman; Holmberg; Horne; Krauter; Krebsbach; Lindaas; Marcellais; Mathern; Miller; Nelson; Olafson; Pomeroy; Potter; Robinson; Schneider; Seymour; Taylor; Wanzek; Warner

NAYS: Bowman; Christmann; Cook; Dever; Fischer; Flakoll; Freborg; Grindberg; Hogue; Kilzer; Klein; Lee, G.; Lee, J.; Lyson; Nething; Nodland; O'Connell; Oehlke; Stenehjem; Triplett; Wardner

SB 2368 passed and the title was agreed to.

MOTION

SEN. CHRISTMANN MOVED that the Senate stand in recess until 2:15 p.m., which motion prevailed.

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

MOTION

SEN. CHRISTMANN MOVED that SB 2351 be moved to the top of the Eleventh order, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2351: A BILL for an Act to create and enact a new section to chapter 20.1-05 of the North Dakota Century Code, relating to the feeding of big game and hunting big game over bait; and to provide a penalty.

MOTION

SEN. OLAFSON MOVED that SB 2351 be amended as follows, which motion failed on a verification vote.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new section to chapter 20.1-05 of the North Dakota Century Code, relating to big game feeding and baiting rules.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 20.1-05 of the North Dakota Century Code is created and enacted as follows:

Big game feeding and baiting - Rules. The department shall adopt rules regulating the feeding of big game and the hunting of big game with the aid of bait. Rules adopted under this section must be based on the preponderance of scientific evidence and the preponderance of the recommendations of wildlife and animal health professionals."

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 19 YEAS, 27 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; Dever; Fiebiger; Fischer; Flakoll; Holmberg; Horne; Lee, J.; Lindaas; Mathern; Nelson; Olafson; Pomeroy; Potter; Robinson; Schneider; Stenehjem; Triplett

NAYS: Andrist; Behm; Bowman; Christmann; Cook; Dotzenrod; Erbele; Freborg; Grindberg; Heckaman; Hogue; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lyson; Miller; Nething; Nodland; O'Connell; Oehlke; Seymour; Taylor; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Marcellais

SB 2351 lost.

SECOND READING OF SENATE BILL

SB 2427: A BILL for an Act to create and enact a new subdivision to subsection 7 of section 57-38-30.3 of the North Dakota Century Code, relating to allowance of the income tax credit on the form ND-1 income tax return for installation of geothermal energy devices; 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 42 YEAS, 4 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson; Andrist; Bakke; Behm; Cook; Dotzenrod; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Horne; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Miller; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Schneider; Seymour; Stenehjem; Taylor; Triplett; Wanzek; Wardner; Warner

NAYS: Bowman; Christmann; Dever; Kilzer

ABSENT AND NOT VOTING: Marcellais

Engrossed SB 2427 passed and the title was agreed to.

MOTION

SEN. NETHING MOVED that the Senate reconsider its action whereby Engrossed SB 2348 failed to pass, which motion lost on a verification vote.

SECOND READING OF SENATE BILL

SB 2438: A BILL for an Act to create and enact two new sections to chapter 54-60 of the North Dakota Century Code, relating to the promotion of sustainably grown agricultural commodities; and to provide an effective date.

MOTION

SEN. WANZEK MOVED that Reengrossed SB 2438 be amended as follows, which motion prevailed.

Page 3, line 10, replace "This" with "Section 1 of this"

Re-number 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 31 YEAS, 15 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson; Andrist; Behm; Bowman; Christmann; Dever; Dotzenrod; Erbele; Fischer; Flakoll; Freborg; Grindberg; Hogue; Holmberg; Horne; Kilzer; Klein; Krebsbach; Lee, G.; Lee, J.; Lyson; Miller; Nething; Nodland; Oehlke; Olafson; Potter; Schneider; Seymour; Wanzek; Wardner

NAYS: Bakke; Cook; Fiebiger; Heckaman; Krauter; Lindaas; Mathern; Nelson; O'Connell; Pomeroy; Robinson; Stenehjerm; Taylor; Triplett; Warner

ABSENT AND NOT VOTING: Marcellais

Reengrossed SB 2438 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2392: A BILL for an Act to amend reenact section 41-09-96, subsection 1 of section 43-07-10, subdivision e of subsection 1 of section 54-05.1-03, and sections 54-09-04 and 54-09-08 of the North Dakota Century Code, relating to secured transaction filing fees, contractor license renewals, lobbyist registration fees, and fees collected by the secretary of state.

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 42 YEAS, 3 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Dever; Dotzenrod; Erbele; Fiebiger; Fischer; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Miller; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Robinson; Schneider; Seymour; Stenehjerm; Taylor; Triplett; Wanzek; Wardner; Warner

NAYS: Flakoll; Mathern; Potter

ABSENT AND NOT VOTING: Cook; Marcellais

Engrossed SB 2392 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2329: A BILL for an Act to provide for an appropriation and transfer for creating geographic information system-based maps or overlays; and to provide an appropriation to the state historical society for the purpose of coordinating the mapping project.

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 42 YEAS, 4 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson; Andrist; Bakke; Behm; Bowman; Cook; Dotzenrod; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Miller; Nelson; Nething; Nodland; Oehlke; Olafson; Pomeroy; Potter; Robinson; Schneider; Seymour; Taylor; Triplett; Wanzek; Wardner; Warner

NAYS: Christmann; Dever; O'Connell; Stenehjerm

ABSENT AND NOT VOTING: Marcellais

Engrossed SB 2329 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2319: A BILL for an Act to amend and reenact sections 16.1-07-04, 16.1-07-06, 16.1-07-08, 16.1-07-12, 16.1-07-12.1, 16.1-07-15, 16.1-11.1-02, 16.1-11.1-05, 16.1-12-02, 16.1-12-02.1, 16.1-12-02.2, and 16.1-12-02.3 of the North Dakota Century Code, relating to absentee voting, mail ballot voting, certificates of nomination by petition for president, write-in votes, and certificates of nomination by petition for independent candidates.

