

JOURNAL OF THE SENATE

Fifty-fourth Legislative Assembly

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Bismarck, January 24, 1995

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

The prayer was offered by Philip Leyer, Director, Salvation Army Liberty House, Mandan.

The roll was called and all members were present except Senators Kringstad and Scherber.

A quorum was declared by the President.

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 2029.

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 2068, SB 2089, SB 2133, SB 2135, SB 2142, SB 2163, SB 2169, SB 2239, SB 2247, SB 2250.

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 1046, HB 1084, HB 1142, HB 1173, HB 1176, HB 1184.

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

MADAM PRESIDENT: The House has passed and your favorable consideration is requested on: HCMR 7501.

FIRST READING OF HOUSE CONCURRENT MEMORIAL RESOLUTION

HCMR 7501: A concurrent memorial resolution expressing sorrow upon the death of former Representative Alvin Hausauer;
Was read the first time.

MOTION

SEN. G. NELSON MOVED that the rules be suspended, that HCMR 7501 not be printed, not be referred to committee, be read in its entirety, be printed in the Journal and placed on the calendar for second reading and final passage, which motion prevailed.

Reps. Aarsvold, Austin, Bateman, Belter, Berg, Bernstein, Boehm, Boucher, Brown, Byerly, Carlisle, Carlson, Christenson, Christopherson, Clark, Clayburgh, Coats, Dalrymple, Delmore, Delzer, DeKrey, DeWitz, Dobrinski, Dorso, Drovdal, Freier, Froseth, Galvin, Gerntholz, Glasheim, Gorder, Gorman, Grosz, Grumbo, Gulleon, Gunter, Hagle, Hanson, Hausauer, D. Henegar, K. Henegar, Holm, Howard, Huether, Jacobs, Johnson, Kaldor, Keiser, Kelsch, Kempenich, Kerzman, Klein, Kliniske, Koppelman, Kretschmar, Kroeber, Kunkel, Laughlin, Lloyd, Mahoney, Maragos, Martin, Martinson, Mickelson, Monson, Mutzenberger, Nicholas, Nichols, Nottestad, Oban, Olson, Payne, Poolman, Price, Rennerfeldt, Retzer, Rydell, Sabby, Sandvig, Schimke, Schmidt, Shide, Sitz, Skarphol, Soukup, Stenehjem, Svedjan, Sveen, Thompson, Thoreson, Timm, Tollefson, Torgerson, Wald, Walker, Wardner, Wentz, Wilkie and Sens. Andrist, Bowman, Christmann, DeMers, Freborg, Goetz, Grindberg, Heinrich, Heitkamp, Holmberg, Kelsh, Kinnoin, Krauter, Krebsbach, Kringstad, Langley, LaFountain, Lee, Lindaas, Lips, Mathern, Mushik, Mutch, Naaden, Nalewaja, C. Nelson, G. Nelson, Nething, O'Connell, Redlin, Robinson, Sand, Scherber, Schobinger, Solberg, St. Aubyn, B. Stenehjem, W. Stenehjem, Streibel, Tallackson,

Tennefos, Thane, Tomac, Traynor, Urlacher, Wanzek, Watne, Wogsland, Yockim introduced:

HOUSE CONCURRENT MEMORIAL RESOLUTION NO. 7501

A concurrent memorial resolution expressing sorrow upon the death of former Representative Alvin Hausauer;

WHEREAS, Almighty God in His infinite wisdom has called from our midst an outstanding citizen of the state of North Dakota, Alvin Hausauer; and

WHEREAS, Alvin Hausauer served as a representative from District 32 in the 1971, 1973, and 1975 legislative sessions, and from District 49 in the 1977, 1979, 1981, 1985, 1987, and 1989 sessions; and

WHEREAS, former Representative Alvin Hausauer had a distinguished career of legislative service, including four sessions as chairman and three sessions as vice chairman of the Finance and Taxation Committee of the House of Representatives; and

WHEREAS, former Representative Alvin Hausauer continued his service to his state as legislative director to the Governor; and

WHEREAS, former Representative Alvin Hausauer was known for his keen understanding of the legislative process and was widely respected by members of both houses, members of all political persuasions, and everyone with whom he had contact in all three branches of state government;

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

That the Fifty-fourth Legislative Assembly expresses its keen and personal sorrow on the passing of former Representative Alvin Hausauer and on behalf of the citizens of this state expresses to his widow, Arlene Hausauer, and to the members of his family, the deepest appreciation for the outstanding contributions made to this state by former Representative Alvin Hausauer; and

BE IT FURTHER RESOLVED, that the Secretary of State forward an enrolled copy of this resolution to Arlene Hausauer.

