

JOURNAL OF THE SENATE

Fifty-third Legislative Assembly

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Bismarck, February 5, 1993

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

The prayer was offered by Rev. Stephen Eastin, First Presbyterian Church, Mandan.

The roll was called and all members were present.

A quorum was declared by the President.

CORRECTION AND REVISION OF THE JOURNAL

MADAM PRESIDENT: Your Committee on Correction and Revision of the Journal (Sen. Yockim, 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 217, line 27, remove "Nelson"

Page 222, line 11, replace "Kelly" with "Keller"

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

CORRECTION AND REVISION OF THE JOURNAL

MADAM PRESIDENT: Your Committee on Correction and Revision of the Journal (Sen. Yockim, Chairman) has carefully examined the Journal of the Fourteenth Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 198, line 54, remove "Yockim" and "Mahoney,"

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

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

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2002, SB 2009, SB 2120, SB 2128, SB 2129, SB 2240, SB 2265, SB 2305, SB 2329, SB 2340, SB 2342, SB 2345, SB 2346, SB 2359, SB 2380, SB 2382, SB 2384, SB 2397, SB 2413, SB 2430, SB 2468, SB 2484, SB 2515, SB 2516, SCR 4001, SCR 4010, SCR 4012, SCR 4013, SCR 4015, SCR 4016, SCR 4018.

CONSIDERATION OF AMENDMENTS

SB 2003: SEN. ROBINSON (Appropriations Committee) MOVED that the amendments on SJ pages 344-349 be adopted with **DO PASS**.

REQUEST

SEN. MUTCH REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to SB 2003, which request was granted.

ROLL CALL

The question being on the motion to adopt the amendments to SB 2003, the roll was called and there were 31 YEAS, 18 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: DeMers; Dotzenrod; Evanson; Goetz; Graba; Heinrich; Holmberg; Jerome; Keller; Kelly; Kelsh; Krauter; Krebsbach; Lindaas; Lips; Marks; Mathern; Maxson; Mushik; Nalewaja; O'Connell; Redlin; Robinson;

Scherber; Schoenwald; Stenehjem, W.; Tallackson; Thane; Traynor; Wogsland; Yockim

NAYS: Andrist; Bowman; Freborg; Grindberg; Kinnoin; Langley; Lindgren; Mutch; Naaden; Nelson; Nething; Sand; Solberg; Stenehjem, B.; Streibel; Tennefos; Tomac; Urlacher

The motion to adopt the amendments to SB 2003 passed.

MOTION

SEN. WOGSLAND MOVED that the rules be suspended and that SB 2003, as amended, be deemed properly engrossed and placed on the Eleventh order, which motion prevailed.

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 1018, HB 1037, HB 1265, HB 1310, HB 1336, HB 1479, HB 1493.

SECOND READING OF HOUSE BILL

SB 2003: A BILL for an Act to provide an appropriation for defraying the expenses of the North Dakota university system and the various institutions of higher learning under the supervision of the state board of higher education; to authorize the industrial commission to issue and sell bonds for capital repair projects and special assessment costs; and to provide an exemption to the provisions of section 54-44.1-11.

MOTION

SEN. NELSON MOVED that SB 2003 be amended as follows:

In lieu of the amendments to Senate Bill No. 2003 as printed on pages 344 through 349 of the Senate Journal, Senate Bill No. 2003 is amended as follows:

Page 1, line 16, replace "1,888,017" with "1,836,518"

Page 1, line 21, replace "continency" with "contingency"

Page 2, line 11, replace "15,139,186" with "15,087,687"

Page 2, line 13, replace "10,189,766" with "10,138,267"

Page 2, line 16, replace "13,231,438" with "12,880,179"

Page 2, line 17, replace "3,292,443" with "3,274,959"

Page 2, line 18, replace "469,777" with "433,271"

Page 2, line 20, replace "17,311,012" with "16,905,763"

Page 2, line 22, replace "8,977,882" with "8,572,633"

Page 2, line 25, replace "3,638,716" with "3,539,602"

Page 2, line 26, replace "1,165,284" with "1,158,763"

Page 2, line 27, replace "134,660" with "122,631"

Page 2, line 29, replace "4,979,993" with "4,862,329"

Page 3, line 2, replace "2,940,337" with "2,822,673"

Page 3, line 5, replace "4,278,319" with "4,163,012"

Page 3, line 6, replace "1,191,215" with "1,185,321"

Page 3, line 7, replace "238,766" with "227,031"

Page 3, line 9, replace "5,859,180" with "5,726,244"

Page 3, line 11, replace "2,869,427" with "2,736,491"

Page 3, line 14, replace "94,014,883" with "91,362,028"

Page 3, line 15, replace "26,257,230" with "26,123,217"

Page 3, line 16, replace "2,154,002" with "2,054,002"

Page 3, line 19, replace "126,257,305" with "123,370,437"

Page 3, line 21, replace "77,143,242" with "74,256,374"

Page 3, line 24, replace "74,689,924" with "72,554,833"

Page 3, line 25, replace "21,930,657" with "21,691,055"

Page 3, line 28, replace "100,029,763" with "97,655,070"

Page 4, line 1, replace "60,787,724" with "58,413,031"

Page 4, line 4, replace "19,354,243" with "18,733,915"

Page 4, line 5, replace "5,382,175" with "5,355,464"

Page 4, line 8, replace "26,170,257" with "25,523,218"

Page 4, line 10, replace "19,154,619" with "18,507,580"