ROLL CALL

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

YEAS: Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Dotzenrod; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Miller; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Schneider; Seymour; Stenehjem; Taylor; Triplett; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Marcellais

Engrossed SB 2319 passed and the title was agreed to.

MOTION

SEN. STENEHJEM MOVED that the vote by which SB 2360 failed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGE TO THE HOUSE FROM THE SENATE (FRAN A. GRONBERG, SECRETARY)

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2010, SB 2023, SB 2038, SB 2042, SB 2047, SB 2133, SB 2154, SB 2173, SB 2214, SB 2217, SB 2222, SB 2237, SB 2253, SB 2267, SB 2289, SB 2297, SB 2305, SB 2306, SB 2307, SB 2308, SB 2318, SB 2324, SB 2327, SB 2338, SB 2353, SB 2358, SB 2378, SB 2403, SB 2419, SB 2420, SB 2439.

MESSAGE TO THE HOUSE FROM THE SENATE (FRAN A. GRONBERG, SECRETARY)

MR. SPEAKER: The Senate has passed, the emergency clause carried, and your favorable consideration is requested on: SB 2046, SB 2160.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)

MR. PRESIDENT: The House has passed and your favorable consideration is requested on: HB 1073, HB 1116, HB 1198, HB 1294, HB 1322, HB 1338, HB 1342, HB 1354, HB 1362, HB 1420, HB 1436, HB 1445, HB 1503, HB 1509, HB 1573, HCR 3015, HCR 3024, HCR 3030, HCR 3032.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)

MR. PRESIDENT: The House has passed, the emergency clause carried, and your favorable consideration is requested on: HB 1305, HB 1361.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)

MR. PRESIDENT: The House has passed, the emergency clause failed, and your favorable consideration is requested on: HB 1472.

MOTION

SEN. CHRISTMANN MOVED that the Senate stand in recess until 5:30 p.m., which motion prevailed.

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

REPORT OF STANDING COMMITTEE

SB 2001: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2001 was placed on the Sixth order on the calendar.

Page 1, line 2, after the second semicolon insert "to amend and reenact subdivision c of subsection 7 of section 54-03-20 of the North Dakota Century Code, relating to legislative leaders' monthly compensation; to provide for applications and transfers; to provide an effective date;"

Page 1, line 14, replace "889,385" with "1,077,949" and replace "7,744,942" with "7,933,506"

Page 1, line 15, replace "376,677" with "294,130" and replace "3,025,108" with "2,942,561"

Page 1, line 21, replace "6,422,235" with "6,528,252" and replace "16,338,537" with "16,444,554"

Page 2, line 2, replace "907,286" with "925,394" and replace "6,710,261" with "6,728,369"

Page 2, line 6, replace "1,456,332" with "1,474,440" and replace "10,145,195" with "10,163,303"

Page 2, line 8, replace "1,456,332" with "1,474,440" and replace "10,075,195" with "10,093,303"

Page 2, line 15, replace "7,878,567" with "8,002,692" and replace "26,413,732" with "26,537,857"

Page 2, line 17, replace "7,878,567" with "8,002,692" and replace "26,483,732" with "26,607,857"

Page 2, remove line 26

Page 2, line 27, replace "Committee room" with "Legislative wing equipment and"

Page 2, line 28, replace "5,712,874" with "5,433,327"

Page 3, after line 26, insert:

"SECTION 5. LEGISLATIVE WING EQUIPMENT AND IMPROVEMENT FUNDING - EXPENDITURE DETERMINATION. Any expenditure of funds relating to \$715,000 of the \$1,430,000 provided for legislative wing equipment and improvements in subdivision 1 of section 1 of this Act must be approved by a majority of the senate members of the legislative management committee. Any expenditures relating to the remaining \$715,000 for legislative wing equipment and improvements must be approved by a majority of the house of representatives members of the legislative management committee for the biennium beginning July 1, 2009, and ending June 30, 2011.

SECTION 6. APPLICATION AND TRANSFER AUTHORITY. North Dakota Century Code sections 54-16-04 and 54-44.1-11 do not apply to chapter 1 of the 2007 Session Laws. The director of the office of management and budget and the state treasurer shall make transfers of funds between the line items and the agencies of the legislative branch within section 1 of that chapter as requested by the chairman of the legislative council or the chairman's designee.

SECTION 7. AMENDMENT. Subdivision c of subsection 7 of section 54-03-20 of the North Dakota Century Code is amended and reenacted as follows:

- c. The majority and minority leaders of the house and senate and the chairman of the legislative council, if the chairman is not a majority or minority leader, are each entitled to receive as compensation, in addition to any other compensation or expense reimbursement provided by law, the sum of two hundred ~~seventy~~ eighty-four dollars per month during the biennium for their execution of public duties.

SECTION 8. AMENDMENT. Subdivision c of subsection 7 of section 54-03-20 of the North Dakota Century Code is amended and reenacted as follows:

- c. The majority and minority leaders of the house and senate and the chairman of the legislative council, if the chairman is not a majority or minority leader, are each entitled to receive as compensation, in addition to any other compensation or expense reimbursement provided by law, the sum of two hundred ~~seventy~~ ninety-eight dollars per month during the biennium for their execution of public duties.

SECTION 9. EFFECTIVE DATE. Section 7 of this Act becomes effective on July 1, 2009, and Section 8 of this Act becomes effective on July 1, 2010."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT - LC 98001.0102 FN 2

A copy of the statement of purpose of amendment is on file in the Legislative Council Office.

REPORT OF STANDING COMMITTEE

SB 2009: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2009 was placed on the Sixth order on the calendar.

