

JOURNAL OF THE SENATE

Sixty-first Legislative Assembly

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Bismarck, March 23, 2009

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

The prayer was offered by Chaplain Frank Losos, Northern Plains Corporate Care, Bismarck.

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

A quorum was declared by the President.

CORRECTION AND REVISION OF THE JOURNAL

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

Page 894, line 24, after "**HB 1035**" insert ", as engrossed"

Page 894, line 26, after the period insert "Engrossed"

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

CONSIDERATION OF AMENDMENTS

HB 1368, as reengrossed: SEN. HOGUE (Finance and Taxation Committee) MOVED that the amendments on SJ pages 879-880 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1235, as reengrossed: SEN. OEHLKE (Finance and Taxation Committee) MOVED that the amendments on SJ pages 877-878 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1284, as engrossed: SEN. KLEIN (Industry, Business and Labor Committee) MOVED that the amendments on SJ pages 878-879 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1360: SEN. FLAKOLL (Education Committee) MOVED that the amendments on SJ page 879 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1044, as reengrossed: SEN. DEVER (Human Services Committee) MOVED that the amendments on SJ page 877 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1437: SEN. ERBELE (Human Services Committee) MOVED that the amendments on SJ page 881 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1162: SEN. NODLAND (Industry, Business and Labor Committee) MOVED that the amendments on SJ pages 894-895 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1510, as engrossed: SEN. HORNE (Industry, Business and Labor Committee) MOVED that the amendments on SJ page 896 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1561, as engrossed: SEN. ANDRIST (Industry, Business and Labor Committee) MOVED that the amendments on SJ page 896 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1035, as engrossed: SEN. POTTER (Industry, Business and Labor Committee) MOVED that the amendments on SJ page 894 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1204, as engrossed: SEN. MARCELLAIS (Human Services Committee) MOVED that the amendments on SJ page 895 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1039: A BILL for an Act to amend and reenact sections 28-22-01, 28-22-02, 28-22-03, 28-22-03.1, 28-22-05, 28-22-07, 28-22-15, 47-18-01, 47-18-04, 47-18-14, and 47-18-16 of the North Dakota Century Code, relating to exemptions from process and the homestead exemption; and to repeal section 28-22-04 of the North Dakota Century Code, relating to alternative exemptions.

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

ABSENT AND NOT VOTING: Seymour

HB 1039, as amended, passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1041: A BILL for an Act to amend and reenact subsection 13 of section 12.1-32-15 and sections 12.1-34-01, 12.1-34-02, 12.1-34-03, and 12.1-34-06 of the North Dakota Century Code, relating to the statewide automated victim information and notification system; 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 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; Marcellais; Mathern; Miller; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Schneider; Stenehjem; Taylor; Triplett; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Seymour

HB 1041, as amended, passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1207: A BILL for an Act to create and enact a new subsection to section 6-08.1-02 and a new section to chapter 27-13 of the North Dakota Century Code, relating to an exemption to bank confidentiality requirements for attorney trust account overdrafts and to the conduct of attorneys.

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

ABSENT AND NOT VOTING: Seymour

Engrossed HB 1207, as amended, passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1265: A BILL for an Act to amend and reenact subdivision j of subsection 1 of section 57-15-14.2 and subdivision a of subsection 1 of section 57-15-17.1 of the North Dakota Century Code, relating to school district tax levies.

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

ABSENT AND NOT VOTING: Seymour

Engrossed HB 1265, as amended, passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1365: A BILL for an Act to prohibit recyclers, scrap metal dealers, or scrapyards operators from purchasing certain beer kegs; 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 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; 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; Stenehjem; Taylor; Wanzek; Wardner; Warner

NAYS: Triplett

ABSENT AND NOT VOTING: Seymour

HB 1365 passed and the title was agreed to.

MOTION

SEN. CHRISTMANN MOVED that Engrossed HB 1464, which is on the Fourteenth order, be rereferred to the **Industry, Business and Labor Committee**, which motion prevailed. Pursuant to Sen. Christmann's motion, Engrossed HB 1464 was rereferred.

SECOND READING OF HOUSE BILL

HB 1258: A BILL for an Act to provide individuals having medical conditions reasonable restroom access in retail establishments.

