

## JOURNAL OF THE SENATE

## Sixty-first Legislative Assembly

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Bismarck, January 27, 2009

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

The prayer was offered by Pastor Scott Bauman, Charity Lutheran Church, Bismarck.

The roll was called and all members were present.

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 Fifteenth Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 173, remove lines 39 through 45

Page 173, after line 38, insert:

"Sen. Heckaman and Rep. Svedjan introduced:

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

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

## ANNOUNCEMENT

**PRESIDENT DALRYMPLE ANNOUNCED** that the reports received by the Senate under statutory requirements that reports be filed with the Legislative Assembly are filed with the Legislative Council.

## FIRST READING OF SENATE CONCURRENT RESOLUTION

Sens. J. Lee, Bakke, Bowman and Reps. Grande, Nelson, Potter introduced:

**SCR 4011:** A concurrent resolution declaring Friday, February 6, 2009, "National Wear Red Day" in North Dakota and encouraging all citizens to wear red to raise awareness of cardiovascular disease.

Was read the first time.

## MOTION

**SEN. CHRISTMANN MOVED** that the rules be suspended, that SCR 4011 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.

Sens. J. Lee, Bakke, Bowman and Reps. Grande, Nelson, Potter introduced:

## SENATE CONCURRENT RESOLUTION NO. 4011

A concurrent resolution declaring Friday, February 6, 2009, "National Wear Red Day" in North Dakota and encouraging all citizens to wear red to raise awareness of cardiovascular disease.

**WHEREAS**, diseases of the heart are the nation's leading cause of death and stroke is the third leading cause of death; and

**WHEREAS**, in 2008 the direct and indirect cost of cardiovascular diseases in the United States, including stroke, is estimated to be \$475.3 billion; and

**WHEREAS**, each year, 53 percent of all deaths due to cardiovascular disease and 61 percent of stroke deaths occur in females; and

**WHEREAS**, more women die of heart disease, stroke, and all other cardiovascular diseases than the next five leading causes of death combined, including all cancers; and

**WHEREAS**, Go Red For Women is the American Heart Association's national call to increase awareness about heart disease--the leading cause of death for women--and to inspire women to take charge of their heart health; and

**WHEREAS**, in 2006 the Dakota Medical Foundation and the American Heart Association launched a multiyear \$1.25 million Go Red North Dakota Initiative; and

**WHEREAS**, over 10,000 North Dakota women have joined the Go Red movement; and

**WHEREAS**, while nationally only 21 percent of women consider cardiovascular disease their greatest health risk, the Go Red North Dakota Initiative resulted in 88.7 percent of North Dakota women recognizing heart disease as the leading cause of death; and

**WHEREAS**, all women should learn their own personal risk for heart disease, using tools such as the American Heart Association's Go Red For Women Heart CheckUp and by talking to their health care providers; and

**WHEREAS**, making the right choices relating to proper nutrition, physical activity, doctor visits, and other lifestyle methods is essential to living a heart healthy life;

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

That the Sixty-first Legislative Assembly, in recognition of the importance of the ongoing fight against heart disease and stroke, commends the North Dakota communities, worksites, and statewide ambassadors who have joined the Dakota Medical Foundation and American Heart Association Go Red North Dakota Initiative; and

**BE IT FURTHER RESOLVED**, that the Sixty-first legislative assembly declares Friday, February 6, 2009, "National Wear Red Day" in North Dakota and urges all citizens to show their support for women and the fight against heart disease by commemorating this day by wearing the color red to increase awareness and to empower women to reduce their risk for cardiovascular disease; and

**BE IT FURTHER RESOLVED**, that the Secretary of State forward copies of this resolution to the Governor, the Dakota Medical Foundation, the American Heart Association, and each member of the North Dakota Congressional Delegation.

#### **SECOND READING OF SENATE CONCURRENT RESOLUTION**

**SCR 4011:** A concurrent resolution declaring Friday, February 6, 2009, "National Wear Red Day" in North Dakota and encouraging all citizens to wear red to raise awareness of cardiovascular disease.