Page 4, line 13, replace "11,598,211" with "11,297,765"

Page 4, line 14, replace "3,230,481" with "3,171,605"

Page 4, line 17, replace "15,352,378" with "14,993,056"

Page 4, line 19, replace "9,753,265" with "9,393,943"

Page 4, line 22, replace "7,030,042" with "6,841,445"

Page 4, line 23, replace "1,879,836" with "1,865,809"

Page 4, line 24, replace "100,000" with "83,344"

Page 4, line 25, replace "80,000" with "70,000"

Page 4, line 26, replace "9,089,878" with "8,860,598"

Page 4, line 28, replace "6,467,419" with "6,238,139"

Page 5, line 2, replace "25,869,160" with "25,155,944"

Page 5, line 3, replace "4,892,095" with "4,805,237"

Page 5, line 6, replace "32,101,305" with "31,301,231"

Page 5, line 8, replace "18,324,738" with "17,524,664"

Page 5, line 11, replace "9,168,836" with "8,920,160"

Page 5, line 12, replace "2,244,152" with "2,227,364"

Page 5, line 13, replace "212,308" with "197,502"

Page 5, line 14, replace "250,000" with "230,000"

Page 5, line 16, replace "12,125,296" with "11,825,026"

Page 5, line 18, replace "8,658,756" with "8,358,486"

Page 5, line 21, replace "3,312,982" with "3,209,146"

Page 5, line 22, replace "904,357" with "898,374"

Page 5, line 25, replace "4,385,669" with "4,275,850"

Page 5, line 27, replace "3,005,353" with "2,895,534"

Page 6, line 1, replace "1,542,316" with "1,505,020"

Page 6, line 2, replace "368,733" with "367,148"

Page 6, line 3, replace "40,900" with "36,976"

Page 6, line 5, replace "1,983,010" with "1,940,205"

Page 6, line 7, replace "1,319,970" with "1,277,165"

Page 6, line 10, replace "44,007,591" with "42,968,976"

Page 6, line 11, replace "15,973,972" with "15,866,050"

Page 6, line 13, replace "61,729,450" with "60,582,913"

Page 6, line 14, replace "36,109,001" with "35,685,093"

Page 6, line 15, replace "25,620,449" with "24,897,820"

Page 6, line 18, replace "17,334,055" with "16,938,622"

Page 6, line 21, replace "25,945,983" with "25,550,550"

Page 6, line 22, replace "255,212,947" with "246,032,800"

Page 6, line 23, replace "203,246,718" with "202,427,377"

Page 6, line 24, replace "458,459,665" with "448,460,177"

Page 7, line 24, replace "32" with "3" and replace "1989" with "1991"

Page 7, line 27, replace "1995" with "1993" and replace "1997" with "1995"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 215 - NORTH DAKOTA UNIVERSITY SYSTEM

SENATE - This amendment reflects the changes as detailed on the following schedule to implement Governor Schafer's recommended appropriations for higher education.

PROPOSED GENERAL FUND CHANGES TO SENATE BILL NO. 2083

	1993-95 SINIER EXECUTIVE BUDGET	SALARIES AND WAGES ADJUST TO 2%/0%	HEALTH INSURANCE ADJUSTMENTS	REDUCE OPERATING FUNDS, INCLUDING ODM AND TRAINING	REDUCE EQUIPMENT	OTHER SALARY ADJUSTMENTS	OTHER CAPITAL IMPROVEMENT REDUCTIONS	TOTAL NET GENERAL FUND CHANGES	SENATE RECOMMENDATION
North Dakota University System	\$ 10,189,766	\$ (44,587)	\$ (6,912)					\$ (51,499)	\$ 10,138,267
Bismarck State College	8,977,882	(294,427)	(56,832)	\$ (17,484)	\$ (36,506)			(405,249)	8,572,633
UND-Lake Region	2,940,337	(80,682)	(18,432)	(6,521)	(12,029)			(117,664)	2,822,673
UND-Williston	2,869,427	(95,339)	(19,968)	(5,894)	(11,735)			(132,936)	2,736,491
University of North Dakota	77,143,242	(2,081,920)	(362,112)	(134,013)	(100,000)	\$(208,823) ¹		(2,886,868)	74,256,374
North Dakota State University	60,787,724	(1,680,577)	(342,528)	(239,602)		(111,986) ¹		(2,374,693)	58,413,831
State College of Science	19,154,619	(440,230)	(101,376)	(26,711)		(78,722) ²		(647,039)	18,507,580
Dickinson State University	9,753,265	(249,374)	(51,072)	(58,876)				(359,322)	9,393,943
Mayville State University	6,467,419	(153,653)	(34,944)	(14,027)	(16,656)		\$(10,000)	(229,280)	6,238,139
Minot State University	10,324,738	(569,993)	(117,504)	(86,858)		(25,719) ²		(800,074)	17,524,664
Valley City State University	8,658,756	(203,748)	(44,928)	(16,788)	(14,806)		(20,000)	(300,270)	8,358,486
NDSU-Bottineau	3,005,353	(72,544)	(19,200)	(5,983)		(12,092) ¹		(109,819)	2,895,534
Forest Service	1,319,970	(28,848)	(8,448)	(1,585)	(3,924)			(42,805)	1,277,165
UND Medical Center	<u>25,620,449</u>	<u>(514,483)</u>	<u>(100,224)</u>	<u>(107,922)</u>				<u>(722,629)</u>	<u>24,897,820</u>
Total	\$255,212,947	\$(6,510,405) ³	\$(1,284,480) ³	\$(722,264)	\$(195,656)	\$(437,342)	\$(30,000)	\$(9,180,147) ³	\$246,032,800

¹ Reduction to physical plant salaries.