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 7 YEAS, 39 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Bakke; Fiebiger; Flakoll; Horne; Mathern; Nothing; Potter

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

ABSENT AND NOT VOTING: Seymour

Engrossed HB 1258 lost.

SECOND READING OF HOUSE BILL

HB 1344: A BILL for an Act to amend and reenact sections 21-04-09 and 21-06-07 of the North Dakota Century Code, relating to public deposits.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 46 YEAS, 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; Marcellais; Mathern; Miller; Nelson; Nothing; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Schneider; Stenehjem; Taylor; Triplett; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Seymour

Engrossed HB 1344 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1332: A BILL for an Act to amend and reenact section 54-21.3-04 of the North Dakota Century Code, relating to the state building code.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 14 YEAS, 32 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson; Behm; Dotzenrod; Fiebiger; Heckaman; Horne; Lee, J.; Marcellais; Mathern; Pomeroy; Potter; Robinson; Triplett; Warner

NAYS: Andrist; Bakke; Bowman; Christmann; Cook; Dever; Erbele; Fischer; Flakoll; Freborg; Grindberg; Hogue; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lindaas; Lyson; Miller; Nelson; Nothing; Nodland; O'Connell; Oehlke; Olafson; Schneider; Stenehjem; Taylor; Wanzek; Wardner

ABSENT AND NOT VOTING: Seymour

HB 1332 lost.

SECOND READING OF HOUSE BILL

HB 1091: A BILL for an Act to amend and reenact sections 43-15-25.1 and 43-15-31.3 of the North Dakota Century Code, relating to continuing education for pharmacists.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 46 YEAS, 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; Marcellais; Mathern; Miller; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Schneider; Stenehjem; Taylor; Triplett; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Seymour

HB 1091 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1364: A BILL for an Act to create and enact a new section to chapter 47-04 of the North Dakota Century Code, relating to covenants and other restrictions regarding small businesses.

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 14 YEAS, 31 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson; Behm; Fiebiger; Grindberg; Holmberg; Horne; Krauter; Lindaas; Mathern; Nelson; O'Connell; Robinson; Taylor; Warner

NAYS: Bakke; Bowman; Christmann; Cook; Dever; Dotzenrod; Erbele; Fischer; Flakoll; Freborg; Heckaman; Hogue; Kilzer; Klein; Krebsbach; Lee, G.; Lee, J.; Lyson; Marcellais; Miller; Nething; Nodland; Oehlke; Olafson; Pomeroy; Potter; Schneider; Stenehjem; Triplett; Wanzek; Wardner

ABSENT AND NOT VOTING: Andrist; Seymour

Engrossed HB 1364 lost.

REQUEST

SEN. ANDRIST REQUESTED that the record show that he intended to vote "NAY" on HB 1364, which request was granted.

SECOND READING OF HOUSE BILL

HB 1037: A BILL for an Act to amend and reenact section 65-02-30 of the North Dakota Century Code, relating to the independent performance evaluation of workforce safety and insurance.

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 34 YEAS, 12 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bakke; Bowman; Christmann; Cook; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Horne; Kilzer; Klein; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Miller; Nething; Nodland; Oehlke; Olafson; Schneider; Stenehjem; Wanzek; Wardner

NAYS: Anderson; Behm; Dotzenrod; Krauter; Nelson; O'Connell; Pomeroy; Potter; Robinson; Taylor; Triplett; Warner

ABSENT AND NOT VOTING: Seymour

Engrossed HB 1037 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1057: A BILL for an Act to create and enact a new section to chapter 37-18 of the North Dakota Century Code, relating to department of veterans' affairs employees; to amend and reenact section 37-14-18 of the North Dakota Century Code, relating to county veterans' service officers; to provide for reports to the legislative council; 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 39 YEAS, 7 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

NAYS: Behm; Bowman; Christmann; Dotzenrod; Klein; O'Connell; Triplett

ABSENT AND NOT VOTING: Seymour

Reengrossed HB 1057, as amended, passed and the title was agreed to.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3044: A concurrent resolution directing the Legislative Council to study the allocation of wind rights.

