

JOURNAL OF THE SENATE

Fifty-third Legislative Assembly

* * * * *

Bismarck, January 19, 1993

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

The prayer was offered by Chaplin Burnie Kunz, Medcenter One, Bismarck.

The roll was called and all members were present except Senators Lindgren, Mushik, Naaden, and Yockim.

A quorum was declared by the President.

MESSAGE TO THE HOUSE FROM THE SENATE (CAROL SIEGERT, SECRETARY)

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2007, SB 2062, SB 2082, SB 2138, SB 2153, SB 2193, SB 2202, SB 2203, SB 2220.

MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

MADAM PRESIDENT: The House has passed and your favorable consideration is requested on: HB 1024, HB 1035, HB 1046, HB 1059, HB 1067, HB 1074, HB 1076, HB 1110, HB 1127, HB 1130, HB 1200, HCR 3004, HCR 3005.

CONSIDERATION OF AMENDMENTS

SB 2024: SEN. DOTZENROD (Finance and Taxation Committee) MOVED that the amendments on SJ page 136 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2030: SEN. GRABA (Human Services Committee) MOVED that the amendments on SJ page 136 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2057: SEN. GRABA (Political Subdivisions Committee) MOVED that the amendments on SJ pages 136-137 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2117: SEN. JEROME (Human Services Committee) MOVED that the amendments on SJ page 137 be adopted with DO PASS, which motion prevailed.

MOTION

SEN. JEROME MOVED that the rules be suspended and that SB 2117, as amended, be deemed properly engrossed and placed on the Eleventh order, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2117: A BILL for an Act to amend and reenact section 25-01-01.1 of the North Dakota Century Code, relating to the composition of the state council on developmental disabilities.

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, 3 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; DeMers; Dotzenrod; Evanson; Freborg; Goetz; Graba; Grindberg; Heinrich; Holmberg; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lips; Marks; Mathern; Maxson;

Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schoenwald; Solberg; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wogsland

ABSENT AND NOT VOTING: Lindgren; Mushik; Yockim

SB 2117 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2130: SEN. GRINDBERG (Transportation Committee) MOVED that the amendments on SJ page 137 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2156: SEN. HEINRICH (Government and Veterans Affairs Committee) MOVED that the amendments on SJ pages 137-138 be adopted with **DO PASS**, which motion prevailed.

MOTION

SEN. HEINRICH MOVED that the rules be suspended and that SB 2156, as amended, be deemed properly engrossed and placed on the Eleventh order, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2156: A BILL for an Act to amend and reenact section 54-46-08 of the North Dakota Century Code, relating to retention schedules for state records.

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**, 3 **ABSENT AND NOT VOTING**.

YEAS: Andrist; Bowman; DeMers; Dotzenrod; Evanson; Freborg; Goetz; Graba; Grindberg; Heinrich; Holmberg; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lips; Marks; Mathern; Maxson; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schoenwald; Solberg; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wogsland

ABSENT AND NOT VOTING: Lindgren; Mushik; Yockim

SB 2156 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2173: SEN. B. STENEHJEM (Transportation Committee) MOVED that the amendments on SJ page 138 be adopted with **DO PASS**, which motion prevailed.

MOTION

SEN. B. STENEHJEM MOVED that the rules be suspended and that SB 2173, as amended, be deemed properly engrossed and placed on the Eleventh order, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2173: A BILL for an Act to amend and reenact subsection 2 of section 39-12-04 of the North Dakota Century Code, relating to height limitations on vehicles; 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, 3 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; DeMers; Dotzenrod; Evanson; Freborg; Goetz; Graba; Grindberg; Heinrich; Holmberg; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lips; Marks; Mathern; Maxson; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schoenwald; Solberg; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wogsland

ABSENT AND NOT VOTING: Lindgren; Mushik; Yockim

SB 2173 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2219: A BILL for an Act to amend and reenact section 64-02-10 of the North Dakota Century Code, relating to the fees to test or calibrate weighing and measuring devices; to provide an effective date; and to provide an expiration date.

ROLL CALL

The question being on the final passage of the bill, which has been read, and is PLACED ON THE CALENDAR WITHOUT RECOMMENDATION, the roll was called and there were 32 YEAS, 14 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: DeMers; Dotzenrod; Evanson; Freborg; Goetz; Graba; Grindberg; Heinrich; Holmberg; Jerome; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lips; Marks; Mathern; Maxson; Nelson; O'Connell; Redlin; Robinson; Scherber; Schoenwald; Stenehjem, W.; Tallackson; Thane; Traynor; Wogsland

NAYS: Andrist; Bowman; Keller; Mutch; Naaden; Nalewaja; Nething; Sand; Solberg; Stenehjem, B.; Streibel; Tennefos; Tomac; Urlacher

ABSENT AND NOT VOTING: Lindgren; Mushik; Yockim

SB 2219 passed and the title was agreed to.