² Reduction to support salaries.

³ In addition, special funds appropriations are reduced by a total of \$825,341 for the salary and health insurance adjustments, consisting of \$395,433 for the Rehabilitation Hospital and \$429,908 at the UND Medical Center.

REQUEST

SEN. MUTCH REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to SB 2003, which request was granted.

ROLL CALL

The question being on the motion to adopt the proposed amendments to SB 2003, the roll was called and there were 17 YEAS, 32 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; Freborg; Kinnoin; Langley; Lindgren; Mutch; Naaden; Nalewaja; Nelson; Nething; Sand; Solberg; Stenehjem, B.; Streibel; Tennefos; Urlacher

NAYS: DeMers; Dotzenrod; Evanson; Goetz; Graba; Grindberg; Heinrich; Holmberg; Jerome; Keller; Kelly; Kelsh; Krauter; Krebsbach; Lindaas; Lips; Marks; Mathern; Maxson; Mushik; O'Connell; Redlin; Robinson; Scherber; Schoenwald; Stenehjem, W.; Tallackson; Thane; Tomac; Traynor; Wogsland; Yockim

The proposed amendments to SB 2003 failed.

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 33 YEAS, 16 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: DeMers; Dotzenrod; Evanson; Goetz; Graba; Grindberg; Heinrich; Holmberg; Jerome; Keller; Kelly; Kelsh; Krebsbach; Lindaas; Lindgren; Lips; Marks; Mathern; Maxson; Mushik; Naaden; Nalewaja; O'Connell; Redlin; Robinson; Scherber; Schoenwald; Stenehjem, W.; Tallackson; Thane; Traynor; Wogsland; Yockim

NAYS: Andrist; Bowman; Freborg; Kinnoin; Krauter; Langley; Mutch; Nelson; Nething; Sand; Solberg; Stenehjem, B.; Streibel; Tennefos; Tomac; Urlacher

SB 2003 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2005: SEN. NAA DEN (Appropriations Committee) MOVED that the amendments on SJ pages 349-355 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

MOTION

SEN. NAA DEN MOVED that the rules be suspended and that SB 2005 be deemed properly engrossed and be placed on the Eleventh order, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2005: A BILL for an Act making an appropriation for defraying the expenses of the North Dakota state university extension service, the northern crops institute, and the North Dakota agricultural experiment station; and to provide a statement of legislative intent.

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

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

Robinson; Scherber; Schoenwald; Solberg; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Thane; Tomac; Traynor; Urlacher; Wogsland; Yockim

NAYS: Andrist; Sand; Tennefos

SB 2005 passed and the title was agreed to.

MOTION

SEN. MATHERN MOVED that SB 2063, SB 2216, and SB 2408 be moved to the top of the Sixth order, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2063: SEN. SCHERBER (Government and Veterans Affairs Committee) MOVED that the amendments on SJ pages 356-357 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2216: SEN. SCHERBER (Education Committee) MOVED that the amendments on SJ pages 362-363 be adopted and then be placed on the Eleventh order with DO PASS.

MOTION

SEN. SCHERBER MOVED that SB 2216 be amended as follows, which motion prevailed.

In lieu of the amendments printed on pages 362-363 of the Senate Journal, Senate Bill No. 2216 is amended as follows:

Page 1, line 2, after "reenact" insert "section 1 of chapter 181 of the 1991 Session Laws of North Dakota, section 10 of chapter 2 and"

Page 1, line 3, remove ", 5, 6,"

Page 1, line 10, remove "or referred to"

Page 1, line 11, replace "clearly indicates" with "requires"

Page 1, remove lines 16 through 19

Page 1, line 20, replace "3." with "2." and replace "Private" with "Nonpublic"

Page 2, after line 2, insert:

"3. "Parent" includes a legal guardian."

Page 2, line 10, after the period insert "A parent who provides home-based instruction may only invoke the home-based instruction exception to compulsory attendance."

Page 2, line 16, overstrike "private or parochial" and insert immediately thereafter "nonpublic" and overstrike "passed" and insert immediately thereafter "met or exceeded the cut-off score of"

Page 3, line 20, remove "5 of chapter 198 of the 1989 Session"

Page 3, line 21, remove "Laws of North Dakota, as amended and reenacted by section"

Page 3, line 22, remove the comma

Page 4, line 1, overstrike "private or parochial" and insert immediately thereafter "nonpublic"

Page 4, line 7, overstrike "private or parochial" and insert immediately thereafter "nonpublic"

Page 4, line 8, after "standardized" insert "academic"

Page 4, line 14, overstrike "private or parochial" and insert immediately thereafter "nonpublic"

Page 6, replace lines 19 through 29 with:

"SECTION 4. AMENDMENT. Section 10 of chapter 2 of the 1989 Session Laws of North Dakota is amended and reenacted as follows:

State aid. For purposes of allocating foundation aid and other state assistance to local school districts, a student receiving home-based instruction is deemed enrolled in the school district in which the student resides if the student is ~~supervised~~ monitored by a certificated teacher employed by the public school district in which the parent resides. A school district is entitled to one-half of the per-pupil payment provided in section 15-40.1-06 times the appropriate factor in section 15-40.1-07 or 15-40.1-08 for each such student. When a student is supervised through home-based instruction and is enrolled in classes in the public school, proportionate payments must be made as provided in sections 15-40.1-07 and 15-40.1-08. The total amount may not exceed the equivalent of one full foundation aid payment."