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

SCR 4011 was declared adopted on a voice vote.

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#### **MOTION**

**SEN. CHRISTMANN MOVED** that SB 2331 be returned to the Senate floor from the **Judiciary Committee** and be rereferred to the **Industry, Business and Labor Committee**, which motion prevailed.

#### **CONSIDERATION OF AMENDMENTS**

**SB 2067: SEN. FIEBIGER (Transportation Committee) MOVED** that the amendments on SJ page 170 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

#### **CONSIDERATION OF AMENDMENTS**

**SB 2192: SEN. HORNE (Government and Veterans Affairs Committee) MOVED** that the amendments on SJ page 171 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

#### **SECOND READING OF SENATE BILL**

**SB 2050:** A BILL for an Act to create and enact a new section to chapter 23-27 of the North Dakota Century Code, relating to regulation of emergency medical services operation dispatch; to amend and reenact section 23-27-02, subsection 1 of section 23-27-04, and section 23-27-04.7 of the North Dakota Century Code, relating to the definition of emergency medical services, emergency medical services operation licensure standards, and distribution of property tax revenues to emergency medical services operations; 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 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 2050 passed and the title was agreed to.

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#### SECOND READING OF SENATE BILL

**SB 2086:** A BILL for an Act to amend and reenact section 24-02-42 of the North Dakota Century Code, relating to scholarship allowances.

#### 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 2086 passed and the title was agreed to.

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#### SECOND READING OF SENATE BILL

**SB 2129:** A BILL for an Act to amend and reenact subsection 5 of section 54-44.4-02, subsection 2 of section 54-60.1-01, and sections 54-63-01 and 54-63-03 of the North Dakota Century Code, relating to the renewable energy program; and to repeal sections 54-17-38 and 54-17-39 of the North Dakota Century Code, relating to the biomass incentive and research program.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 44 YEAS, 3 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Andrist; Bakke; Behm; Bowman; Cook; Dever; Dotzenrod; Erbele; Fiebiger; Fischer; Flakoll; 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

**NAYS:** Christmann; Freborg; O'Connell

Engrossed SB 2129 passed and the title was agreed to.

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#### SECOND READING OF SENATE BILL

**SB 2161:** A BILL for an Act to create and enact two new sections to chapter 12-60 of the North Dakota Century Code, relating to lost, missing, or runaway children; to amend and reenact section 54-23.2-04.1 of the North Dakota Century Code, relating to lost or missing persons; and to repeal section 54-23.2-04.2 of the North Dakota Century Code, relating to school enrollment procedures to aid in the identification and location of missing children.

#### 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 2161 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2165:** A BILL for an Act to create and enact a new section to chapter 20.1-03 of the North Dakota Century Code, relating to an apprentice hunter program; to amend and reenact section 20.1-03-01.3 of the North Dakota Century Code, relating to hunter education requirements; 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 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 2165 passed, the title was agreed to, and the emergency clause was declared carried.

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**SECOND READING OF SENATE BILL**

**SB 2188:** A BILL for an Act to amend and reenact subsection 4 of section 39-21-39 of the North Dakota Century Code, relating to window tinting in motor vehicles.

**ROLL CALL**

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

**YEAS:** Bakke; Freborg

**NAYS:** Anderson; Andrist; Behm; Bowman; Christmann; Cook; Dever; Dotzenrod; Erbele; Fiebiger; Fischer; Flakoll; 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 2188 lost.

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**SECOND READING OF SENATE BILL**

**SB 2288:** A BILL for an Act to amend and reenact section 15.1-21-03 of the North Dakota Century Code, relating to instructional time requirements for high school units.

**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 2288 passed and the title was agreed to.

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**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 2060, SB 2076, SB 2098, SB 2140, SB 2150, SB 2164, SB 2166, SB 2167, SB 2235.