MOTION

SEN. MATHERN MOVED that SB 2195, which is on the Eleventh order, be rereferred to the Agriculture Committee, which motion prevailed. Pursuant to Sen. Mathern's motion, SB 2195 was rereferred.

SECOND READING OF SENATE BILL

SB 2027: A BILL for an Act to allow a state agency or institution to provide for child care services.

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 NAY, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; DeMers; Dotzenrod; Evanson; Freborg; Goetz; Graba; Grindberg; Heinrich; Holmberg; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lips; Marks; Mathern; Maxson; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Redlin; Robinson;

Sand; Scherber; Schoenwald; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wogsland

NAYS: Solberg

ABSENT AND NOT VOTING: Lindgren; Mushik; Yockim

SB 2027 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2037: A BILL for an Act to prohibit acquisition of agricultural property interests in North Dakota for wildlife habitat or conservation purposes unless certain conditions are met.

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 13 YEAS, 33 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; Dotzenrod; Grindberg; Keller; Kinnoin; Langley; Naaden; O'Connell; Sand; Solberg; Stenehjem, B.; Tomac

NAYS: DeMers; Evanson; Freborg; Goetz; Graba; Heinrich; Holmberg; Jerome; Kelly; Kelsh; Krauter; Krebsbach; Lindaas; Lips; Marks; Mathern; Maxson; Mutch; Nalewaja; Nelson; Nething; Redlin; Robinson; Scherber; Schoenwald; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Traynor; Urlacher; Wogsland

ABSENT AND NOT VOTING: Lindgren; Mushik; Yockim

SB 2037 lost.

SECOND READING OF SENATE BILL

SB 2041: A BILL for an Act to amend and reenact section 12.1-20-16 of the North Dakota Century Code, relating to the appointment of a guardian ad litem to represent a person with a developmental disability in prosecution of sex offenses.

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, 3 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; DeMers; Dotzenrod; Evanson; Freborg; Goetz; Graba; Grindberg; Heinrich; Holmberg; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lips; Marks; Mathern; Maxson; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schoenwald; Solberg; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wogsland

ABSENT AND NOT VOTING: Lindgren; Mushik; Yockim

SB 2041 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2192: A BILL for an Act to amend and reenact sections 49-06-23 and 49-22-22 of the North Dakota Century Code, relating to expenses of

siting proceedings paid into the public utility valuation revolving fund and to siting fees and costs.

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, 3 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; DeMers; Dotzenrod; Evanson; Freborg; Goetz; Graba; Grindberg; Heinrich; Holmberg; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lips; Marks; Mathern; Maxson; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schoenwald; Solberg; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wogsland

ABSENT AND NOT VOTING: Lindgren; Mushik; Yockim

SB 2192 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2145: A BILL for an Act to create and enact a new subsection to section 54-23.3-04 of the North Dakota Century Code, relating to the power of the director of the department of corrections and rehabilitation to collect fees from persons on correctional supervision.

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 YEA, 45 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Solberg

NAYS: Andrist; Bowman; DeMers; Dotzenrod; Evanson; Freborg; Goetz; Graba; Grindberg; Heinrich; Holmberg; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lips; Marks; Mathern; Maxson; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schoenwald; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wogsland

ABSENT AND NOT VOTING: Lindgren; Mushik; Yockim

SB 2145 lost.

REQUEST

SEN. SOLBERG REQUESTED that the record show that his vote be recorded as Nay, which request was granted.

SECOND READING OF SENATE BILL

SB 2146: A BILL for an Act to amend and reenact section 39-04-09 of the North Dakota Century Code, relating to the design and issuance of number plates and decals by the North Dakota state penitentiary.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 0 YEAS, 46 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

NAYS: Andrist; Bowman; DeMers; Dotzenrod; Evanson; Freborg; Goetz; Graba; Grindberg; Heinrich; Holmberg; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lips; Marks; Mathern; Maxson;

Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schoenwald; Solberg; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Uriacher; Wogsland

ABSENT AND NOT VOTING: Lindgren; Mushik; Yockim

SB 2146 lost.

MOTION

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

MOTION

SEN. MATHERN MOVED that the Senate be on the Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the Senate stand in recess until 3:00 p.m., at which time it will meet in the House Chamber for a Joint Session and after the Joint Session the Senate stand adjourned until 1:00 p.m., Wednesday, January 20, 1993, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2010: Appropriations Committee (Sen. Tallackson, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2010 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2048: Human Services Committee (Sen. Mathern, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2048 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2051: Finance and Taxation Committee (Sen. Dotzenrod, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2051 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2101: Government and Veterans Affairs Committee (Sen. Tomac, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2101, as amended, was placed on the Sixth order on the calendar.