Page 7, remove lines 1 and 2

Page 7, line 5, overstrike "private or"

Page 7, line 6, overstrike "parochial" and insert immediately thereafter "nonpublic" and overstrike "private"

Page 7, line 7, overstrike "or parochial" and insert immediately thereafter "nonpublic"

Page 7, line 13, overstrike "private or parochial" and insert immediately thereafter "nonpublic"

Renumber accordingly

CONSIDERATION OF AMENDMENTS

SB 2408: SEN. NALEWAJA (Human Services Committee) MOVED that the amendments on SJ pages 366-367 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

MOTION

SEN. MATHERN MOVED that SB 2216 be rereferred to the Appropriations Committee, which motion prevailed. Pursuant to Sen. Mathern's motion, SB 2216 was rereferred.

MOTION

SEN. MATHERN MOVED that HB 1103 be returned to the Senate floor from the Agriculture Committee and be rereferred to the Finance and Taxation Committee, which motion prevailed. Pursuant to Sen. Mathern's motion, HB 1103 was rereferred.

FIRST READING OF SENATE CONCURRENT RESOLUTION

Sen. Grindberg and Reps. Austin, Poolman introduced:

SCR 4026: A concurrent resolution declaring Friday, February 26, 1993, as Higher Education Day.

Was read the first time.

MOTION

SEN. GRINDBERG MOVED that the rules be suspended, that SCR 4026 not be printed, not be referred to committee, but be read in its entirety, be printed in the Journal and placed on the calendar for second reading and final passage, which motion prevailed.

Sen. Grindberg and Reps. Austin, Poolman introduced:

SENATE CONCURRENT RESOLUTION NO. 4026

A concurrent resolution declaring Friday, February 26, 1993, as Higher Education Day.

WHEREAS, the state of North Dakota has a strong tradition of supporting its institutions of higher education and of recognizing the students who attend those institutions; and

WHEREAS, students attending these institutions of higher education are visiting the Legislative Assembly to express their concerns about the future of higher education in this state; and

WHEREAS, the Legislative Assembly acknowledges the need to preserve the quality of higher education the state has enjoyed in the past; and

WHEREAS, the Legislative Assembly acknowledges the students at the institutions of higher education who would like to express their appreciation to the members of the Legislative Assembly for their hard work and their attention to the status of higher education in this state;

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

That the Fifty-third Legislative Assembly declares Friday, February 26, 1993, to be North Dakota Higher Education Day.

SECOND READING OF SENATE RESOLUTION

SCR 4026: A concurrent resolution declaring Friday, February 26, 1993, as Higher Education Day.

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

SCR 4026 was declared adopted on a voice vote.

MOTION

SEN. GRINDBERG MOVED that the rules be suspended and that SCR 4026 be messaged to the House immediately, which motion prevailed.

MOTION

SEN. SCHOENWALD MOVED that SB 2480 be returned to the Senate floor from the Transportation Committee for the purpose of withdrawal, which motion prevailed.

REQUEST

SEN. URLACHER REQUESTED the unanimous consent of the Senate to withdraw SB 2480. There being no objection, it was so ordered by the President.

MOTION

SEN. MATHERN MOVED that SB 2038, which is on the Eleventh order, be rereferred to the Appropriations Committee, which motion prevailed. Pursuant to Sen. Mathern's motion, SB 2038 was rereferred.

MOTION

SEN. MATHERN MOVED that SB 2527, which is on the Eleventh order, be

referred to the Appropriations Committee, which motion prevailed. Pursuant to Sen. Mathern's motion, SB 2527 was rereferred.

MOTION

SEN. MATHERN MOVED that the Senate be on the Fifth, Ninth, Thirteenth, and Sixteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 1:00 p.m., Monday, February 8, 1993, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2039: Industry, Business and Labor Committee (Sen. Langley, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO NOT PASS (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2039 was placed on the Sixth order on the calendar.

Page 2, line 13, replace "and are billed in the name of the group and amounts" with "or within the same building"

Page 2, line 14, remove "so received are treated as receipts of the group"

Page 4, after line 26, insert:

"11. "Similar association" includes an association of several sole practitioners, not organized into a group practice, who furnish services within the same building and refer laboratory and diagnostic imaging services to a separate entity within the same building if the entity and building are wholly owned by the physicians with investor distributions made directly proportional to the amount of capital investment and not related to the volume of referrals."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2213: Industry, Business and Labor Committee (Sen. Langley, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2213 was placed on the Sixth order on the calendar.

Page 3, line 2, after the underscored period insert "The term includes the initial application of a drug for the purpose of teaching utilization of a drug and excludes the regular ongoing delivery to the patient in a health care setting and parental administration of a drug."

Page 8, line 8, replace "right" with "rights"

Page 17, line 23, overstrike "Physicians' prescriptions" and insert immediately thereafter "Prescriptions"

Page 17, line 25, overstrike "physician's"

Page 18, line 3, overstrike "new"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2245: Agriculture Committee (Sen. Kelsh, Chairman) recommends DO PASS and BE REREFERRED to the Appropriations Committee (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2245 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2251: Political Subdivisions Committee (Sen. Graba, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS,

0 NAYS, 0 ABSENT AND NOT VOTING). SB 2251 was placed on the Sixth order on the calendar.

Page 1, line 11, after "54-52.1-03.1" insert "and is not eligible for any other employee group health plan"

ReNUMBER accordingly

REPORT OF STANDING COMMITTEE

SB 2269: Agriculture Committee (Sen. Kelsh, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (5 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). SB 2269 was placed on the Sixth order on the calendar.