Page 1, line 11, replace "16,485,000" with "17,485,000" and replace "17,210,000" with "18,210,000"

Page 1, after line 12, insert:

"Total all funds	\$1,167,150	\$17,530,000	\$18,697,150
Less estimated income	<u>0</u>	<u>3,000,000</u>	<u>3,000,000</u>

Page 1, line 13, replace "16,530,000" with "14,530,000" and replace "17,697,150" with "15,697,150"

Page 1, line 18, replace "17,000,000" with "18,000,000"

Page 1, after line 18, insert:

"Total all funds	\$0	\$18,000,000
Total special funds	<u>0</u>	<u>3,000,000</u>

Page 1, line 19, replace "17,000,000" with "15,000,000"

Page 2, line 1, replace "\$17,000,000" with "\$18,000,000"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT - LC 98028.0102 FN 2

A copy of the statement of purpose of amendment is on file in the Legislative Council Office.

REPORT OF STANDING COMMITTEE

SB 2013, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed SB 2013 was placed on the Sixth order on the calendar.

Page 1, line 16, replace "13,889,659" with "3,889,659" and replace "19,777,759" with "9,777,759"

Page 1, line 18, replace "14,682,024" with "4,682,024" and replace "23,806,148" with "13,806,148"

Page 1, line 21, replace "\$20,000,000" with "\$10,000,000"

Renumber accordingly

A copy of the statement of purpose of amendment is on file in the Legislative Council Office.

REPORT OF STANDING COMMITTEE

SB 2020: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2020 was placed on the Sixth order on the calendar.

Page 1, line 20, replace "5,138,122" with "5,088,122" and replace "46,666,157" with "46,616,157"

Page 1, line 21, replace "0" with "100,000" and replace "737,800" with "837,800"

Page 1, line 22, replace "5,138,122" with "5,188,122" and replace "47,403,957" with "47,453,957"

Page 2, line 1, replace "3,072,967" with "3,122,967" and replace "21,475,080" with "21,425,080"

Page 2, line 15, replace "1,255,471" with "4,255,471" and replace "23,326,992" with "26,326,992"

Page 2, line 16, replace "875,518" with "3,875,518" and replace "21,737,199" with "24,737,199"

Page 2, line 23, replace "25,923,544" with "26,123,544" and replace "104,502,142" with "104,702,142"

Page 2, line 24, replace the first "500,000" with "450,000" and replace the second "500,000" with "450,000"

Page 2, line 25, replace "26,423,544" with "26,573,544" and replace "105,002,142" with "105,152,142"

Page 2, line 26, replace "2,462,503" with "2,662,503" and replace "44,813,267" with "45,013,267"

Page 2, line 27, replace "23,961,041" with "23,911,041" and replace "60,188,875" with "60,138,875"

Page 3, line 9, replace "552,987" with "2,552,987"

Page 3, line 11, replace "300,682" with "1,300,682"

Page 3, line 25, replace "6,819,165" with "10,019,165" and replace "109,619,662" with "112,819,662"

Page 3, line 26, replace "35,854,717" with "39,054,717" and replace "206,214,821" with "209,414,821"

Page 4, line 4, replace "500,000" with "450,000"

Page 4, line 10, replace "0" with "3,000,000"

Page 4, line 13, replace "132,000" with "82,000"

Page 4, line 17, replace "17,982,000" with "20,882,000"

Page 4, line 18, replace "350,000" with "3,350,000"

Page 4, line 19, replace "17,632,000" with "17,532,000"

Page 5, line 28, replace "for deferred maintenance," with "for a capital project of \$3,000,000 from special funds in subdivision 3 and the appropriation for industrial hemp research of \$200,000 from special funds, for deferred maintenance of \$450,000 from the general fund, and for capital projects of \$17,000,000 from the general fund and \$350,000 from special funds"

Page 5, line 29, remove "extraordinary repairs, and capitol projects" and replace "is" with "are"

Re-number accordingly

STATEMENT OF PURPOSE OF AMENDMENT - LC 98039.0109 FN 7

A copy of the statement of purpose of amendment is on file in the Legislative Council Office.

REPORT OF STANDING COMMITTEE

SB 2030: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2030 was placed on the Sixth order on the calendar.

Page 1, line 2, after the semicolon insert "to provide for a prison construction review committee;"

Page 1, line 6, replace "\$25,000,000" with "\$22,465,804"

Page 1, line 8, replace "\$42,000,000" with "\$44,534,196"

Page 1, after line 12, insert:

"SECTION 2. PRISON CONSTRUCTION REVIEW COMMITTEE - DUTIES.
The legislative council shall appoint a three-member prison construction review

committee to receive and review information relating to the prison construction project beginning with the effective date of this Act and ending June 30, 2011. The committee shall monitor the status of the project to determine that the department of corrections and rehabilitation does not significantly change or expand the penitentiary expansion and renovation project beyond what was approved by the sixty-first legislative assembly unless the legislative assembly, or the budget section of the legislative council, if the legislative assembly is not in session, approves the change or expansion of the project, or any additional expenditures for the project. The committee shall operate according to the rules and procedures governing the operation of other legislative council committees."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment reduces funding from the general fund and increases funding from the Penitentiary land fund for the prison expansion/renovation project and creates a prison construction review committee.

REPORT OF STANDING COMMITTEE

SB 2040, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2040 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2075: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2075 was placed on the Sixth order on the calendar.

Page 1, line 2, after "home" insert "; and to provide for a report to the budget section"

Page 1, after line 10, insert:

"SECTION 2. REPORT TO BUDGET SECTION - VETERANS' HOME EXTERIOR FINISHING CONSTRUCTION PROJECT. The state veterans' home shall report to the budget section regarding the status of the veterans' home exterior finishing construction project during the biennium beginning July 1, 2009, and ending June 30, 2011. The report must be made at the first budget section meeting scheduled after total expenditures for the exterior finishing construction project, appropriated in section 1 of this Act, exceed \$500,000."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment adds a section providing that the Veterans' Home report to the Budget Section on the status of its exterior finishing construction project.