Page 1, line 7, replace "All facts and information" with "1. Documentation and working papers" and after "obtained" insert "or compiled"

Page 1, line 13, replace "1." with "a." and replace "such facts and information are necessary for" with "used by"

Page 1, line 14, replace "under" with ", to collect any unpaid interest due on unclaimed property, or to otherwise enforce"

Page 1, replace lines 16 through 21 with:

"b. When used in joint audits conducted with or pursuant to agreements with other states, the federal government, or other governmental entities;

c. Pursuant to subpoena or court order; or"

Page 2, remove lines 1 through 2

Page 2, line 3, replace "3." with "d."

Page 2, line 4, replace "which" with "that"

Page 2, after line 4, insert:

"2. The administrator's final, completed audit reports are records open to the public. The final reports may not contain confidential documentation or working papers unless one of the exceptions provided under subsection 1 applies."

Re-number accordingly

REPORT OF STANDING COMMITTEE

SB 2116: Human Services Committee (Sen. Mathern, Chairman) recommends DO PASS (4 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). SB 2116 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2155: Judiciary Committee (Sen. Maxson, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2155 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2177: Education Committee (Sen. Heinrich, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2177, as amended, was placed on the Sixth order on the calendar.

Page 1, line 19, after "year's" insert "general fund"

Re-number accordingly

REPORT OF STANDING COMMITTEE

SB 2178: Education Committee (Sen. Heinrich, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2178 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2180: Education Committee (Sen. Heinrich, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2180, as amended, was placed on the Sixth order on the calendar.

Page 1, line 15, after the period insert "In the case of a child receiving home-based instruction, the child's parent or legal guardian shall file the certification with the superintendent of public instruction."

Re-number accordingly

REPORT OF STANDING COMMITTEE

SB 2183: Education Committee (Sen. Heinrich, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2183, as amended, was placed on the Sixth order on the calendar.

Page 1, line 13, after "after" insert "holding" and after "hearing" insert "such"

Page 1, line 14, after "as" insert "the one"

Re-number accordingly

REPORT OF STANDING COMMITTEE

SB 2184: Education Committee (Sen. Heinrich, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2184 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2188: Education Committee (Sen. Heinrich, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2188, as amended, was placed on the Sixth order on the calendar.

Page 2, line 6, after "until" insert "five p.m on" and replace "of" with "before"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2204: Agriculture Committee (Sen. Kelsh, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2204, as amended, was placed on the Sixth order on the calendar.

Page 1, line 2, after the third comma insert "and" and remove ", and 43-35-19.1"

Page 1, line 6, after the comma insert "and"

Page 1, line 7, remove ", and required reports"

Page 2, line 14, after "surety" insert "or cash"

Page 2, line 18, after "surety" insert "or cash"

Page 3, remove lines 7 through 14

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2253: Judiciary Committee (Sen. Maxson, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2253, as amended, was placed on the Sixth order on the calendar.

Page 1, line 14, replace "or" with "and"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2258: Human Services Committee (Sen. Mathern, Chairman) recommends DO PASS (5 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). SB 2258 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2278: Finance and Taxation Committee (Sen. Dotzenrod, Chairman) recommends DO NOT PASS (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2278 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

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

REPORT OF STANDING COMMITTEE

SCR 4012: Human Services Committee (Sen. Mathern, Chairman) recommends DO PASS (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SCR 4012 was placed on the Eleventh order on the calendar.

FIRST READING OF SENATE BILLS

Sens. Maxson, W. Stenehjem, Traynor and Reps. Kaldor, Maragos introduced:

SB 2431: A BILL for an Act to provide political subdivision mill levy authority for costs of improvements to public buildings required by the Americans with Disabilities Act; to create and enact a new subsection to section 57-15-28.1 of the North Dakota Century Code, relating to exceptions to mill levy limitations of political subdivisions; and to provide an effective date.

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

Sens. Lips, Lindgren, Evanson and Reps. Brodshaug, Gates, Rydell introduced:
SB 2432: A BILL for an Act to create and enact a new section to chapter 15-40.1 of the North Dakota Century Code, relating to additional support payments for isolated schools; to amend and reenact sections 15-40.1-06, 15-40.1-07, 15-40.1-09, 15-40.1-16, 15-40.1-16.1, and 15-40.1-17 of the North Dakota Century Code, relating to the educational support for students and aid for transportation; and to repeal chapter 15-27.6 and sections 15-40.1-07.2, 15-40.1-07.3, and 15-40.1-08 of the North Dakota Century Code, relating to school district boundary restructuring, payments for alternative programs, payments for dissolved or annexed school districts, and elementary per-pupil payments.