SECOND READING OF HOUSE CONCURRENT MEMORIAL RESOLUTION

HCMR 7501: A concurrent memorial resolution expressing sorrow upon the death of former Representative Alvin Hausauer;

ROLL CALL

The question being on the final adoption of the resolution, which has been read, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Kringstad; Scherber

HCMR 7501 was declared adopted on a recorded roll call vote.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)
MR. SPEAKER: The Senate has passed unchanged: HCMR 7501.

CONSIDERATION OF AMENDMENTS

SB 2034: SEN. BOWMAN (Human Services Committee) MOVED that the amendments on SJ page 185 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2037: SEN. MATHERN (Human Services Committee) MOVED that the amendments on SJ pages 185-186 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2073: SEN. FREBORG (Natural Resources Committee) MOVED that the amendments on SJ page 186 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2092: SEN. YOCKIM (Human Services Committee) MOVED that the amendments on SJ pages 186-187 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2103: SEN. KRAUTER (Natural Resources Committee) MOVED that the amendments on SJ pages 187-189 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2109: SEN. KRINGSTAD (Natural Resources Committee) MOVED that the amendments on SJ pages 189-190 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2165: SEN. KRINGSTAD (Natural Resources Committee) MOVED that the amendments on SJ page 190 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SCR 4003: SEN. MATHERN (Human Services Committee) MOVED that the amendments on SJ page 191 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2087: SEN. DEMERS (Human Services Committee) MOVED that the amendments on SJ page 186 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2087: A BILL for an Act to amend and reenact section 12.1-31-07 of the North Dakota Century Code, relating to the penalty for failure to care for a vulnerable elderly adult.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Kringstad; Scherber

Engrossed SB 2087 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2018: A BILL for an Act to provide an appropriation to the tax commissioner for payment of state reimbursement under the homestead tax credit.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Kringstad; Scherber

Engrossed SB 2018 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2035: A BILL for an Act to require the department of human services to seek authorization for a demonstration project to combine benefits under the aid to families with dependent children, fuel assistance, and food stamp programs; to require the department of human services to report to the legislative council regarding the implementation status of the demonstration project; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Kringstad; Scherber

Engrossed SB 2035 passed, the title was agreed to, and the emergency clause was declared carried.

MOTION

SEN. G. NELSON MOVED that the rules be suspended and that Engrossed SB 2035 be messaged to the House immediately, which motion prevailed.

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 2035.

SECOND READING OF SENATE BILL

SB 2110: A BILL for an Act to amend and reenact subsection 17 of section 15-10-17 and subsection 5 of section 44-04-18.4 of the North Dakota Century Code, relating to confidentiality rules adopted by and reports to the state board of higher education.

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

YEAS: Christmann; Freborg; Goetz; Grindberg; Holmberg; Lee; Lips; Nalewaja; Nelson, G.; O'Connell; Robinson; Schobinger; St. Aubyn; Tallackson; Thane; Wanzek

NAYS: Andrist; Bowman; DeMers; Heinrich; Heitkamp; Kelsh; Kinnoin; Krauter; Krebsbach; LaFountain; Langley; Lindaas; Mathern; Mushik; Mutch; Naaden; Nelson, C.; Nething; Redlin; Sand; Solberg; Stenehjem, B.; Stenehjem, W.; Streibel; Tennefos; Tomac; Traynor; Urlacher; Watne; Wogsland; Yockim

ABSENT AND NOT VOTING: Kringstad; Scherber

Engrossed SB 2110 lost.

