

JOURNAL OF THE SENATE

Fifty-fourth Legislative Assembly

* * * * *

Bismarck, January 20, 1995

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

The prayer was offered by Pastor Richard Owens, Trinity Lutheran Church, Bismarck.

The roll was called and all members were present except Senators Holmberg, Lindaas, and Nething.

A quorum was declared by the President.

POINT OF PERSONAL PRIVILEGE

SEN. G. NELSON: Madam President: I rise on a point of personal privilege and request that my remarks be printed in the Journal.

Madam President and Members of the Senate: We all know that we were born to die - "there is a time to live and a time to die". But this morning we were shocked and saddened to hear that our friend and colleague, Alvin Hausauer, passed away.

Al was a former member of the House, and a close personal friend of mine. In his cheerful way he was always ready to assist me and, I am sure, any other legislator who sought his advice and counsel.

Al represented the epitome of a public servant. He could have retired to a life of leisure after a successful career in farming. Instead, he chose to start a new career as a staff member in the Governor's office. The state of North Dakota and its citizens were the beneficiaries of that new career.

We will miss Al.

Madam President, I ask the members of the Senate to rise with me to observe a moment of silence in respect to Al's memory, and I ask you to remember his wife Arlene and his family in your prayers.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2019, SB 2020, SB 2093, SB 2126, SB 2130, SB 2194.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)

MR. SPEAKER: The President has signed: HCR 3015.

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 1040, HB 1115, HB 1120, HB 1152.

MOTION

SEN. GOETZ MOVED that SCR 4012 be returned to the Senate floor from the Political Subdivisions Committee and be rereferred to the Judiciary Committee, which motion prevailed. Pursuant to Sen. Goetz's motion, SCR 4012 was rereferred.

MOTION

SEN. GOETZ MOVED that SB 2288 be returned to the Senate floor from the Government and Veterans Affairs Committee and be rereferred to the Appropriations Committee, which motion prevailed. Pursuant to Sen. Goetz's motion, SB 2288 was rereferred.

MOTION

SEN. GOETZ MOVED that SB 2027, SB 2083, SB 2101, and SB 2188, which are on the Eleventh order, be laid over one legislative day, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2096: SEN. B. STENEHJEM (Human Services Committee) MOVED that the amendments on SJ page 163 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2141: SEN. TOMAC (Finance and Taxation Committee) MOVED that the amendments on SJ page 164 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2176: SEN. URLACHER (Finance and Taxation Committee) MOVED that the amendments on SJ page 164 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2203: SEN. URLACHER (Finance and Taxation Committee) MOVED that the amendments on SJ page 164 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2244: SEN. B. STENEHJEM (Transportation Committee) MOVED that the amendments on SJ pages 164-165 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SCR 4005: SEN. GRINDBERG (Education Committee) MOVED that the amendments on SJ page 165 be adopted and then be placed on the CONSENT CALENDAR with DO PASS, which motion prevailed.

MOTION

SEN. WOGSLAND MOVED that SB 2269 be returned to the Senate floor from the Transportation Committee for the purpose of withdrawal, which motion prevailed.

REQUEST

SEN. WOGSLAND REQUESTED the unanimous consent of the Senate to withdraw SB 2269. There being no objection, it was so ordered by the President.

SECOND READING OF SENATE BILL

SB 2029: A BILL for an Act making an appropriation for defraying the expenses of various state departments and institutions; to direct the attorney general to not spend certain funds appropriated for the 1993-95 biennium; to provide for a transfer of Bank of North Dakota profits; to amend and reenact section 14 of chapter 38 of the 1993 Session Laws, relating to Bank of North Dakota profits transfers; 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 40 YEAS, 6 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Andrist; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Kelsch; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lips; Mathern; Mushik; Nalewaja; Nelson, C.; Nelson, G.; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, W.; Tallackson; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

NAYS: Bowman; Mutch; Naaden; Stenehjem, B.; Streibel; Tennefos

ABSENT AND NOT VOTING: Holmberg; Lindaas; Nething

Engrossed SB 2029 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2068: A BILL for an Act to amend and reenact sections 50-25.1-02, 50-25.1-04.1, 50-25.1-05, 50-25.1-05.05, 50-25.1-05.1, 50-25.1-05.2, 50-25.1-05.4, 50-25.1-05.5, 50-25.1-06.1, and 50-25.1-09 of the North Dakota Century Code, relating to child abuse and neglect terminology and the duties of the state child protection team; and to provide an effective date.