REPORT OF STANDING COMMITTEE

SB 2155: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2155 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "hearing-impaired" with "deaf or hard of hearing"

Page 1, line 5, replace "\$300,000" with "\$200,000"

Page 1, line 6, replace "state board of higher education" with "North Dakota school for the deaf"

Page 1, line 8, replace "hearing-impaired" with "deaf or hard of hearing"

Page 1, line 13, replace "hearing-impaired" with "deaf or hard of hearing"

Page 1, line 16, replace "hearing-impaired" with "deaf or hard of hearing"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment reduces the general fund appropriation for providing grants to public higher education institutions for deaf and hard of hearing services from \$300,000 to \$200,000.

This amendment also:

- Provides that the School for the Deaf is to receive funding for the grant program and provide the grants rather than the State Board of Higher Education.
- Replaces references to "hearing-impaired students" with "deaf or hard-of-hearing students."

REPORT OF STANDING COMMITTEE

SB 2198, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2198 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2239: Finance and Taxation Committee (Sen. Cook, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2239 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 create and enact a new subsection to section 57-02-08 of the North Dakota Century Code, relating to property tax assessments for new construction; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new subsection to section 57-02-08 of the North Dakota Century Code is created and enacted as follows:

- a. New single-family residential property, exclusive of the land on which it is situated, is exempt from assessment for the taxable year in which construction began and the next two taxable years, if the property remains unoccupied and all of the following conditions are met:
 - (1) The governing body of the city, for property within city limits, or the governing body of the county, for property outside city limits, has approved the exemption of property under this subsection by resolution. A resolution adopted under this subsection may be rescinded or amended at any time. The governing body of the city or county may limit or impose conditions upon exemptions under this subsection, including limitations on the time during which an exemption is allowed.
 - (2) Special assessments and taxes on the property upon which the residence is situated are not delinquent.
- b. A builder is eligible for exemption of no more than ten properties under this subsection in a taxable year within each jurisdiction that has approved the exemption under this subsection. For purposes of this subsection, "builder" includes an individual who builds that individual's own residence.

SECTION 2. EFFECTIVE DATE. This Act is effective for taxable years beginning after December 31, 2008."

ReNUMBER accordingly

REPORT OF STANDING COMMITTEE

SB 2246: Finance and Taxation Committee (Sen. Cook, Chairman) recommends **DO PASS** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). SB 2246 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2247: Finance and Taxation Committee (Sen. Cook, Chairman) recommends **DO PASS** (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2247 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2249: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO NOT PASS** (8 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). SB 2249 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2258: Judiciary Committee (Sen. Nething, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2258 was placed on the Sixth order on the calendar.

Page 1, line 15, remove "labor organization, a"

Page 2, line 27, remove the overstrike over "may" and remove "shall review each complaint received to determine whether the complaint"

Page 2, remove line 28

Page 2, line 29, remove "valid, the commissioner shall"

Page 6, line 27, replace "subdivision" with "paragraph"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2265: 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 2265 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "or hospitals"

Page 1, line 6, remove "or hospital"

Page 1, line 7, remove "or hospital"

Page 1, line 13, replace the underscored colon with "at the time a woman gives consent to an abortion."

Page 1, remove lines 14 through 18

Page 1, line 20, remove ", hospital,"

Page 1, line 21, replace "produce" with "make" and replace "and" with "available for download in a printable format on its internet website."

Page 1, remove lines 22 and 23

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2284: Finance and Taxation Committee (Sen. Cook, Chairman) recommends **DO NOT PASS** (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2284 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2320: Education Committee (Sen. Freborg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (3 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2320 was placed on the Sixth order on the calendar.

Page 1, line 3, after the comma insert "and subsection 1 of section 44 of House Bill No. 1400, as approved by the sixty-first legislative assembly,"

Page 4, after line 25, insert:

- "7. An organization is not eligible to represent the group of individuals referenced in subdivision c of subsection 2 of section 15.1-16-01 at the same time that it serves as the representative organization for a group of teachers or a group of administrators."

Page 6, after line 8, insert:

"SECTION 10. AMENDMENT. Subsection 1 of section 44 of House Bill No. 1400, as approved by the sixty-first legislative assembly, is amended and reenacted as follows:

1. During the 2009-11 biennium, the board of each school district shall use an amount equal to at least seventy percent of all new money received by the district for per student payments to ~~increase~~:
 - a. Increase the compensation paid to teachers and individuals, other than administrators, who are employed by the school district; and ~~to provide~~
 - b. Provide compensation to teachers and individuals, other than administrators, who begin employment with the district on or after July 1, 2009."

Re-number accordingly

REPORT OF STANDING COMMITTEE

SB 2331: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends **DO NOT PASS** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). SB 2331 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2372: Agriculture Committee (Sen. Flakoll, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2372 was placed on the Sixth order on the calendar.

Page 1, line 9, replace "is exempt from" with "does not violate"

Re-number accordingly

REPORT OF STANDING COMMITTEE

SB 2380: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2380 was placed on the Sixth order on the calendar.

Page 1, line 1, after "to" insert "create and enact a new subsection to section 26.1-34.2-03; and to"

Page 1, line 8, remove "registered" and after "annuities" insert "registered under the Securities Act of 1933 [15 U.S.C. 77a et seq.] or rules or regulations adopted under that act"

Page 1, after line 10, insert:

"SECTION 2. A new subsection to section 26.1-34.2-03 of the North Dakota Century Code is created and enacted as follows:

This chapter does not preempt, supersede, or limit any provision of any securities law of this state or any rule, order, or notice issued thereunder."

Re-number accordingly

REPORT OF STANDING COMMITTEE

SB 2414: Finance and Taxation Committee (Sen. Cook, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2414 was placed on the Sixth order on the calendar.

Page 1, line 9, replace "fifty" with "seventy-five"

Page 3, line 13, replace "2008" with "2010"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SCR 4018: Agriculture Committee (Sen. Flakoll, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4018 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4019: Agriculture Committee (Sen. Flakoll, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4019 was placed on the Sixth order on the calendar.