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

HCR 3044 was declared adopted, and the title was agreed to on a voice vote.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. LYSON MOVED that the Senate do concur in the House amendments to Engrossed SB 2139 as printed on SJ page 737, which motion prevailed on a voice vote.

Engrossed SB 2139, as amended, was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

SB 2139: A BILL for an Act to create and enact a new chapter to title 47 of the North Dakota Century Code, relating to ownership of subsurface pore space; to provide for application; 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 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; Marcellais; Mathern; Miller; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Schneider; Stenehjem; Taylor; Triplett; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Seymour

Engrossed SB 2139, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

FIRST READING OF HOUSE CONCURRENT RESOLUTION

HCR 3064: A concurrent resolution supporting Congress in its efforts to obtain the release of Roxana Saberi.
Was read the first time.

MOTION

SEN. CHRISTMANN MOVED that the rules be suspended, that HCR 3064 not be printed, not be referred to committee, but be read in title only, be printed in the Journal, and placed on the calendar for immediate second reading and final passage, which motion prevailed.

Reps. J. Kelsh, Amerman, Hawken, S. Kelsh and Sens. Flakoll, Mathern introduced:
(Approved by the Delayed Bills Committee)

HOUSE CONCURRENT RESOLUTION NO. 3064

A concurrent resolution supporting Congress in its efforts to obtain the release of Roxana Saberi.

WHEREAS, Roxana Saberi has worked as a reporter for a number of international news organizations; and

WHEREAS, Roxana Saberi has been detained in Iran since January under the claim that she was engaged in "illegal" activities because she continued working in Iran after the government revoked her press credentials; and

WHEREAS, Roxana Saberi is being held in Evin Prison, which has been referred to by the British Broadcasting Corporation as Iran's most notorious prison; and

WHEREAS, Roxana Saberi has been allowed only one brief telephone contact with her family; and

WHEREAS, Roxana Saberi grew up in Fargo, North Dakota, graduated from Concordia College, and is known to many residents as a former reporter for KVLV-TV and a former Miss North Dakota;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Assembly supports Congress in all of its efforts to obtain the release of Roxana Saberi and ensure her safe return to the United States and her return to the family members, friends, colleagues, and thousands of supporters and well-wishers who daily keep her in their thoughts and prayers; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the family of Roxana Saberi and to each member of the North Dakota Congressional Delegation.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3064: A concurrent resolution supporting Congress in its efforts to obtain the release of Roxana Saberi.

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

HCR 3064 was declared adopted and the title was agreed to on a voice vote.

MOTION

SEN. CHRISTMANN MOVED that HCR 3064 be messaged to the House immediately, which motion prevailed.

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

MR. SPEAKER: The Senate has passed unchanged: HCR 3064.

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

MR. SPEAKER: The Senate has passed unchanged: HB 1037, HB 1091, HB 1344, HB 1365, HCR 3044.

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

MR. SPEAKER: The Senate has failed to pass unchanged: HB 1258, HB 1332, HB 1364.

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1039, HB 1041, HB 1057, HB 1207, HB 1265.

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: HCR 3064.

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: HCR 3065.

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

MR. PRESIDENT: The House has passed unchanged: SB 2052, SB 2085.

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

MR. PRESIDENT: The House has passed, the emergency clause carried, unchanged: SB 2160.

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

MR. PRESIDENT: The House has amended and subsequently passed: SB 2082, SB 2176, SB 2239, SB 2250, SB 2293, SB 2421.

HOUSE AMENDMENTS TO SENATE BILL NO. 2082

In lieu of the amendments adopted by the House as printed on pages 891 and 892 of the House Journal, Senate Bill No. 2082 is amended as follows:

Page 1, line 1, replace "section" with "sections 15-10-18.2 and"

Page 1, line 2, remove "eligibility of veterans for resident" and after "tuition" insert "and tuition waivers for veterans and their dependents"

Page 1, after line 3, insert:

"SECTION 1. AMENDMENT. Section 15-10-18.2 of the North Dakota Century Code is amended and reenacted as follows:

15-10-18.2. Definitions.