Page 2, line 6, replace "other" with "exotic animal"

Page 2, line 22, remove "The governor also may receive"

Page 2, remove lines 23 and 24

Page 2, line 25, remove "knowledge of exotic animal breeds."

Page 2, line 26, after the period insert "The governor also may receive applications for appointment as the member interested in exotic animals, but each applicant shall identify three references and must demonstrate a knowledge of exotic animal breeds."

ReNUMBER accordingly

REPORT OF STANDING COMMITTEE

SB 2291: Transportation Committee (Sen. Schoenwald, Chairman) recommends DO NOT PASS (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2291 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2295: Human Services Committee (Sen. Mathern, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS and BE REREFERRED to the Appropriations Committee (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2295 was placed on the Sixth order on the calendar.

Page 2, line 5, after the period insert "The attorney general or a representative designated by the attorney general shall participate in the discussion or negotiation between health care facilities attempting to form a cooperative agreement. The attorney general may impose requirements on health care facilities as a condition of approval of an agreement. Any requirement imposed by the attorney general must be included as part of a cooperative agreement approved under this Act.", replace the second "or" with a comma, and after "trustees" insert ", or their representatives"

Page 2, line 10, replace "Department" with "Attorney general"

Page 2, line 11, after the period insert "1."

Page 2, line 18, replace "department" with "attorney general"

Page 3, after line 3, insert:

"2. In accordance with its authority under chapter 28-32 to conduct investigatory proceedings and issue subpoenas, the attorney general may conduct investigations and issue subpoenas to investigate whether a cooperative agreement satisfies the standards set forth in section 4 of this Act.

3. Within the number of full-time equivalent positions authorized the attorney general, the attorney general shall employ personnel with the qualifications needed to administer this Act."

Page 3, line 5, replace "shall" with "may"

Page 3, line 24, replace "improve" with "be more cost effective"

Page 4, line 5, after "providers" insert "to provide quality health care in an efficient and effective manner"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2296: Natural Resources Committee (Sen. Keller, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (4 YEARS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2296 was placed on the Sixth order on the calendar.

Page 1, line 11, replace "ten" with "seven"

Page 2, line 16, replace "ten" with "seven"

Page 2, line 23, replace "twenty-five" with "ten"

Page 2, line 26, replace "ten" with "seven"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2304: Finance and Taxation Committee (Sen. Dotzenrod, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (3 YEARS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2304 was placed on the Sixth order on the calendar.

Page 2, line 1, remove "on"

Page 2, line 2, remove "railroad property"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2325: Political Subdivisions Committee (Sen. Graba, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (4 YEARS, 3 NAYS, 0 ABSENT AND NOT VOTING). SB 2325 was placed on the Sixth order on the calendar.

Page 3, line 27, replace "1994" with "1996"

Page 9, line 4, replace ", 3, and" with "through"

Page 9, line 5, remove "section 2 of this Act becomes effective on"

Page 9, line 6, remove "January 1, 1994,"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2334: Agriculture Committee (Sen. Keish, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (6 YEARS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2334 was placed on the Sixth order on the calendar.

Page 1, line 13, remove "seed company" and after "agent" insert "of a seed company"

Page 2, line 8, remove "seed company" and after "agent" insert "of a seed company"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2375: Political Subdivisions Committee (Sen. Graba, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2375 was placed on the Sixth order on the calendar.

Page 1, line 2, after "deeds" insert "; and to declare an emergency"

Page 1, line 10, replace "August" with "July"

Page 1, after line 13, insert:

"SECTION 2. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2378: Human Services Committee (Sen. Mathern, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS and BE REREFERRED to the Appropriations Committee (5 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). SB 2378 was placed on the Sixth order on the calendar.

Page 1, line 5, after "rehabilitation" insert "; and to provide an appropriation"

Page 1, line 11, replace "or a" with "in" and replace "chapter 12.1-16 or resulting from operation" with "title 12.1 or chapters 39-04 through 39-29"

Page 1, remove lines 12 through 14

Page 1, line 15, remove "39-21-45.1, or 39-21-46"

Page 2, line 4, after the first "the" insert "county treasurer. The county treasurer shall pay, by the fifteenth of each month, all money received from the clerk of court under this section to the"

Page 2, line 18, after "for" insert "community corrections"

Page 3, after line 3, insert:

"SECTION 3. APPROPRIATION. There is hereby appropriated out of any moneys in the community corrections development account in the state treasury, not otherwise appropriated, the sum of \$913,000, or so much of the sum as may be necessary, to the department of corrections and rehabilitation for the purpose of implementing this Act for the biennium beginning July 1, 1993, and ending June 30, 1995.