**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 1097, HB 1159, HB 1176, HB 1185, HB 1204, HB 1223, HB 1291, HB 1345, HB 1365, HB 1385.

**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 1:00 p.m., Wednesday, January 28, 2009, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

**SB 2028: Judiciary Committee (Sen. Nething, Chairman)** recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2028 was rereferred to the **Appropriations Committee**.

**REPORT OF STANDING COMMITTEE**

**SB 2035: 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 2035 was placed on the Sixth order on the calendar.

Page 1, line 5, replace "and" with "to provide for a study and a report to the legislative council;" and after "date" insert "; and to provide an expiration date"

Page 4, line 8, after "states" insert "or any facility owned by the state or a political subdivision"

Page 4, line 11, after "states" insert "or any facility owned by the state or a political subdivision"

Page 4, line 15, after "facilities" insert "or any facility owned by the state or a political subdivision"

Page 4, after line 15, insert:

**"SECTION 5. TAX COMMISSIONER STUDY - LEGISLATIVE COUNCIL REPORT.**

1. During the 2009-11 and 2011-13 bienniums, the tax commissioner shall conduct a cost-benefit analysis of the coal severance tax exemption authorized under section 57-61-01.4.
2. The tax commissioner shall report the findings and recommendations of the analysis to an interim committee designated by the legislative council during the 2013-14 interim.
3. The report must be based upon information available to the tax commissioner and must include an analysis of the costs and benefits to the state and the taxpayers who qualify for the exemption under section 57-61-01.4.
4. The tax commissioner shall establish the procedure by which the tax commissioner will compile the data and the format in which the tax commissioner will provide this data to the interim committee.
5. The tax commissioner may use confidential tax information filed by or on behalf of a person pursuant to a tax law of this state to compile this report. Confidential tax information must be provided to the interim committee in a manner that will not divulge information specific to any taxpayer."

Page 4, line 16, after "**DATE**" insert " - **EXPIRATION DATE**" and replace "This Act is" with "Sections 1 through 4 of this Act are"

Page 4, line 17, after "2009" insert ", and before July 1, 2015, and are thereafter ineffective"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2041: Judiciary Committee (Sen. Nething, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2041 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2069: Judiciary Committee (Sen. Nething, Chairman)** recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2069 was referred to the **Appropriations Committee**.

**REPORT OF STANDING COMMITTEE**

**SB 2084: Judiciary Committee (Sen. Nething, Chairman)** recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2084 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2085: Education Committee (Sen. Freborg, Chairman)** recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2085 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2089: Finance and Taxation Committee (Sen. Cook, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2089 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2090: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2090 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2116: Judiciary Committee (Sen. Nething, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2116 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2123: Judiciary Committee (Sen. Nething, Chairman)** recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2123 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2138: Natural Resources Committee (Sen. Lyson, Chairman)** recommends **DO NOT PASS** (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2138 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2142: Political Subdivisions Committee (Sen. Andrist, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2142 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2170: Judiciary Committee (Sen. Nething, Chairman)** recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2170 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2178: Judiciary Committee (Sen. Nething, Chairman)** recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2178 was referred to the **Appropriations Committee**.

**REPORT OF STANDING COMMITTEE**

**SB 2189: Natural Resources Committee (Sen. Lyson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2189 was placed on the Sixth order on the calendar.

Page 1, line 15, after "**eighteen**" insert "**- Authority to increase license fees**"

Page 1, line 17, after the underscored period insert "Notwithstanding game and fish license fees established by statute, the director by rule may increase game and fish license fees to offset the revenue lost by not charging game or fish license fees for licenses issued to residents under eighteen years of age."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2224: 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 2224 was placed on the Sixth order on the calendar.

Page 1, line 8, after "unit" insert "that has a separate supply tank", after "truck" insert "or trailer", and after "tax" insert "imposed under section 57-43.2-02"

Page 1, line 9, replace "is entitled to a refund upon filing a claim with the commissioner for a refund" with "may file a claim for a refund with the tax commissioner. The tax imposed under section 57-43.2-03 must be deducted from the refund."