SECOND READING OF SENATE BILL

SB 2124: A BILL for an Act to amend and reenact sections 15-03-05.2, 15-03-16, 15-35-01.1, and 15-60-10 of the North Dakota Century Code, relating to the distribution of income earned by the permanent funds managed by the board of university and school lands, continuing appropriations for certain board of university and school lands investment fees, approval of school district construction projects, and issuance of school construction loans; and to repeal section 15-03-15 of the North Dakota Century Code, relating to the approval of farm loans and investments by the board of university and school lands.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Kringstad; Scherber

Engrossed SB 2124 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2230: A BILL for an Act to amend and reenact section 26.1-36-07 of the North Dakota Century Code, relating to health insurance coverage for newborn and adopted children.

ROLL CALL

The question being on the final passage of the amended bill, which has been

read, and has committee recommendation of DO PASS, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Kringstad; Scherber

Engrossed SB 2230 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2240: A BILL for an Act to create and enact a new section to chapter 30.1-30 of the North Dakota Century Code, relating to the making of gifts under a power of attorney.

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, 2 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

NAYS: Lindaas; O'Connell

ABSENT AND NOT VOTING: Kringstad; Scherber

Engrossed SB 2240 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2021: A BILL for an Act making an appropriation for defraying the expenses of the state game and fish department.

ROLL CALL

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

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

ABSENT AND NOT VOTING: Kringstad; Scherber; Yockim

SB 2021 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2032: A BILL for an Act to create and enact section 54-16-00.1 of the North Dakota Century Code, relating to definitions; and to amend and reenact sections 54-16-01, 54-16-02, 54-16-03, 54-16-04, 54-16-04.1, 54-16-04.2, 54-16-05, 54-16-08, 54-16-09, 54-16-10, 54-16-11, 54-16-11.1, and 54-16-12 of the North Dakota Century Code, relating to the powers and duties of the emergency commission.

ROLL CALL

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

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

ABSENT AND NOT VOTING: Kringstad; Scherber; Yockim

SB 2032 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2083: A BILL for an Act to create and enact a new subsection to section 57-38-30.3 of the North Dakota Century Code, relating to an income tax credit for premiums paid for long-term care insurance coverage; and to provide an effective date.

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 21 YEAS, 26 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Bowman; DeMers; Heinrich; Heitkamp; Kelsh; Krauter; LaFountain; Langley; Lindaas; Mathern; Mushik; Nelson, C.; O'Connell; Redlin; Robinson; Sand; Stenehjem, B.; Tomac; Wanzek; Wogsland; Yockim

NAYS: Andrist; Christmann; Freborg; Goetz; Grindberg; Holmberg; Kinnoin; Krebsbach; Lee; Lips; Mutch; Naaden; Nalewaja; Nelson, G.; Nething; Schobinger; Solberg; St. Aubyn; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Traynor; Urlacher; Watne

ABSENT AND NOT VOTING: Kringstad; Scherber

SB 2083 lost.

MOTION

SEN. GOETZ MOVED that SB 2354 be returned to the Senate floor from the Government and Veterans Affairs Committee and be rereferred to the Judiciary Committee, which motion prevailed. Pursuant to Sen. Goetz's motion, SB 2354 was rereferred.

MOTION

SEN. GOETZ MOVED that SB 2386 be returned to the Senate floor from the Transportation Committee and be rereferred to the Agriculture Committee, which motion prevailed. Pursuant to Sen. Goetz's motion, SB 2386 was rereferred.

MOTION

SEN. GOETZ MOVED that SB 2451 be returned to the Senate floor from the Finance and Taxation Committee and be rereferred to the Natural Resources Committee, which motion prevailed. Pursuant to Sen. Goetz's motion, SB 2451 was rereferred.

MOTION

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

MOTION

SEN. GOETZ MOVED that the Senate be on the Fifth and Thirteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 1:00 p.m., Wednesday, January 25, 1995, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2086: Transportation Committee (Sen. B. Stenehjem, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2086 was placed on the Sixth order on the calendar.

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

Page 2, line 3, after "enterprise" insert "that is located", overstrike the second "the", and overstrike "and which are within fifty feet"

Page 2, line 4, overstrike "[15.24 meters] of the area" and overstrike "and upon"

Page 2, line 5, overstrike "which they are located" and insert immediately thereafter "or on property contiguous to the advertised activity which is under the same ownership, lease, rent, or control as the property with the advertised activity"

Page 2, replace lines 16 through 20 with the following:

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

ReNUMBER accordingly

REPORT OF STANDING COMMITTEE

SB 2127: Agriculture Committee (Sen. Bowman, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2127 was placed on the Sixth order on the calendar.