Salaries and wages	\$ 78,000
Operating expenses	58,950
Grants	<u>776,050</u>
Total special fund appropriation	\$913,000"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2395: Agriculture Committee (Sen. Kelsh, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION (3 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). SB 2395 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the Bill with "for an Act to amend and reenact sections 4-10.2-08, 4-10.3-08, subsection 1 of section 4-10.4-08, sections 4-10.5-07, and 4-28-07 of the North Dakota Century Code, relating to the percentages of agricultural commodity assessments.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 4-10.2-08 of the 1991 Supplement to the North Dakota Century Code is amended and reenacted as follows:

4-10.2-08. Assessments levied. An assessment at the rate of ~~two cents~~ one quarter of one percent of the price per hundredweight [45.36 kilograms] must be levied and imposed upon all sunflower, grown in this state or sold to a first purchaser, an assessment at the rate of one-fifth of one percent of the price per hundredweight [45.36 kilograms] must be levied and imposed upon all safflower, rapeseed or canola, and crambe grown in the state or sold to a first purchaser, and an assessment at the rate of ~~two cents~~ one-half of one percent of the price per bushel [35.24 liters] must be levied and imposed upon all flax grown in the state or sold to a first purchaser. This assessment is due upon any identifiable lot or quantity of sunflower, safflower, rapeseed or canola, crambe, or flax.

A first purchaser of sunflower, safflower, rapeseed or canola, crambe, or flax shall file an application with the council on forms prescribed and furnished by the council which must contain the name under which the first purchaser is transacting business within the state, the place or places of business, the location of loading and shipping places of agents of the first purchaser, the names and addresses of the several persons constituting the firm partnership, and if a corporation, the corporate name and the names and addresses of its principal officers and agents within the state. The council shall issue a certificate to the first purchaser. A first purchaser may not sell, process, or ship any sunflower, safflower, rapeseed or canola, crambe, or flax until it has secured a certificate as required by this section.

The first purchaser of sunflower, safflower, rapeseed or canola, crambe, or flax shall collect the assessment imposed by this section by charging and collecting from the seller the assessment at the rate specified in this section by deducting the assessment from the purchase price of all sunflower, safflower, rapeseed or canola, crambe, or flax subject to the assessment and purchased by the first purchaser.

Every first purchaser shall keep as a part of its permanent records a record of all purchases, sales, and shipments of raw sunflower, safflower, rapeseed or canola, crambe, or flax, which may be examined by the council at all reasonable times. Every first purchaser shall report to the council stating the quantity of sunflower, safflower, rapeseed or canola, crambe, or flax received, sold, or shipped by it. The report must be made at the times and in the manner prescribed by the council. The remittance of the assessment as provided in this section must accompany the report. All moneys levied and collected under this chapter must be paid to the council for deposit in the state treasury to the credit of an account or accounts designated "oilseed fund" to be used exclusively to carry out the intent and purposes of this chapter. Assessments collected from each crop must be used, for the purposes of this chapter, on each respective

crop. However, for flax, emphasis should be given to utilize the assessment, except for that portion of the assessment necessary to administer the flax assessment, for nutritional and therapeutic research. Regular audits of the council's accounts must be conducted in accordance with chapter 54-10 and submitted to the commissioner.

SECTION 2. AMENDMENT. Section 4-10.3-08 of the 1991 Supplement to the North Dakota Century Code is amended and reenacted as follows:

4-10.3-08. Tax levies - Collection - Reports. ~~Effective July 1, 1977, an An~~ assessment at the rate of ~~five cents~~ one-third of one percent of the price per hundredweight [45.36 kilograms] must be levied and imposed upon all edible beans grown in the state or sold to a designated handler. This assessment is due upon any identifiable lot or quantity of edible beans.

A designated handler of edible beans shall file an application with the council on forms prescribed and furnished by the council which must contain the name under which the handler is transacting business within the state, the place or places of business, the location of loading and shipping places of agents of the first designated handler, the names and addresses of the several persons constituting the firm partnership, and if a corporation, the corporate name and the names and addresses of its principal officers and agents within the state. The council shall issue a certificate to the designated handler. A designated handler may not sell, process, or ship any edible beans until it has furnished a certificate as required by this section.

The first designated handler in North Dakota of edible beans shall collect the assessment imposed by this section by ~~charging and collecting from the seller the assessment at the rate of five cents per hundredweight [45.36 kilograms]~~ by deducting the assessment from the purchase price of all edible beans subject to the assessment and purchased by the designated handler.

Every designated handler shall keep as a part of its permanent records a record of all purchases, sales, and shipments of raw edible beans, which may be examined by the council at all reasonable times. Every designated handler shall report to the council stating the quantity in individual and total amounts of edible beans received, sold, or shipped by it. The report must state from whom each individual amount was received. The report must be made at the times and in the manner prescribed by the council. The remittance of the assessment as provided in this section must accompany the report. All moneys levied and collected under this chapter must be paid to the council for deposit in the state treasury to the credit of an account or accounts designated "edible bean fund" to be used exclusively to carry out the intent and purposes of this chapter. Regular audits of the council's accounts must be conducted in accordance with chapter 54-10 and submitted to the commissioner of agriculture.

SECTION 3. AMENDMENT. Subsection 1 of section 4-10.4-08 of the North Dakota Century Code is amended and reenacted as follows:

1. ~~Effective July 1, 1983, a A~~ tax at the rate of ~~five mills~~ one-third of one percent of the price per bushel [35.24 liters] must be levied and imposed upon all barley grown in the state and sold to a first purchaser. This tax is due upon any identifiable lot or quantity of barley.

SECTION 4. AMENDMENT. Section 4-10.5-07 of the North Dakota Century Code is amended and reenacted as follows:

4-10.5-07. Tax levies - Collection - Reports. ~~Effective July 1, 1985, an An~~ assessment at the rate of ~~two cents~~ one-half of one

percent of the price per bushel [35.24 liters] must be levied and imposed upon all soybeans grown in the state or sold to a designated handler. This assessment is due upon any identifiable lot or quantity of soybeans.