Page 1, line 15, remove "small"

Page 1, line 16, replace "the cost of meat, whether it will truly make food safer" with "production costs"

Page 1, line 23, replace the first comma with "and" and remove "and on consumers domestically and"

Page 1, line 24, remove "internationally"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SCR 4021: Agriculture Committee (Sen. Flakoll, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4021 was placed on the Sixth order on the calendar.

Page 1, after line 10, insert:

"**WHEREAS**, the abandonment of horses on public lands may negatively impact herds of wild horses including the introduction of congenital defects and diseases; and"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SCR 4022: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4022 was placed on the Eleventh order on the calendar.

CONSIDERATION OF AMENDMENTS

SB 2239: SEN. COOK (Finance and Taxation Committee) **MOVED** that the amendments on SJ page 475 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2258: SEN. NELSON (Judiciary Committee) **MOVED** that the amendments on SJ page 476 be adopted and then be placed on the Eleventh order **WITHOUT RECOMMENDATION**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2265: SEN. HECKAMAN (Human Services Committee) **MOVED** that the amendments on SJ page 476 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2320: SEN. G. LEE (Education Committee) **MOVED** that the amendments on SJ pages 476-477 be adopted and then be placed on the Eleventh order with **DO NOT PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2372: SEN. WANZEK (Agriculture Committee) **MOVED** that the amendments on SJ page 477 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2380: SEN. POTTER (Industry, Business and Labor Committee) MOVED that the amendments on SJ page 477 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2414: SEN. DOTZENROD (Finance and Taxation Committee) MOVED that the amendments on SJ pages 477-478 be adopted and then be placed on the Eleventh order with **DO NOT PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2030: SEN. GRINDBERG (Appropriations Committee) MOVED that the amendments on SJ pages 473-474 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2075: SEN. KILZER (Appropriations Committee) MOVED that the amendments on SJ page 474 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2155: SEN. KREBSBACH (Appropriations Committee) MOVED that the amendments on SJ pages 474-475 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

MOTION

SEN. CHRISTMANN MOVED that SB 2001 be placed at the bottom of the Sixth order, which motion prevailed.

MOTION

SEN. CHRISTMANN MOVED that upon the adoption of the amendments on the Sixth order, SB 2009, SB 2013, SB 2020, and SB 2001 be placed on the Eleventh order for immediate second reading and final passage.

CONSIDERATION OF AMENDMENTS

SB 2009: SEN. BOWMAN (Appropriations Committee) MOVED that the amendments on SJ page 472 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2009: A BILL for an Act to provide an appropriation for defraying the expenses of the state fair association; to provide legislative intent; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 43 YEAS, 3 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Dotzenrod; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Horne; Kilzer; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Miller; Nething; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Robinson; Schneider; Seymour; Stenehjerm; Taylor; Triplett; Wanzek; Wardner; Warner

NAYS: Klein; Nelson; Potter

ABSENT AND NOT VOTING: Marcellais

Engrossed SB 2009 passed, the title was agreed to, and the emergency clause was declared carried.

CONSIDERATION OF AMENDMENTS

SB 2013, as engrossed: SEN. WARDNER (Appropriations Committee) MOVED that the amendments on SJ page 472 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2013: A BILL for an Act to provide an appropriation for defraying the expenses of the commissioner of university and school lands; to provide for distribution amounts from permanent funds; and to provide a transfer to the general fund.

ROLL CALL

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

YEAS: Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Dotzenrod; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Miller; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Schneider; Seymour; Stenehjem; Taylor; Triplett; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Marcellais

Reengrossed SB 2013 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2020: SEN. BOWMAN (Appropriations Committee) MOVED that the amendments on SJ pages 472-473 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2020: A BILL for an Act to provide an appropriation for defraying the expenses of the extension service, northern crops institute, upper great plains transportation institute, main research center, branch research centers, and agronomy seed farm; to provide legislative intent; to provide for transfers; to provide an exemption; and to declare an emergency.

ROLL CALL

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

YEAS: Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Dotzenrod; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Miller; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Schneider; Seymour; Stenehjem; Taylor; Triplett; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Marcellais

Engrossed SB 2020 passed, the title was agreed to, and the emergency clause was declared carried.

CONSIDERATION OF AMENDMENTS

SCR 4019: SEN. WANZEK (Agriculture Committee) MOVED that the amendments on SJ page 478 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

MOTION

SEN. CHRISTMANN MOVED that upon the adoption of the amendments on the Sixth order, SCR 4019 and SCR 4020 be placed on the Eleventh order for immediate second reading and final passage.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4019: A concurrent resolution urging Congress to examine carefully the known and potential impacts of implementing a national animal identification system.

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

Engrossed SCR 4019 was declared adopted.

CONSIDERATION OF AMENDMENTS

SCR 4021: SEN. MILLER (Agriculture Committee) MOVED that the amendments on SJ page 478 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4021: A concurrent resolution urging Congress to recognize the need for regulated horse processing facilities in the United States.

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

Engrossed SCR 4021 was declared adopted.

SECOND READING OF SENATE BILL

SB 2272: A BILL for an Act to create and enact a new section to chapter 54-52.1 of the North Dakota Century Code, relating to parity for public employees retirement system health insurance coverage of prosthetics; to require a report regarding coverage of prosthetics; to provide an appropriation; 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 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Dotzenrod; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Miller; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Schneider; Seymour; Stenehjem; Taylor; Triplett; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Marcellais

Reengrossed SB 2272 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2002: A BILL for an Act to provide an appropriation for defraying the expenses of the judicial branch; and to amend and reenact sections 27-02-02 and 27-05-03 of the North Dakota Century Code, relating to salaries of supreme and district court judges.

MOTION

SEN. WARNER MOVED that Engrossed SB 2002 be amended as follows, which motion failed.