ROLL CALL

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

YEAS: Andrist; Bowman; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lips; Mathern; Mushik; Mutch; Naaden; Nalewaja; Nelson, C.; Nelson, G.; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

ABSENT AND NOT VOTING: Holmberg; Lindaas; Nething

Engrossed SB 2068 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2089: A BILL for an Act to amend and reenact sections 44-04-18.3 and 44-04-18.7 of the North Dakota Century Code, relating to confidentiality of records of law enforcement and correctional employees and certain criminal intelligence information and criminal investigative information; and to repeal section 54-23.3-07 of the North Dakota Century Code, relating to confidentiality of information pertaining to department of corrections and rehabilitation employees.

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; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lips; Mathern; Mushik; Mutch; Naaden; Nalewaja; Nelson, C.; Nelson, G.; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

ABSENT AND NOT VOTING: Holmberg; Lindaas; Nething

Engrossed SB 2089 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2133: A BILL for an Act to amend and reenact subsection 1 of section

43-09-09.2 of the North Dakota Century Code, relating to advertising of electrical 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 46 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lips; Mathern; Mushik; Mutch; Naaden; Nalewaja; Nelson, C.; Nelson, G.; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

ABSENT AND NOT VOTING: Holmberg; Lindaas; Nething

Engrossed SB 2133 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2135: A BILL for an Act to amend and reenact sections 52-02-09, 52-02-10, 52-02-11, 52-03-01, 52-03-03, 52-03-04, subsection 4 of section 52-03-07, and section 52-04-22 of the North Dakota Century Code, relating to the job service administration, unemployment compensation administration, and federal advance interest repayment funds; and to repeal section 52-03-02 of the North Dakota Century Code, relating to the state treasurer as treasurer of the unemployment compensation and federal advance interest repayment funds.

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; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lips; Mathern; Mushik; Mutch; Naaden; Nalewaja; Nelson, C.; Nelson, G.; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

ABSENT AND NOT VOTING: Holmberg; Lindaas; Nething

Engrossed SB 2135 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2142: A BILL for an Act to create and enact a new subsection to section 20.1-03-01.3 of the North Dakota Century Code, relating to exemptions from hunter safety education requirements; to amend and reenact section 20.1-03-01.2 of the North Dakota Century Code, relating to hunter safety education course completion requirements; and to provide a penalty.

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; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lips; Mathern; Mushik; Mutch; Naaden; Nalewaja; Nelson, C.; Nelson, G.; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland

NAYS: Yockim

ABSENT AND NOT VOTING: Holmberg; Lindaas; Nething

Engrossed SB 2142 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2163: A BILL for an Act to create and enact a new subsection to section 43-15-01 and a new subsection to section 43-15-10 of the North Dakota Century Code, relating to definitions applicable to pharmacists and the powers of the board of pharmacy; and to amend and reenact section 43-15-14 of the North Dakota Century Code, relating to the unlawful practice of pharmacy.

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; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lips; Mathern; Mushik; Mutch; Naaden; Nalewaja; Nelson, C.; Nelson, G.; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

ABSENT AND NOT VOTING: Holmberg; Lindaas; Nething

Engrossed SB 2163 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2169: A BILL for an Act to amend and reenact section 15-29-05 of the North Dakota Century Code, relating to the compensation of school board members.

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: Bowman; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lips; Mathern; Mushik; Mutch; Naaden; Nalewaja; Nelson, C.; Nelson, G.; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

NAYS: Andrist

ABSENT AND NOT VOTING: Holmberg; Lindaas; Nething

Engrossed SB 2169 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2239: A BILL for an Act to amend and reenact section 43-12.1-04 of the North Dakota Century Code, relating to persons exempt from the provisions of the Nurse Practices Act.

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; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lips; Mathern; Mushik; Mutch; Naaden; Nalewaja; Nelson, C.; Nelson, G.; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

ABSENT AND NOT VOTING: Holmberg; Lindaas; Nothing

Engrossed SB 2239 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2091: A BILL for an Act to amend and reenact section 50-11.1-06.2 of the North Dakota Century Code, relating to allowing adult volunteers to apply for placement in the carecheck registry.

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

YEAS: Krebsbach; Nalewaja; Robinson; Traynor

NAYS: Andrist; Bowman; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Kelsh; Kinnoin; Krauter; Kringstad; LaFountain; Langley; Lee; Lips; Mathern; Mushik; Mutch; Naaden; Nelson, C.; Nelson, G.; O'Connell; Redlin; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Urlacher; Wanzek; Watne; Wogsland; Yockim

ABSENT AND NOT VOTING: Holmberg; Lindaas; Nothing

SB 2091 lost.