Page 1, remove line 10

ReNUMBER accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2325: Finance and Taxation Committee (Sen. Cook, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2325 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SCR 4005: Natural Resources Committee (Sen. Lyson, Chairman)** recommends **DO NOT PASS** (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SCR 4005 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SCR 4006: Education Committee (Sen. Freborg, Chairman)** recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4006 was placed on the Eleventh order on the calendar.

**FIRST READING OF SENATE BILLS**

Sens. Miller, O'Connell, Wardner and Reps. S. Meyer, Rust, Weiler introduced:

**SB 2404:** A BILL for an Act to provide for the protection of the payment of proceeds from the sale of oil or gas.

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

Sens. Holmberg, Krebsbach, Triplett and Reps. Glassheim, Svedjan, Uglem introduced:

**SB 2408:** A BILL for an Act to provide an appropriation to the department of commerce for a base realignment grant program; and to authorize contingent borrowing authority for the department of commerce.

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

Sens. Christmann, Klein, Warner and Reps. DeKrey, Dosch, Kempenich introduced:

**SB 2411:** A BILL for an Act to amend and reenact subsection 5 of section 49-22-03 of the North Dakota Century Code, relating to the siting of energy conversion facilities.

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

Sens. Holmberg, Fischer and Rep. Svedjan introduced:

**SB 2412:** A BILL for an Act to provide an appropriation to the state department of health for providing a grant to the North Dakota fetal alcohol syndrome center.

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

Sens. Potter, Nelson, Triplett and Reps. Dahl, N. Johnson, S. Meyer introduced:

**SB 2416:** A BILL for an Act to amend and reenact section 5-03-07 of the North Dakota Century Code, relating to imposition of alcoholic beverage taxes at the same rate for sparkling wine as for still wine; and to provide an effective date.

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

Sens. Fiebiger, Potter introduced:

**SB 2417:** A BILL for an Act to provide for a study by the department of transportation of the feasibility and desirability of building a glass recycling plant.

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

Sens. Lindaas, Andrist introduced:

**SB 2418:** A BILL for an Act to amend and reenact section 5-01-09 of the North Dakota Century Code, relating to contributing alcohol to an individual under twenty-one years of age; and to provide a penalty.

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

Sen. O'Connell introduced:

**SB 2419:** A BILL for an Act to amend and reenact subdivision b of subsection 2 of section 65-05.1-06.1 of the North Dakota Century Code, relating to workers' compensation vocational rehabilitation awards.

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

Sens. Warner, Erbele, Mathern and Reps. Ekstrom, Nelson introduced:

**SB 2420:** A BILL for an Act to provide for education and services to families in which the parents do not reside in the same household; to provide for a report; to provide a continuing appropriation; to provide an appropriation; and to provide an expiration date.

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

Sens. Mathern, Dever, Wardner and Reps. Delmore, Svedjan introduced:

**SB 2421:** A BILL for an Act to amend and reenact subsections 7 and 8 of section 25-03.1-02, section 25-03.1-11, and subsection 1 of section 25-03.1-25 of the North Dakota Century Code, relating to emergency procedures for mental health commitments; and to provide for a legislative council study.

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

Sens. Krauter, Kilzer, Robinson and Reps. L. Meier, Monson, Rust introduced:

**SB 2422:** A BILL for an Act to provide for purchasing and procurement by cooperative organizations.

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

Sens. Fischer, Heckaman introduced:

**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.

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

Sens. Fischer, Heckaman introduced:

**SB 2424:** A BILL for an Act to provide funding for water project features constructed to control aquatic nuisance species.

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

Sens. Heckaman, Holmberg, Krauter, O'Connell, Wardner and Rep. Boucher introduced:

**SB 2425:** A BILL for an Act to create and enact a new subsection to section 54-44-04 of the North Dakota Century Code, relating to requiring the director of the office of management and budget to develop a proposal for the construction of office buildings on the capitol grounds.