Page 1, line 23, replace "6,027,542" with "6,331,052" and replace "48,130,161" with "48,433,671"

Page 1, line 24, replace "7,216,641" with "7,238,141" and replace "20,361,322" with "20,382,822"

Page 2, line 6, replace "14,730,701" with "15,055,711" and replace "72,219,157" with "72,544,167"

Page 2, line 8, replace "14,900,831" with "15,225,841" and replace "70,488,696" with "70,813,706"

Page 2, line 22, replace "16,069,793" with "16,394,803" and replace "81,514,921" with "81,839,931"

Page 2, line 24, replace "15,914,960" with "16,239,970" and replace "83,559,728" with "83,884,738"

Page 2, line 25, replace "0" with "3.0" and replace "338.0" with "341.0"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment restores \$325,010 from the general fund for 3 FTE deputy clerk positions (\$303,510) and related operating expenses (\$21,500).

ROLL CALL

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

YEAS: Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Dotzenrod; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Miller; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Schneider; Seymour; Stenehjem; Taylor; Triplett; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Marcellais

Engrossed SB 2002 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2346: A BILL for an Act to provide for studies of the implementation of Indian treaty rights relating to education, health, and welfare.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 3 YEAS, 43 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Bakke; Mathern; Potter

NAYS: Anderson; Andrist; Behm; Bowman; Christmann; Cook; Dever; Dotzenrod; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Miller; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Robinson; Schneider; Seymour; Stenehjem; Taylor; Triplett; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Marcellais

SB 2346 lost.

SECOND READING OF SENATE BILL

SB 2394: A BILL for an Act to create and enact a new section to chapter 14-10 of the North Dakota Century Code, relating to consent for prenatal care and other pregnancy care services provided to minors.

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

YEAS: Anderson; Andrist; Bakke; Behm; Bowman; Dever; Dotzenrod; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Holmberg; Horne; Kilzer; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Schneider; Seymour; Stenehjem; Taylor; Wanzek; Wardner; Warner

NAYS: Christmann; Cook; Hogue; Klein; Miller; Triplett

ABSENT AND NOT VOTING: Marcellais

SB 2394 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2400: A BILL for an Act to amend and reenact section 50-25.1-15 of the North Dakota Century Code, relating to the locations at which an infant may be abandoned.

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

YEAS: Anderson; Bakke; Behm; Fiebiger; Hogue; Holmberg; Horne; Krauter; Mathern; Miller; Nelson; O'Connell; Potter; Schneider; Seymour; Taylor; Triplett

NAYS: Andrist; Bowman; Christmann; Cook; Dever; Dotzenrod; Erbele; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Kilzer; Klein; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Nething; Nodland; Oehlke; Olafson; Pomeroy; Robinson; Stenehjem; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Marcellais

SB 2400 lost.

SECOND READING OF SENATE BILL

SB 2063: A BILL for an Act to provide an appropriation for defraying the expenses of the comprehensive tobacco prevention and control executive committee; to provide a statement of legislative intent; to provide for reports to the legislative council; to provide for retroactive application; and to declare an emergency.

ROLL CALL

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

YEAS: Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Dotzenrod; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Miller; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Schneider; Seymour; Stenehjem; Taylor; Triplett; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Marcellais

Engrossed SB 2063 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2064: A BILL for an Act to amend and reenact subdivision d of subsection 2 of section 44-08-04, subsections 1, 2, 3, and 7 of section 54-03-20, subsection 1 of section 54-06-09, and section 54-35-10 of the North Dakota Century Code, relating to legislative compensation and state officer and employee lodging and mileage reimbursement; to provide an effective date; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 42 YEAS, 4 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson; Andrist; Behm; Bowman; Christmann; Cook; Dever; Dotzenrod; Erbele; Fischer; Flakoll; Freborg; Grindberg; Hogue; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Miller; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjem; Taylor; Triplett; Wanzek; Wardner; Warner

NAYS: Bakke; Fiebiger; Heckaman; Schneider

ABSENT AND NOT VOTING: Marcellais

Engrossed SB 2064 passed, the title was agreed to, and the emergency clause was declared carried.

CONSIDERATION OF AMENDMENTS

SB 2001: SEN. SEYMOUR (Appropriations Committee) MOVED that the amendments on SJ pages 470-471 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2001: A BILL for an Act providing an appropriation for defraying the expenses of the legislative branch of state government; to provide for transfers; to amend and reenact subdivision c of subsection 7 of section 54-03-20 of the North Dakota Century Code, relating to legislative leaders' monthly compensation; to provide for applications and transfers; to provide an effective date; and to declare an emergency.

ROLL CALL

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

YEAS: Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Dotzenrod; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hogue; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Miller; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Schneider; Seymour; Stenehjem; Taylor; Triplett; Wanzek; Wardner; Warner

NAYS: Heckaman

ABSENT AND NOT VOTING: Marcellais

Engrossed SB 2001 passed, the title was agreed to, and the emergency clause was declared carried.

MOTION

SEN. CHRISTMANN MOVED that Senate Rule 508 be amended by replacing "thirty-first legislative day" with "thirty-second legislative day", which motion prevailed.

MOTION

SEN. CHRISTMANN MOVED that the Senate be on the Fourth, Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 8:00 a.m., Wednesday, February 18, 2009, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2007: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2007 was placed on the Sixth order on the calendar.

Page 1, line 2, after "affairs" insert "; to provide an exception to the moratorium on expansion of basic care bed capacity; and to provide legislative intent"

Page 1, line 15, replace "1,197,709" with "1,131,757" and replace "4,709,709" with "4,643,757"

Page 1, line 16, replace "(14,780,464)" with "(14,651,180)" and replace "165,313" with "294,597"

Page 1, line 19, replace "(\$10,662,028)" with "(\$10,598,696)" and replace "16,628,864" with "16,692,196"

Page 1, line 20, replace "(11,963,715)" with "(12,354,465)" and replace "11,467,611" with "11,076,861"

Page 1, line 21, replace "1,301,687" with "1,755,769" and replace "5,161,253" with "5,615,335"

Page 2, line 10, replace "1,500,575" with "1,954,657" and replace "6,167,307" with "6,621,389"

Page 2, line 11, replace "(11,963,715)" with "(12,354,465)" and replace "11,467,611" with "11,076,861"

Page 2, line 12, replace "(\$10,463,140)" with "(\$10,399,808)" and replace "17,634,918" with "17,698,250"

Page 2, line 21, replace "133,600" with "98,400"

Page 2, line 27, replace "263,688" with "228,488"

Page 2, line 28, replace "263,688" with "228,488"

Page 3, after line 2, insert:

"SECTION 3. EXCEPTION TO THE MORATORIUM ON EXPANSION OF BASIC CARE BED CAPACITY. Notwithstanding North Dakota Century Code section 23-09.3-01.1, after completion of the veterans' home construction project, the veterans' home may add one bed to its licensed basic care facility capacity. This one bed is in addition to the authority granted the veterans' home in section 3 of chapter 55 of the 2007 Session Laws relating to converting fourteen beds from licensed basic care beds to licensed nursing facility beds and provides for a total of ninety-eight basic care beds and fifty-two licensed nursing facility beds.