SECOND READING OF SENATE BILL

SB 2247: A BILL for an Act to amend and reenact section 39-08-04 of the North Dakota Century Code, relating to the duty of a driver involved in a vehicle accident involving death or personal injury; and to provide a penalty.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; Christmann; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lips; Mathern; Mushik; Mutch; Naaden; Nalewaja; Nelson, C.; Nelson, G.; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

ABSENT AND NOT VOTING: DeMers; Holmberg; Lindaas; Nothing

SB 2247 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2250: A BILL for an Act to amend and reenact section 36-09-10 of the North Dakota Century Code, relating to recording of canceled brands.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; Christmann; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lips; Mathern; Mushik; Mutch; Naaden; Nalewaja; Nelson, C.; Nelson, G.; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

ABSENT AND NOT VOTING: DeMers; Holmberg; Lindaas; Nothing

SB 2250 passed and the title was agreed to.

MOTION

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

MOTION

SEN. GOETZ MOVED that the Senate be on the Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 1:30 p.m., Monday, January 23, 1995, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2018: Appropriations Committee (Sen. Nething, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2018 was placed on the Sixth order on the calendar.

Page 1, line 6, after "appropriated" insert ", and from special funds derived from federal funds or other income"

Page 1, after line 10, insert:

"Total all funds	\$5,181,250
Less estimated income	<u>500,000"</u>

Page 1, line 11, replace "5,181,250" with "4,681,250"

Page 1, after line 11, insert:

"SECTION 2. ESTIMATED INCOME - TRANSFER. The estimated income line item in section 1 of this Act includes \$500,000 from the housing finance agency reserves. Moneys shall be transferred upon order of the

industrial commission to the state tax commissioner's office when it determines the transfer is necessary for the state tax commissioner to make the homestead tax credit payments."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 070 - HOMESTEAD TAX CREDIT

SENATE - This amendment reduces the general fund appropriation by \$500,000 and provides \$500,000 from Housing Finance Agency reserves. The 1993-95 appropriation includes \$1,500,000 from Housing Finance Agency reserves. The Tax Department estimates that only \$1 million of the reserves will be spent during the 1993-95 biennium.

REPORT OF STANDING COMMITTEE

SB 2021: Appropriations Committee (Sen. Nething, Chairman) recommends **DO PASS** (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). SB 2021 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2032: Appropriations Committee (Sen. Nething, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2032 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2035: Human Services Committee (Sen. Thane, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2035 was placed on the Sixth order on the calendar.

Page 1, line 22, replace "bring" with "assist" and replace "out of poverty" with "in becoming self-sufficient"

Page 2, line 21, after the period insert "If a waiver request made to appropriate federal officials by January 17, 1995, to establish and implement the demonstration project is denied, the department of human services shall promptly inform the legislative council or an interim committee designated by the legislative council of the denial and of any recommendations by the department for changes to the demonstration project to accommodate the denial."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2110: Education Committee (Sen. Freborg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2110 was placed on the Sixth order on the calendar.

Page 1, line 9, remove the overstrike over "~~received from~~"

Page 1, line 10, remove the overstrike over "~~sponsors of research conducted by the institutions~~" and after the second "as" insert an underscored semicolon

Page 1, line 11, remove the overstrike over "~~information generated by~~" and remove the overstrike over "~~research~~"

Page 1, line 12, replace the underscored comma with an underscored semicolon and replace "records relating to donors" with ", upon the request of a donor or prospective donor, the name or personal financial information of the"

Page 1, line 13, replace "donors" with "donor"

Re-number accordingly

REPORT OF STANDING COMMITTEE

SB 2124: Education Committee (Sen. Freborg, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2124 was placed on the Sixth order on the calendar.

Page 2, line 2, after "distribution" insert "in an amount not to exceed ten million dollars"

Page 3, line 8, after the underscored comma insert "fiscal need,"

Re-number accordingly

REPORT OF STANDING COMMITTEE

SB 2143: Natural Resources Committee (Sen. Traynor, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2143 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2148: Natural Resources Committee (Sen. Traynor, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2148 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2152: Agriculture Committee (Sen. Bowman, Chairman) recommends DO PASS (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2152 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2230: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2230 was placed on the Sixth order on the calendar.

Page 1, line 17, after "of" insert "physical"

Page 2, line 10, after the second "of" insert "physical"

Re-number accordingly

REPORT OF STANDING COMMITTEE

SB 2240: Judiciary Committee (Sen. W. Stenehjem, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2240 was placed on the Sixth order on the calendar.

Page 1, line 3, remove "; and to provide for retroactive application"

Page 1, line 8, remove "1."

Page 1, line 17, remove ", in accordance with the principal's personal"

Page 1, line 18, remove "history of making or joining in the making of lifetime gifts"

Page 1, line 19, remove "2." and replace "subsection 1" with "this section"

Page 1, line 22, after the period insert "This section applies to a power of attorney executed before August 1, 1995, as well as a power of attorney executed after July 31, 1995."