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

Sen. Streibel and Reps. DeWitz, Schindler introduced:

SB 2433: A BILL for an Act to create and enact a new section to chapter 15-08 of the North Dakota Century Code, relating to loans by the Bank of North Dakota for improvements to land of the board of university and school lands; and to amend and reenact section 15-08-26 of the North Dakota Century Code, relating to the removal of or payment for improvements upon leased lands under the control of the board of university and school lands.

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

Sens. Streibel, Naaden introduced:

SB 2434: A BILL for an Act to repeal sections 15-21-04.6 and 15-29-08.3 of the North Dakota Century Code, relating to student performance standards and assessments and participatory school decisionmaking.

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

FIRST READING OF SENATE CONCURRENT RESOLUTION

Sen. Maxson and Rep. Kretschmar introduced:

SCR 4018: A concurrent resolution directing the Legislative Council to study means of gathering data on sentencing in all felony cases and in all misdemeanor cases involving violations of North Dakota Century Code Chapters 12.1-17, 12.1-20, and 14-07.1.

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

FIRST READING OF HOUSE BILLS

HB 1024: A BILL for an Act to amend and reenact section 39-06-31 and subdivision g of subsection 4 of section 39-08-01 of the North Dakota Century Code, relating to treatment services for persons convicted of driving while under the influence of drugs or substances.

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

HB 1035: A BILL for an Act to amend and reenact subsection 1 of section 21-10-01 of the North Dakota Century Code as amended by section 4 of chapter 667 of the 1989 Session Laws of North Dakota as amended by section 2 of chapter 628 of the 1991 Session Laws of North Dakota, relating to the membership of the state investment board; to repeal section 15 of chapter 667 of the 1989 Session Laws of North Dakota as amended by section 5 of chapter 628 of the 1991 Session Laws of North Dakota and to repeal section 5 of chapter 628 of the 1991 Session Laws of North Dakota, relating to the expiration date of the Act establishing the North Dakota state retirement and investment office;

to provide for retroactive application of this Act; and to declare an emergency.

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

HB 1046: A BILL for an Act to transfer boiler inspection duties from the workers compensation bureau to the commissioner of insurance as manager of the state fire and tornado fund; and to repeal chapter 65-12 of the North Dakota Century Code, relating to boiler inspection.

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

HB 1059: A BILL for an Act to amend and reenact section 53-08-05 of the North Dakota Century Code, relating to liability of owners of land used for recreational purposes.

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

HB 1067: A BILL for an Act to create and enact a new section to chapter 28-21 of the North Dakota Century Code, relating to levy when more than one execution is outstanding; to amend and reenact sections 11-15-11, 11-15-17, 11-15-18, 11-15-19, 28-21-07, and 28-21-18 of the North Dakota Century Code, relating to executions; and to repeal sections 28-21-19, 28-21-20, 28-21-21, 28-21-22, 28-21-23, and 28-21-24 of the North Dakota Century Code, relating to amercement of a sheriff or clerk of court.

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

HB 1074: A BILL for an Act to amend and reenact subsections 6 and 10 of section 15-39.1-04 and section 15-39.1-24 of the North Dakota Century Code, relating to definitions and purchase of additional credit under the teachers' fund for retirement; and to repeal section 15-39.1-09.1 of the North Dakota Century Code, relating to participation of nonpublic schoolteachers in the teachers' fund for retirement.

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

HB 1076: A BILL for an Act to amend and reenact subdivision a of subsection 4 of section 39-03.1-11 of the North Dakota Century Code, relating to retirement benefits under the highway patrolmen's retirement system; to repeal section 39-03.1-24 of the North Dakota Century Code, relating to military service under the highway patrolmen's retirement system; and to provide for application of this Act.

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

HB 1110: A BILL for an Act to amend and reenact sections 61-31-01, 61-31-02, 61-31-03, 61-31-04, 61-31-05, and 61-31-07 of the North Dakota Century Code, relating to the state waterbank program; and to repeal section 61-31-09 of the North Dakota Century Code, relating to notification of denied drainage permits.

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

HB 1127: A BILL for an Act to amend and reenact section 57-02-08.1 of the North Dakota Century Code, relating to the definition of a permanent and totally disabled person for property tax credit purposes.

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

HB 1130: A BILL for an Act to amend and reenact subdivision e of subsection 13 of section 38-14.1-24 to the North Dakota Century Code, relating to the distance from a permitted area within which an owner or resident of a structure may request a preblasting survey of such structure to be submitted to the public service commission.

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

HB 1200: A BILL for an Act to amend and reenact section 54-12-04.2 of the North Dakota Century Code, relating to child sexual abuse investigation and prosecution.

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

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 3004: A concurrent resolution directing the Legislative Council to study the North Dakota early childhood tracking system.

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

HCR 3005: A concurrent resolution directing the Legislative Council to study the provision of services to special needs children from a multiagency perspective.

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

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

CAROL SIEGERT, Secretary