SECTION 4. LEGISLATIVE INTENT - FULL-TIME EQUIVALENT POSITIONS AUTHORIZED FOR THE NEW VETERANS' HOME FACILITY. It is the intent of the sixty-first legislative assembly that the veterans' home not fill any of the twenty-four full-time equivalent positions for the new veterans' home authorized in subdivision 1 of section 1 of this Act prior to June 1, 2010."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT - LC 98026.0109 FN 8

A copy of the statement of purpose of amendment is on file in the Legislative Council Office.

REPORT OF STANDING COMMITTEE

SB 2019: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2019 was placed on the Sixth order on the calendar.

Page 1, line 17, replace "305,000" with "0" and replace "3,305,000" with "3,000,000"

Page 1, line 18, replace "4,089,110" with "3,784,110" and replace "36,928,778" with "36,623,778"

Page 1, line 20, replace "4,361,860" with "4,056,860" and replace "26,165,896" with "25,860,896"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT - LC 98038.0101 FN 1

A copy of the statement of purpose of amendment is on file in the Legislative Council Office.

REPORT OF STANDING COMMITTEE

SB 2177: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO NOT PASS** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2177 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2201: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO NOT PASS** (8 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). SB 2201 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2202, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2202 was placed on the Sixth order on the calendar.

Page 1, line 12, replace "July" with "August"

Page 1, line 14, replace "July" with "August"

Page 1, line 15, replace "July" with "August"

Page 1, line 18, replace "July" with "August"

Page 1, line 19, replace "November" with "December"

Page 2, line 2, replace "July" with "August"

Page 2, line 3, replace "November" with "December"

Page 4, line 23, replace "July" with "August"

Page 4, line 24, remove the overstrike over "~~December~~" and remove "November"

Page 6, line 15, replace "Sections 2 through 4 of this" with "This" and replace "become" with "becomes"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2244: Finance and Taxation Committee (Sen. Cook, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2244 was placed on the Sixth order on the calendar.

Page 2, line 11, after the underscored period insert "The exemption under this subparagraph expires at the end of the fifth taxable year after the taxable year of death of the farmer."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2275: Judiciary Committee (Sen. Nething, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2275 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "two" with "a" and replace "sections" with "section"

Page 1, line 2, replace "prohibiting" with "restricting"

Page 1, line 3, replace "and the type size of the names of public officials on public documents; and to" with a period

Page 1, remove line 4

Page 1, line 8, replace "**prohibited**" with "**restricted**"

Page 1, line 9, replace "An" with "During the ninety days immediately preceding a general election at which an elected official's name is on the ballot, that"

Page 1, remove lines 14 through 21

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2278: Judiciary Committee (Sen. Nething, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2278 was placed on the Sixth order on the calendar.

Page 1, line 2, after the third comma insert "14-02.4-08,"

Page 1, line 4, after the first comma insert "subsection 11 of section 26.1-04-03, subsection 1 of section 26.1-30.1-01.1, subsection 1 of section 26.1-39-17, and sections"

Page 3, line 19, after "10." insert ""Gender identity" means actual or perceived gender-related identity, appearance, or mannerisms or other gender-related characteristics of an individual, regardless of the individual's designated gender at birth.

11."

Page 3, line 23, overstrike "11." and insert immediately thereafter "12."

Page 3, line 25, overstrike "12." and insert immediately thereafter "13."

Page 3, line 27, overstrike "13." and insert immediately thereafter "14."

Page 4, line 1, overstrike "14." and insert immediately thereafter "15."

Page 4, line 9, overstrike "15." and insert immediately thereafter "16."

Page 4, line 12, overstrike "16." and insert immediately thereafter "17."

Page 4, line 15, overstrike "17." and insert immediately thereafter "18."

Page 4, line 23, overstrike "18." and insert immediately thereafter "19."

Page 4, line 25, overstrike "19." and insert immediately thereafter "20."

Page 4, line 26, remove "or expression"

Page 4, line 27, replace "20." with "21."

Page 5, line 3, after the second boldfaced period insert:

"1."

Page 5, line 10, after the period insert:

"2."

Page 5, line 13, after the period insert:

"3."

Page 5, after line 19, insert:

- "4. a. This chapter does not prohibit a religious organization, association, or society or a nonprofit institution or organization operated, supervised, or controlled by or in conjunction with a religious organization, association, or society from establishing any qualifications or hiring criteria for employees and volunteers in religious positions.
- b. This chapter does not prohibit a religious organization, association, or society from limiting employment and volunteers in nonreligious positions to individuals who are of the same religion or who adhere to the religion's tenets unless membership is restricted because of race, color, or national origin.
- c. This chapter does not prohibit a religious organization, association, or society from limiting access or admission to its places of worship or its parochial schools to individuals of the same religion or who adhere to the religion's tenets."