1. "Dependent" for purposes of section 15-10-18.3 means:
 - a. A child, stepchild, spouse, widow, or widower of a resident veteran, as "veteran" is defined in section 37-01-40, who was killed in action or died from wounds or other service-connected causes, was totally disabled as a result of service-connected causes, died from service-connected disabilities, was a prisoner of war, or was declared missing in action; ~~or~~
 - b. A child or a stepchild of a veteran, as defined in section 37-01-40, who was killed in action or died from wounds or other service-connected causes, was totally disabled as a result of service-connected causes, died from service-connected disabilities, was a prisoner of war, or was declared missing in action, provided the child's other parent has been a resident of this state and was a resident of this state at the time of death or determination of total disability of the veteran; or
 - c. A child or a stepchild of a veteran, as defined in section 37-01-40, who was killed in action or died from wounds or other service-connected causes, was totally disabled as a result of service-connected causes, died from service-connected disabilities, was a prisoner of war, or was declared missing in action, provided the child's other parent establishes residency in this state and maintains that residency for a period of five years immediately preceding the child's or stepchild's enrollment at an institution under the control of the state board of higher education.
2. "Resident veteran" means a veteran who:
 - a. Was born in and lived in this state until entrance into the armed forces of the United States;
 - b. Was born in, but was temporarily living outside this state, not having abandoned residence therein prior to entrance into the armed forces of the United States;
 - c. Was born elsewhere but had resided within this state for at least six months prior to entrance into military service and had prior to or during such six-month period:
 - (1) Registered for voting, or voted in this state;

- (2) Being an unemancipated minor during such period of residence, had lived with a parent or person standing in loco parentis who had acquired a residence as set forth in this section; or
- (3) If not registered for voting in this state, not registered for voting in another state; or
- d. Has been a resident of this state for the ten years prior to the request for tuition waiver."

Renumber accordingly

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2176

Page 1, line 6, overstrike "when the" and insert immediately thereafter "a"

Page 1, line 7, after "property" insert "which" and overstrike "it"

Page 1, line 9, after the second underscored comma insert "and at the option of any surviving lessee or of the estate of the decedent."

Page 1, line 10, after "lessee" insert "unless the lease term expires before that time"

Renumber accordingly

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2239

Page 1, line 9, after "remains" insert "owned by the builder, remains"

Page 1, line 10, after "unoccupied" insert an underscored comma

Renumber accordingly

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2250

Page 1, line 3, remove "11-18-14,"

Page 1, remove lines 9 through 19

Page 3, line 1, after "**lien**" insert "**- Notice**"

Page 3, line 16, after the period insert "Written notice that a lien will be claimed must be given to the owner of the real estate by certified mail at least ten days before the recording of the construction lien."

Page 3, line 19, overstrike "**Notice -**"

Page 6, line 6, remove "or of a notice of intention to claim a construction lien"

Renumber accordingly

HOUSE AMENDMENTS TO SENATE BILL NO. 2293

Page 1, line 8, remove the overstrike over the overstruck comma and remove "; an"

Page 1, remove lines 9 and 10

Page 1, line 11, remove "or detained at the state hospital pursuant to chapter 25-03.3."

Page 1, line 12, remove the overstrike over the overstruck comma and remove the underscored semicolon

Page 1, line 15, after "b." insert "A class A misdemeanor when the victim is an employee of the state hospital acting in the course and scope of employment, which the actor knows to be a fact, and the actor is an individual committed to or detained at the state hospital pursuant to chapter 25-03.3."

c."

Page 2, line 3, overstrike "c." and insert immediately thereafter "d.", overstrike "or" and insert immediately thereafter an underscored comma, and after "b" insert ", or c"

Renumber accordingly

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2421

Page 1, line 1, after "Act" insert "to amend and reenact subsections 7 and 8 of section 25-03.1-02 and section 25-03.1-11 of the North Dakota Century Code, relating to emergency procedures for mental health commitments; and"

Page 1, after line 2, insert:

"SECTION 1. AMENDMENT. Subsections 7 and 8 of section 25-03.1-02 of the North Dakota Century Code are amended and reenacted as follows:

7. "Expert examiner" means a licensed physician, psychiatrist, psychologist trained in a clinical program, or licensed addiction counselor appointed by the court to examine the respondent and to provide an evaluation of whether the respondent is a person requiring treatment. ~~An evaluation of a respondent's physical condition may be made only by a licensed physician or psychiatrist, an evaluation of a respondent's mental status may be made only by a psychiatrist or psychologist trained in a clinical program, and an evaluation of whether the respondent is chemically dependent may be made only by a licensed physician, licensed addiction counselor, or licensed psychologist trained in a clinical program.~~
8. "Independent expert examiner" means a licensed physician, psychiatrist, psychologist trained in a clinical program, or licensed addiction counselor, chosen at the request of the respondent to provide an independent evaluation of whether the respondent is a person requiring treatment. ~~An evaluation of a respondent's physical condition may be made only by a licensed physician or psychiatrist, an evaluation of a respondent's mental status may be made only by a psychiatrist or psychologist, and an evaluation of whether the respondent is chemically dependent may be made only by a licensed physician, licensed addiction counselor, or licensed psychologist trained in a clinical program.~~

SECTION 2. AMENDMENT. Section 25-03.1-11 of the North Dakota Century Code is amended and reenacted as follows:

25-03.1-11. Involuntary treatment - Examination - Report.

1. The respondent must be examined within a reasonable time by an expert examiner as ordered by the court. If the respondent is taken into custody under the emergency treatment provisions of this chapter, the examination must be conducted within twenty-four hours, exclusive of holidays, of custody. Any expert examiner conducting an examination under this section may consult with or request participation in the examination by any qualified mental health professional and may include with the written examination report any findings or observations by that mental health professional. This examination report, and that of the independent examiner, if one has been requested, must be filed with the court. The report must contain:
 - a. Evaluations of the respondent's physical condition and mental status.
 - b. A conclusion as to whether the respondent is a person requiring treatment, with a clear explanation of how that conclusion was derived from the evaluation.
 - c. If the report concludes that the respondent is a person requiring treatment, a list of available forms of care and treatment that may serve as alternatives to involuntary hospitalization.
 - d. The signature of the examiner who prepared the report.
2. For purposes of any examination conducted pursuant to this section:
 - a. An evaluation of a respondent's physical condition may be made only by a licensed physician or psychiatrist.
 - b. An evaluation of a respondent's mental status may be made only by a psychiatrist or psychologist trained in a clinical program.

- c. An evaluation of whether the respondent is chemically dependent may be made only by a licensed physician, licensed addiction counselor, or licensed psychologist trained in a clinical program.
3. If the expert examiner concludes that the respondent is not a person requiring treatment, the court may without taking any other additional action terminate the proceedings and dismiss the petition. If the expert examiner concludes that the respondent is a person requiring treatment, or makes no conclusion thereon, the court shall set a date for hearing and shall give notice of hearing to the persons designated in section 25-03.1-12. If the respondent is in custody and is alleged to be suffering from mental illness or a combination of mental illness and chemical dependency, the preliminary hearing date must be within four days, exclusive of weekends and holidays, of the date respondent was taken into custody through emergency commitment under section 25-03.1-25 unless a delay or continuance is concurred in by the respondent or unless extended by the magistrate for good cause shown. If a preliminary hearing is not required, the treatment hearing must be held within four days, exclusive of weekends and holidays, of the date the court received the expert examiner's report, not to exceed fourteen days from the time the petition was served."

Page 1, line 4, replace "study" with "consider studying"

Renumber accordingly

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

MR. PRESIDENT: The House has amended, subsequently passed, and the emergency clause carried: SB 2192.

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2192

Page 1, line 7, after "honor" insert "and remembrance"

Page 1, line 10, after "Columbia" insert ", and those veterans who are or were missing in action or prisoners of war"

Renumber accordingly

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

MR. PRESIDENT: The House has amended and subsequently failed to pass: SB 2202, SB 2219, SB 2288.

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

MR. SPEAKER: The Senate has concurred in the House amendments and subsequently passed: SB 2139.

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

MR. PRESIDENT: Your signature is respectfully requested on: HB 1302.

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

MR. SPEAKER: The President has signed: HB 1109, HB 1159, HB 1176, HB 1234, HB 1272, HB 1386, HB 1413, HB 1484, HB 1491, HB 1505, HB 1525, HB 1575, HCR 3020, HCR 3051.