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

Sen. O'Connell introduced:

**SB 2426:** A BILL for an Act to amend and reenact subdivision c of subsection 1 of section 65-05-08 of the North Dakota Century Code, relating to a repealed reference to the workers' compensation retirement presumption; and to repeal sections 65-05-09.3, 65-05-09.4, and 65-05-09.5 of the North Dakota Century Code, relating to reduction of workers' compensation benefits when an injured employee attains retirement age.

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

Sens. Triplett, Grindberg, Schneider introduced:

**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; to amend and reenact sections 54-21.2-03 and 54-21.2-04 of the North Dakota Century Code, relating to energy conservation standards in new building construction; to provide borrowing authority; to provide an appropriation; and to provide an effective date.

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

Sens. Olafson, Fischer and Reps. Hofstad, Vigesaa introduced:

**SB 2428:** A BILL for an Act to amend and reenact section 61-16.1-40.1 of the North Dakota Century Code, relating to appeals in federally constructed flood control or soil conservation service projects; and to provide for application.

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

Sens. O'Connell, Nodland, Olafson and Reps. DeKrey, Gruchalla, Sukut introduced:

**SB 2429:** A BILL for an Act to amend and reenact subsection 10 of section 39-06.1-06 of the North Dakota Century Code, relating to a violation of hours of service provisions for commercial drivers.



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

Sen. O'Connell introduced:

**SB 2430:** A BILL for an Act to amend and reenact subsection 2 of section 65-05-10 of the North Dakota Century Code, relating to the duration of workers' compensation temporary partial disability benefits.

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

Sen. O'Connell introduced:

**SB 2431:** A BILL for an Act to amend and reenact subsection 3 of section 65-05-28 of the North Dakota Century Code, relating to independent medical examinations required by workforce safety and insurance.

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

Sen. O'Connell introduced:

**SB 2432:** A BILL for an Act to repeal sections 65-05-28.1 and 65-05-28.2 of the North Dakota Century Code, relating to preferred providers for work-related injuries.

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

Sen. O'Connell introduced:

**SB 2433:** A BILL for an Act 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.

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

Sen. O'Connell introduced:

**SB 2434:** A BILL for an Act to amend and reenact section 1 of section 65-05-08 of the North Dakota Century Code, relating to reapplication for workers' compensation disability benefits.

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

Sen. O'Connell introduced:

**SB 2435:** A BILL for an Act to amend and reenact section 65-05-04 of the North Dakota Century Code, relating to the exercise of continuing jurisdiction by workforce safety and insurance.

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

Sens. O'Connell, Bowman introduced:

**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.

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

Sen. O'Connell introduced:

**SB 2437:** A BILL for an Act to provide for payment of a share of property taxes on land by the owners of severed mineral interests if a producing oil or gas well is generating royalty payments to those owners; and to provide an effective date.

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

Sens. Wanzek, Dotzenrod, Flakoll and Reps. Belter, Brandenburg, S. Meyer introduced:

**SB 2438:** A BILL for an Act to create and enact a new section to chapter 54-60 of the North Dakota Century Code, relating to the promotion of sustainably grown agricultural commodities.

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

Sens. Lindaas, Andrist, Bakke and Rep. Koppelman introduced:

**SB 2439:** A BILL for an Act to amend and reenact subsection 1 of section 5-01-09 of the North Dakota Century Code, relating to the penalty for unlawful delivery of alcohol to certain persons.

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

Sens. Lindaas, Olafson and Reps. Kaldor, Monson, Schmidt introduced:

**SB 2440:** A BILL for an Act to create and enact a new section to chapter 4-35.1 of the North Dakota Century Code, relating to chemigation site permits; and to provide for a legislative council report.

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

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

**Fran A. Gronberg, Secretary**