Page 6, after line 15, insert:

"SECTION 7. AMENDMENT. Section 14-02.4-08 of the North Dakota Century Code is amended and reenacted as follows:

14-02.4-08. Qualification based on religion, sex, national origin, physical or mental disability, or marital status. Notwithstanding sections 14-02.4-03 through 14-02.4-06, it is not a discriminatory practice for an employer to fail or refuse to hire and employ an individual for a position, to discharge an individual from a position, or for an employment agency to fail or refuse to refer an individual for employment in a position, or for a labor organization to fail or refuse to refer an individual for employment, on the

basis of religion, sex, national origin, physical or mental disability, sexual orientation, or marital status in those circumstances ~~where~~ in which religion, sex, national origin, physical or mental disability, sexual orientation, or marital status is a bona fide occupational qualification reasonably necessary to the normal operation of that particular business or enterprise; nor is it a discriminatory practice for an employer to fail or refuse to hire and employ an individual for a position, or to discharge an individual from a position on the basis of that individual's participation in a lawful activity that is off the employer's premises and that takes place during nonworking hours and which is not in direct conflict with the essential business-related interests of the employer, if that participation is contrary to a bona fide occupational qualification that reasonably and rationally relates to employment activities and the responsibilities of a particular employee or group of employees, rather than to all employees of that employer."

Page 11, after line 6, insert:

"SECTION 20. AMENDMENT. Subsection 11 of section 26.1-04-03 of the North Dakota Century Code is amended and reenacted as follows:

11. Refusing to insure risks. Refusing to insure risks solely because of race, color, creed, sex, sexual orientation, or national origin, or refusing to continue to insure risks solely because an employer chooses to offer a health maintenance organization option to employees in its health benefit plan.

SECTION 21. AMENDMENT. Subsection 1 of section 26.1-30.1-01.1 of the North Dakota Century Code is amended and reenacted as follows:

1. The race, religion, nationality, ethnic group, disability, age, sex, sexual orientation, or marital status of the applicant or named insured, except this subsection does not prohibit rating differentials based upon age, sex, or marital status.

SECTION 22. AMENDMENT. Subsection 1 of section 26.1-39-17 of the North Dakota Century Code is amended and reenacted as follows:

1. The race, religion, nationality, ethnic group, age, sex, sexual orientation, or marital status of the applicant or named insured."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2283, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO NOT PASS** (8 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2283 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2333, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2333 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2340: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO NOT PASS** (8 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). SB 2340 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2344: 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 2344 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "a new section to chapter 14-02.4 and a" with "two" and replace the second "section" with "sections"

Page 1, line 3, replace "sections 12.1-20-02(4)," with "section" and remove ", 12.1-27.1-11, 14-02.4-02(18), and 42-01-01"

Page 1, line 4, remove "discriminatory practices and"

Page 1, line 5, replace "certain offenses" with "the offense of indecent exposure"

Page 1, remove lines 7 through 12

Page 2, line 6, after "woman" insert "discreetly"

Page 2, remove lines 7 through 20

Page 2, line 21, replace "A new section to chapter 14-02.4 is created" with "Two new sections to chapter 23-12 of the North Dakota Century Code are created and enacted as follows"

Page 2, line 22, remove "- Discriminatory practices"

Page 2, line 23, replace "1. Except for the private home or residence of another" with "If the woman acts in a discreet and modest manner"

Page 2, line 25, replace ", irrespective of whether the nipple of the woman's breast is" with an underscored period

Page 2, remove lines 26 through 30

Page 3, remove lines 1 through 6

Page 3, line 9, replace "has an approved" with "adopts a" and replace "addresses at" with "includes"

Page 3, line 10, remove "least"

Page 3, replace lines 20 through 30 with:

2. The state department of health shall establish guidelines for employers concerning workplace breastfeeding and infant friendly designations."

Page 4, remove lines 1 through 5

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2373: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (8 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). SB 2373 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2381, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO NOT PASS** (8 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2381 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2412, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2412 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2415, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2415 was placed on the Sixth order on the calendar.

Page 1, line 2, after "concealed" insert "; and to provide application"

Page 1, line 20, overstrike "The testing procedure for approval of a concealed weapons license"

Page 1, overstrike lines 21 and 22

Page 1, line 23, overstrike "decisions and attorney general opinions."

Page 1, line 24, overstrike "The attorney"

Page 2, overstrike lines 1 and 2

Page 2, line 3, overstrike "dollars for conducting this testing."

Page 3, line 22, overstrike "may" and insert immediately thereafter "shall" and overstrike "rules to carry out this title" and insert immediately thereafter "by rule written and practical training and testing for a license so that the license is offered reciprocity or is otherwise valid in as many states as possible"

Page 3, remove lines 23 through 25

Page 3, remove line 27

Page 3, line 28, remove "apply to this subsection." and remove "testing, approval of license, and"

Page 3, line 29, after the first "of" insert "a" and remove the underscored comma

Page 4, line 1, after the underscored period insert:

"9. After December 31, 2010, the attorney general may not change or adopt rules to implement this section, but shall recommend legislation to the legislative assembly."

Page 4, after line 3, insert:

"**SECTION 2. APPLICATION.** A license issued before the effective date of this Act is valid until the license must be renewed or upon issuance of a license to a licensee under this Act."

Renumber accordingly

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Sen. Mathern and Rep. Myxter introduced:

SCR 4025: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of transferring the facilities and property of the State Hospital from the Department of Human Services to the Department of Corrections and Rehabilitation and the Department of Human Services contracting with community hospitals for treatment services.

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

Sens. Dever, Oehlke, Stenehjem and Reps. Clark, Dosch, L. Meier introduced:

(Approved by the Delayed Bills Committee)

SCR 4026: A concurrent resolution commemorating the 100th anniversary of the Boy Scouts of America.

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

Sens. Taylor, Flakoll, Olafson and Reps. Belter, Boe, Froelich introduced:

SCR 4027: A concurrent resolution directing the Legislative Council to study the leasing of state lands.

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

Sen. Grindberg introduced:

SCR 4028: A concurrent resolution directing the Legislative Council to study the charitable gaming laws to determine whether the laws regarding taxation, limitations, enforcement, conduct, and play of charitable gaming are fair, adequate, and appropriate.

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

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

Fran A. Gronberg, Secretary