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

MR. PRESIDENT: The Speaker has signed: SB 2370, SB 2388, SB 2389, SB 2416.

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

MR. PRESIDENT: The Speaker has signed: HB 1181.

MOTION

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

MOTION

SEN. CHRISTMANN MOVED that the Senate be on the Fourth, Fifth, and Thirteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 12:30 p.m., Tuesday, March 24, 2009, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1021, 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 HB 1021 was placed on the Sixth order on the calendar.

Page 1, line 2, remove the second "and"

Page 1, line 3, after "insurance" insert "; and to create and enact a new section to chapter 65-02 of the North Dakota Century Code, relating to providing a continuing appropriation for litigation expenses relating to employer and medical provider issues"

Page 1, line 11, replace "169,392" with "2,281,450" and replace "53,410,547" with "55,522,605"

Page 1, after line 23, insert:

"SECTION 3. A new section to chapter 65-02 of the North Dakota Century Code is created and enacted as follows:

Litigation expenses - Continuing appropriation. Money in the workforce safety and insurance fund is appropriated to the organization on a continuing basis for payment of organization expenses associated with litigating employer-related issues arising under this title and for payment of organization expenses associated with litigating medical provider-related issues identified under sections 65-02-23 and 65-02-20."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT - LC 98021.0201 FN 1

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

REPORT OF STANDING COMMITTEE

HB 1069: Transportation Committee (Sen. G. Lee, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1069 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1070: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1070 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1123: Government and Veterans Affairs Committee (Sen. Dever, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1123 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1126: Finance and Taxation Committee (Sen. Cook, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1126 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1196: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1196 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1244, as engrossed: Transportation Committee (Sen. G. Lee, Chairman) recommends **DO PASS** (4 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). Engrossed HB 1244 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1266: 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). HB 1266 was placed on the Sixth order on the calendar.

Page 1, line 18, after "Providing" insert "child care facilities or"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1271: Government and Veterans Affairs Committee (Sen. Dever, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1271 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1301, as engrossed: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1301 was placed on the Sixth order on the calendar.

Page 1, line 4, after "sections" insert "11-18-02.2,"

Page 1, after line 8, insert:

"SECTION 1. AMENDMENT. Section 11-18-02.2 of the North Dakota Century Code is amended and reenacted as follows:

11-18-02.2. Statements of full consideration to be filed with state board of equalization or recorder - Procedure - Secrecy of information - Penalty.

1. Any grantee or grantee's authorized agent who presents a deed in the office of the county recorder shall certify on the face of the deed any one of the following:
 - a. A statement that the grantee has filed a report of the full consideration paid for the property conveyed with the state board of equalization.
 - b. A statement that the grantee has filed a report of the full consideration paid for the property conveyed with the recorder.
 - c. A statement of the full consideration paid for the property conveyed.
 - d. A statement designating one of the exemptions in subsection ~~6~~ 7 which the grantee believes applies to the transaction.
2. Any party who presents an affidavit of affixation to real property of a manufactured home in the office of the county recorder in accordance with section 47-10-26 and who acquired the manufactured home before the affixation of the manufactured home to the real property shall either contain in or present in addition to the affidavit of affixation any one of the following:
 - a. A statement that the party has filed with the state board of equalization a report of the full consideration paid for the manufactured home before the affixation.
 - b. A statement that the party has filed with the recorder a report of the full consideration paid for the manufactured home before the affixation.
 - c. A statement of the full consideration paid by the party for the manufactured home before the affixation.
- ~~3.~~ 3. The recorder ~~shall~~ may not record any deed unless ~~it~~ the deed contains one of the statements required by subsection 1 or record any affidavit of affixation unless the affidavit contains or is accompanied by one of the statements required by subsection 2.
- ~~4.~~ 4. The recorder shall accumulate and at least monthly forward to the state board of equalization a report containing the information filed in the recorder's office pursuant to subsection 1 or 2.
- ~~4.~~ 4. ~~5.~~ 5. The state board of equalization shall prescribe the necessary forms for the statements and reports to be used in carrying out ~~the purposes of~~ this section, and the forms ~~will~~ must contain a space for the explanation of special circumstances ~~which~~ that may have contributed to the amount of the consideration.
- ~~5.~~ 5. ~~6.~~ 6. For purposes of ~~this section~~ subsection 1, the word "deed" means an instrument or writing whereby any real property or interest therein ~~shall be~~