A designated handler of soybeans shall file an application with the council on forms prescribed and furnished by the council. The forms must contain the name under which the designated handler is transacting business within the state, the designated handlers places of business, the location of loading and shipping places of agents of the designated handler, the names and addresses of the several persons constituting the firm partnership, and if a corporation, the corporate name and the names and addresses of its principal officers and agents within the state. The council shall issue a certificate to the designated handler. A designated handler may not sell, process, or ship any soybeans until it has furnished a certificate as required by this section.

Every designated handler of soybeans shall collect the assessment imposed by this section by ~~charging and collecting from the seller the assessment at the rate of two cents per bushel [35.24 liters] by deducting the assessment from the purchase price of all soybeans subject to the assessment and purchased by the designated handler.~~

Every designated handler shall keep as a part of its permanent records a record of all purchases, sales, and shipments of soybeans, which may be examined by the council at all reasonable times. Every designated handler shall report to the council, in a manner and at a time prescribed by the council, stating the quantity in individual and total amounts of soybeans received, sold, or shipped by it. The report must state from whom each individual amount was received. The remittance of the assessment as provided in this section must accompany the report. All moneys levied and collected under this chapter must be paid within thirty days of the end of each quarterly period to the council for deposit in the state treasury to the credit of an account designated "soybean fund" to be used exclusively to carry out this chapter. Quarterly periods end on March thirty-first, June thirtieth, September thirtieth, and December thirty-first of each year. Regular audits of the councils accounts must be conducted in accordance with chapter 54-10 and submitted to the commissioner.

SECTION 5. AMENDMENT. Section 4-28-07 of the North Dakota Century Code is amended and reenacted as follows:

4-28-07. Wheat tax levy. ~~There~~ A tax of one-sixth of one percent of the price per bushel [35.24 liters] is hereby levied and imposed, effective July 1, 1983, ~~a tax of five mills per bushel [35.24 liters] by weight~~ upon all wheat grown in this state and sold through commercial channels by a producer to a first purchaser, ~~such.~~ The tax ~~to~~ must be levied and assessed at the time of sale and deducted by the purchaser from the price paid, or in the case of a lien, pledge, or mortgage, deducted from the proceeds of the loan or claim secured, subject to adjustment at the time of settlement ~~in the event if~~ the number of bushels ~~liters~~ are ~~is~~ not accurately determined at the time of the lien, pledge, or mortgage. At the time of sale, the purchaser shall issue and deliver to the producer a record of the transaction in such manner as the commission may prescribe.

Any producer subject to the deduction provided in this chapter may, within sixty days following ~~such~~ the deduction or final settlement, make application by personal letter to the wheat commission for a refund application blank. Upon the return of ~~said~~ the blank, properly executed by the producer, accompanied by a record of the deduction by the purchaser, the producer must be refunded the net amount of the deduction collected. If no request for refund has been

made within the period prescribed above, then the producer is presumed to have agreed to ~~such~~ the deduction. However, a producer, for any reason, having paid the tax more than once on the same wheat, upon furnishing proof of this to the commission, is entitled to a refund of the overpayment.

The commission, to inform the producer, shall develop and disseminate information and instructions relating to the purpose of the wheat tax and manner in which refunds may be claimed, and to this extent shall cooperate with governmental agencies, state and federal, and private businesses engaged in the purchase of wheat."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2422: Agriculture Committee (Sen. Kelsh, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (4 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). SB 2422 was placed on the Sixth order on the calendar.

Page 1, line 1, after "34-07-15.1" insert "and a new section to chapter 34-07"

Page 1, line 2, replace "limitation" with "limitations"

Page 1, line 3, after "work" insert "and exemptions to the limitations"

Page 1, line 20, remove "farm labor,"

Page 1, line 21, replace "or" with an underscored comma and after "guardian" insert ", or a grandparent"

Page 2, line 12, replace "and" with "or"

Page 2, line 20, overstrike "under the"

Page 2, line 21, overstrike the first "of" and after "~~sixteen~~" insert "fourteen through"

Page 3, line 1, overstrike "under the", overstrike "of", and after "~~sixteen~~" insert "fourteen through"

Page 4, line 7, replace "seventeen" with "eighteen"

Page 7, line 25, overstrike "under sixteen" and insert immediately thereafter "fourteen or fifteen"

Page 7, line 26, overstrike "under the age of sixteen" and insert immediately thereafter "fourteen or fifteen" and after "years" insert "of age"

Page 8, line 3, replace "thirty" with "forty", remove the overstrike over "~~eight~~", and remove "six"

Page 8, line 4, after the period insert "A school week is considered to be any week from 6:00 p.m. Sunday through 4:00 p.m. any period of time, for four or more days."