Page 2, remove lines 1 and 2

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2252: Judiciary Committee (Sen. W. Stenehjem, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2252 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2262: Transportation Committee (Sen. B. Stenehjem, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2262 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1093: Transportation Committee (Sen. B. Stenehjem, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1093 was placed on the Fourteenth order on the calendar.

FIRST READING OF SENATE BILLS

Sens. Yockim, Krebsbach, B. Stenehjem, Traynor and Reps. Price, Tollefson introduced:

SB 2456: A BILL for an Act to amend and reenact section 49-10.1-17 of the North Dakota Century Code, relating to agreements to restore Amtrak service.

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

Sens. St. Aubyn, DeMers, Holmberg, W. Stenehjem introduced:

SB 2457: A BILL for an Act to amend and reenact section 1 of chapter 495 of the 1993 Session Laws, relating to the sale of property by job service North Dakota.

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

Sens. Grindberg, Heinrich, Holmberg, Scherber and Reps. Jacobs, Rennerfeldt introduced:

SB 2458: A BILL for an Act to amend and reenact sections 15-47-25 and 32-03-39 of the North Dakota Century Code, relating to the destruction of school property and parental responsibility.

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

Sens. Yockim, Heitkamp and Rep. Christenson introduced:

SB 2459: A BILL for an Act to amend and reenact section 39-05-17 of the North Dakota Century Code, relating to entry of name of purchaser on motor vehicle title documents; and to provide a penalty.

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

Sens. Lips, Nalewaja, Thane and Reps. Martinson, Payne, Skarphol introduced:

SB 2460: A BILL for an Act to require a health council study of the state's elderly residents; to create and enact a new section to chapter 23-09.3 and a new section to chapter 23-16 of the North Dakota Century Code, relating to a moratorium on the expansion of long-term and basic care bed capacity; to amend and reenact sections 23-17.3-01 and 23-17.5-10 of the North Dakota Century Code, relating to references to certificates of need to expand hospital facilities; and to repeal chapter 23-17.2 and section 23-17.3-03 of the North Dakota Century Code, relating to certificates of need for expansion of hospital facilities.

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

Sens. Kringstad, Lips and Reps. Delmore, K. Henegar introduced:

SB 2461: A BILL for an Act to create and enact a new section to chapter 50-24.1 of the North Dakota Century Code, relating to remedies to ensure prompt compliance by nursing facilities with requirements of the medical assistance program.

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

Sens. C. Nelson, DeMers, Robinson and Reps. Clayburgh, Monson, Svedjan introduced:

SB 2463: A BILL for an Act to amend and reenact sections 26.1-36-09.3 and 54-52.1-04.6 of the North Dakota Century Code, relating to insurance coverage for treatment of certain disorders.

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

Sens. Streibel, Heitkamp, Kinnoin, Langley, Traynor, Urlacher introduced:

SB 2463: A BILL for an Act to provide a directive concerning the impending flood disaster in the Devils Lake basin and a statement of the legislative assembly concerning water development in North Dakota; and to declare an emergency.

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

Sens. Tomac, Krebsbach, G. Nelson and Reps. DeKrey, Kaldor introduced:

SB 2464: A BILL for an Act to create and enact a new section to chapter 57-39.2 and a new subsection to section 57-39.2-04 of the North Dakota Century Code, relating to imposition of sales taxes on certain interstate telecommunications services; to amend and reenact sections 57-06-02, 57-06-03, and subdivision b of subsection 1 of section 57-39.2-02.1 of the North Dakota Century Code, relating to definitions and a tax exemption for personal property owned by interexchange telecommunications carriers; to provide an appropriation; and to provide an effective date.

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

Sen. Tallackson introduced:

SB 2465: A BILL for an Act to create a new subsection to section 26.1-41-09 of the North Dakota Century Code, relating to no-fault arbitration.

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

FIRST READING OF SENATE CONCURRENT RESOLUTION

Sens. G. Nelson, Freborg introduced:

SCR 4027: A concurrent resolution directing the Legislative Council to study the use and proliferation of personal computers by state agencies.

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

FIRST READING OF HOUSE BILLS

HB 1040: A BILL for an Act to amend and reenact section 15-29-02 of the North Dakota Century Code, relating to school board meetings.

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

HB 1115: A BILL for an Act to amend and reenact section 61-05-03 of the North Dakota Century Code, relating to votes of electors of irrigation districts.

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

HB 1120: A BILL for an Act to create and enact a new section to chapter 54-06 of the North Dakota Century Code, relating to payments to state agencies, boards, or commissions, the judicial branch, and political subdivisions by credit card.

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

HB 1152: A BILL for an Act to amend and reenact subsections 1, 2, 3, 5, and 6 of section 12.1-32-15 of the North Dakota Century Code, relating to registration requirements for offenders against children and sexual offenders.

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

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

William C. Parker, Secretary