is granted, conveyed, or otherwise transferred to the grantee, purchaser, or other person, except any instrument or writing ~~which that~~ transfers any ownership in minerals or interests in minerals underlying land if that ownership has been severed from the ownership of the overlying land surface or any instrument or writing for the easement, lease, or rental of real property or any interest therein.

6. ~~7.~~ ~~The provisions of this~~ This section ~~de~~ does not apply to deeds transferring title to the following types of property, or to deeds relating to the following transactions:
- a. Property owned or used by public utilities.
 - b. Property classified as personal property.
 - c. A sale when the grantor and the grantee are of the same family or corporate affiliate, if known.
 - d. A sale ~~which that~~ resulted as a settlement of an estate.
 - e. All sales to or from a government or governmental agency.
 - f. All forced sales, mortgage foreclosures, and tax sales.
 - g. All sales to or from religious, charitable, or nonprofit organizations.
 - h. All sales when there is an indicated change of use by the new owners.
 - i. All transfer of ownership of property for which is given a quitclaim deed.
 - j. Sales of property not assessable by law.
 - k. Agricultural lands of less than eighty acres [32.37 hectares].
 - l. A transfer that is pursuant to a judgment.
7. ~~8.~~ The state board of equalization shall guard the secrecy of information contained on statements filed with the board ~~pursuant to under~~ subsection 1 or 2, and any information contained on statements and any information provided by local officials ~~shall~~ must be limited to ~~such~~ data ~~as is~~ necessary to perform ~~their~~ official duties and ~~shall~~ may not include the names of any grantors or grantees to deeds or of any parties to affidavits of affixation. Any reports made available to the public must be made in a manner that will not reveal the names of any grantors ~~or~~ grantees, or parties. The recorder shall guard the secrecy of information contained on reports filed in the recorder's office ~~pursuant to under~~ subdivision b of subsection 1 or subdivision b of subsection 2.
8. ~~9.~~ Any person ~~who that~~, in the statements provided for in subsection 1 or 2, willfully falsifies the consideration paid for the transferred real property or the manufactured home, as applicable, or interest therein or ~~who that~~ falsely certifies that the person has filed a report of full consideration with the state board of equalization is guilty of a class B misdemeanor."

Page 9, line 28, replace "may" with "must"

Page 10, line 2, replace "must be" with "are"

Page 11, line 24, replace "may" with "must"

Page 11, line 29, replace "must be" with "are"

Page 13, line 29, replace "may" with "must"

Page 14, line 3, replace "must be" with "are"

Page 15, line 9, replace "executes" with "shall execute"

Page 15, line 10, replace "records" with "record"

Page 15, line 15, replace "files" with "shall file"

Page 18, line 12, remove "and"

Page 18, line 13, after "(8)" insert "If the party executing the affidavit acquired the manufactured home before the affixation of the manufactured home to the real property, that party shall complete one of the statements required by subsection 2 of section 11-18-02.2; and

(9)"

Page 19, line 24, replace "may" with "must"

Page 20, line 1, replace "affect" with "effect" and replace "transfer of an interest" with "encumbrance"

Page 20, line 2, replace "transfer" with "conveyance"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1308, as engrossed: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1308 was placed on the Sixth order on the calendar.

Page 1, line 7, after "request" insert "by mail"

Page 1, line 9, after "~~three~~" insert "two", remove the overstrike over "~~business days~~", and remove "fifteen minutes"

Page 1, line 10, remove "one of the following circumstances applies:"

Page 1, line 11, replace "(1) The" with "the"

Page 1, line 13, replace "; or" with "."