Page 8, line 20, replace "twenty" with "twenty-five"

Page 9, line 13, after "kind" insert ", except cleaning and sweeping, errand running, and moving, stacking, or loading or unloading materials by hand"

Page 11, after line 26, insert:

"SECTION 14. A new section to chapter 34-07 of the North Dakota Century Code is created and enacted as follows:

Newspaper and shopper carrier exemption. This chapter does not apply to newspaper or shopper carriers engaged in making deliveries to subscribers' homes or to other newspaper or shopper carriers engaged in the street sale or delivery of newspapers or shoppers to the consumer. However, this exemption does not apply to minors engaged in hauling newspapers or shoppers to drop stations, distributing centers, newsstands, newsracks, vending machines, or similar locations or items."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2428: Natural Resources Committee (Sen. Keller, Chairman) recommends DO PASS (3 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). SB 2428 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2444: Human Services Committee (Sen. Mathern, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2444 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "three" with "a" and replace "subsections" with "subsection"

Page 2, line 7, remove "prescriptive practices, under the supervision of a"

Page 2, remove lines 8 through 10

Page 2, line 11, remove "through its rules to perform such acts;"

Page 2, line 15, replace "Three" with "A" and replace "subsections" with "subsection"

Page 2, line 16, replace "are" with "is"

Page 2, line 25, replace the underscored period with an underscored semicolon

Page 3, remove lines 8 through 15

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2462: Industry, Business and Labor Committee (Sen. Langley, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION (5 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). SB 2462 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "and"

Page 1, line 4, after "insurance" insert "; and to provide an effective date"

Page 2, after line 6, insert:

"SECTION 3. EFFECTIVE DATE. This Act becomes effective on August 1, 1995."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2464: Agriculture Committee (Sen. Kelsh, Chairman) recommends DO PASS

(6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2464 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2467: Agriculture Committee (Sen. Kelsh, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2467 was placed on the Sixth order on the calendar.

Page 1, line 11, overstrike "a" and insert immediately thereafter "the official county"

Page 1, line 12, overstrike "general circulation in"

Reumber accordingly

REPORT OF STANDING COMMITTEE

SB 2476: Natural Resources Committee (Sen. Keller, Chairman) recommends DO PASS (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2476 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2485: Transportation Committee (Sen. Schoenwald, Chairman) recommends DO NOT PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2485 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2493: Transportation Committee (Sen. Schoenwald, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2493 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4024: Transportation Committee (Sen. Schoenwald, Chairman) recommends DO NOT PASS (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SCR 4024 was placed on the Eleventh order on the calendar.

FIRST READING OF SENATE CONCURRENT RESOLUTION

Sen. Mathern and Rep. Svedjan introduced:

SCR 4042: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of allowing all North Dakota residents to participate in the uniform group insurance program.

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

FIRST READING OF HOUSE BILLS

HB 1018: A BILL for an Act to provide an appropriation for defraying the expenses of various state retirement and investment agencies.

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

HB 1037: A BILL for an Act to require fire, allied lines, and multiple peril insurance applications to include a statement of the fire protection district in which the insured property is located; to provide a penalty; and to provide an appropriation.

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

HB 1156: A BILL for an Act to create and enact section 15-47-00.1 of the North Dakota Century Code, relating to the definition of vocational education; and to amend and reenact sections 4-37-03, 14-06.1-07, 15-20.1-01, 15-20.1-02, 15-20.1-05, subsection 5 of section 15-20.2-01, section 15-20.2-10, subsections 4 and 8 of section 15-20.4-01, sections 15-40.1-16.1, 15-41-05, 15-41-24, 27-21-09, 52-02-02.1, subsection 2 of section 52-08.1-04, subsection 12 of section 54-10-14, section 54-56-01, subdivision m of subsection 1 of section 57-38-01.2, and subsection 2 of section 57-38-67 of the North Dakota Century Code, relating to the changing of "state board of vocational education" to "state board for vocational and technical education", and changing

"director of vocational education" to "director of vocational and technical education", and changing "vocational education centers" to "area vocational and technology centers"; and to repeal section 15-20.1-09 of the North Dakota Century Code, relating to vocational school districts.

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

HB 1235: A BILL for an Act to amend and reenact section 15-47-15 of the North Dakota Century Code, relating to the acceptance of bids for school contracts.

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

HB 1243: 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 bowhunter education requirements; to provide a penalty; to provide an effective date; to provide an expiration date; and to declare an emergency.

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

HB 1265: A BILL for an Act to amend and reenact section 65-05-09.2 of the North Dakota Century Code, relating to offsetting social security retirement benefits against workers' compensation disability benefits.

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

HB 1288: A BILL for an Act to amend and reenact section 63-05-02 of the North Dakota Century Code, relating to the cutting of weeds and grasses along county and township highways.

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

HB 1310: A BILL for an Act to create and enact a new paragraph to subdivision b of subsection 14 of section 65-01-02 of the North Dakota Century Code, relating to exclusion of newspaper definition of employee for purposes of workers' compensation coverage.

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

HB 1336: A BILL for an Act to amend and reenact subdivision a of subsection 1 of section 28-32-01, sections 54-21.2-03, and 54-21.2-04 of the North Dakota Century Code, relating to exclusions from the definition of administrative agency and the state energy code for new building construction.

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

HB 1358: A BILL for an Act to amend and reenact section 48-05-11 of the North Dakota Century Code, relating to guaranteed energy savings contracts.

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

HB 1390: A BILL for an Act to create and enact a new section to chapter 39-12 of the North Dakota Century Code, relating to a shipper's liability for an overweight motor vehicle.

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

HB 1479: A BILL for an Act to prohibit the possession or distribution of certain photographs and other visual representations; and to provide a penalty.

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

HB 1493: A BILL for an Act to create and enact a new subsection to section 10-04-05 and a new subsection to section 10-04-06 of the North Dakota Century Code, relating to securities issued by the North Dakota education association dues credit trust and to transactions in securities issued by the North Dakota education association dues credit trust.

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

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

CAROL SIEGERT, Secretary