- b. A consumer reporting agency that receives a request by telephone or through a secure electronic connection from a consumer to temporarily lift a freeze on a consumer credit file under this section shall comply with the request no later than fifteen minutes after receiving the request unless the consumer fails to provide proper identification and the unique personal identification number or password provided by the credit reporting agency under section 51-33-03 or the

Page 1, line 14, remove "(2) The"

Page 1, line 16, replace "(a)" with "(1)"

Page 1, line 18, replace "(b)" with "(2)"

Page 1, line 21, replace "(c)" with "(3)"

Page 2, line 1, replace "(d)" with "(4)"

Page 2, line 3, replace "(e)" with "(5)"

Page 2, line 5, replace "(f)" with "(6)"

Page 2, line 8, replace "b." with "c."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1314, as engrossed: Finance and Taxation Committee (Sen. Cook, Chairman) recommends **DO NOT PASS** (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed HB 1314 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1362, as engrossed: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1362 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1403, as engrossed: Government and Veterans Affairs Committee (Sen. Dever, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1403 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1496, as reengrossed and amended: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed HB 1496, as amended, was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1514, as engrossed: Transportation Committee (Sen. G. Lee, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1514 was placed on the Sixth order on the calendar.

Page 2, line 22, remove "trust"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HCR 3003, as engrossed: Human Services Committee (Sen. J. Lee, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HCR 3003 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3014, as engrossed: 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). Engrossed HCR 3014 was placed on the Sixth order on the calendar.

Page 2, line 15, after the comma insert "the chairman of the Committee on Transportation and Infrastructure of the United States House of Representatives,"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HCR 3016: Education Committee (Sen. Freborg, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3016 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3017, as engrossed: Government and Veterans Affairs Committee (Sen. Dever, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HCR 3017 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3021: Natural Resources Committee (Sen. Lyson, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3021 was placed on the Sixth order on the calendar.

Page 1, replace line 15 with:

"**WHEREAS**, the North Dakota Game and Fish Department has submitted its prairie dog management plan to the United States Fish and Wildlife Service and restated the department's belief that this state's black-tailed prairie dog, *cynomys ludovicianus*, population is biologically viable; and"

Page 1, remove line 16

Renumber accordingly

REPORT OF STANDING COMMITTEE

HCR 3024: Human Services Committee (Sen. J. Lee, Chairman) recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3024 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3026: Agriculture Committee (Sen. Flakoll, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3026 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3028, as engrossed: Agriculture Committee (Sen. Flakoll, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HCR 3028 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3033, as engrossed: Government and Veterans Affairs Committee (Sen. Dever, Chairman) recommends **DO NOT PASS** (3 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HCR 3033 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3041: Human Services Committee (Sen. J. Lee, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3041 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3042: Human Services Committee (Sen. J. Lee, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3042 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3045: Natural Resources Committee (Sen. Lyson, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3045 was placed on the Sixth order on the calendar.

Page 1, line 2, after "rights" insert "and methods to reduce the discount for oil produced in North Dakota"

Page 1, line 13, after the semicolon insert "and

WHEREAS, North Dakota produces a very high grade of crude oil but the sales price of that oil is substantially discounted for several reasons, including the cost of transporting the oil to the point of sale, and an examination of the feasibility and desirability of state assistance or incentives to reduce the discount should be undertaken;"

Page 1, line 16, after "rights" insert "and methods to reduce the discount for oil produced in North Dakota"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HCR 3048, as engrossed: 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). Engrossed HCR 3048 was placed on the Sixth order on the calendar.

Page 1, line 2, after "buyers" insert ", including ethanol plants and grain processors" and after the semicolon insert "and"

Page 1, line 3, replace "production" with "sale, purchase" and replace "; and" with ", including"

Page 1, line 9, replace "an elevator" with "a facility"

Page 1, after line 12, insert:

"WHEREAS, defaults by producers or purchasers beyond the local elevator can have adverse consequences for local elevators; and"

Page 1, line 20, replace "; and" with "for sellers and buyers;"

Page 1, remove lines 21 through 23

Page 2, line 2, after "buyers" insert ", including ethanol plants and grain processors"

Page 2, line 3, replace "production" with "sale, purchase" and replace "; and" with ", including"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HCR 3061: Education Committee (Sen. Freborg, Chairman) recommends **DO PASS**
(5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3061 was placed on the
Fourteenth order on the calendar.

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

Fran A. Gronberg, Secretary