In lieu of the amendments as printed on page 149 of the Senate Journal, Senate Bill No. 2127 is amended as follows:

Page 1, line 1, after "sections" insert "15-01-02.1,"

Page 1, line 2, replace "subsection" with "subsections" and after "2" insert "and 4"

Page 1, line 4, remove "and"

Page 1, line 6, after the second "lands" insert "; and to declare an emergency"

Page 1, after line 7, insert:

"SECTION 1. AMENDMENT. Section 15-01-02.1 of the North Dakota Century Code is amended and reenacted as follows:

15-01-02.1. Board of university and school lands to set and establish fees - Collections. The board of university and school lands shall have authority to set and establish fees in amounts equal to the cost of the issuance of patents, deeds, leases, assignments, land contracts, holding land sales, furnishing documents, receiving and processing all loans made by the board, managing property acquired under chapter 15-08.1, and managing property for other state entities. ~~All leasing fees for agricultural purposes must be collected by the county treasurer of the county wherein such land is leased at the time the first payment is made for leases, and such funds must be deposited in the general fund of the county. All other fees provided for in this section must be deposited in the state lands maintenance fund.~~

Page 3, line 18, replace "Subsection" with "Subsections" and after "2" insert "and 4"

Page 3, line 19, replace "is" with "are"

Page 3, after line 22, insert:

"4. "Recreational purposes" includes, ~~but is not limited to,~~ any one or any combination of the following: hunting, fishing, swimming, boating, camping, picnicking, hiking, pleasure driving, animal riding, nature study, water skiing, ~~winter~~ sports, and visiting, viewing or enjoying historical, archaeological, geological, scenic, or scientific sites, or otherwise using land for purposes of the user."

Page 3, after line 24, insert:

"SECTION 9. EMERGENCY. Section 7 of this Act is declared to be an emergency measure."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2167: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2167 was placed on the Sixth order on the calendar.

Page 1, line 10, replace "servant" with "agent"

Page 1, after line 18, insert:

"e. An individual who appears before a legislative committee for the sole purpose of presenting testimony on behalf of a trade or professional organization or a business or industry if the individual is introduced to the committee by the registered lobbyist for the trade or professional organization or the business or industry."

Page 2, line 11, after "contains" insert "the name of the lobbyist and any of the following:" and replace "and the name and" with ", the"

Page 2, line 12, after "lobbyist" insert ", or the organization name of the lobbyist"

Page 2, line 20, replace "June" with "July"

Page 2, line 21, remove "May" and overstrike "thirty-first" and insert immediately thereafter "June thirtieth"

Page 2, line 29, remove "followed by the delivery of the original written"

Page 3, line 1, remove "authorization within ten days"

Page 3, line 7, replace "July" with "August"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2287: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends DO PASS (5 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2287 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2300: Judiciary Committee (Sen. W. Stenehjem, Chairman) recommends DO NOT PASS (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2300 was placed on the Eleventh order on the calendar.

FIRST READING OF HOUSE BILLS

HB 1046: A BILL for an Act to amend and reenact section 15-21-18 of the North Dakota Century Code, relating to joint meetings and cooperative activities of the boards of higher education, vocational and technical education, and public school education.

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

HB 1084: A BILL for an Act to create and enact a new section to chapter 43-23 of the North Dakota Century Code, relating to injunctive actions by the North Dakota real estate commission.

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

HB 1142: A BILL for an Act to amend and reenact subsection 3 of section 57-02-08.3, sections 57-38-49, 57-38-50, subsections 3, 4, 5, and 6 of section 57-39.2-13, subsections 3, 4, 5, and 6 of section 57-40.2-16, subsections 2, 3, and 4 of section 57-40.3-07.1, subsections 3, 4, and 6 of section 57-43.1-17.4, and subsections 3, 4, and 6 of section 57-43.2-16.3 of the North Dakota Century Code, relating to the filing of tax liens with the secretary of state; and to provide an effective date.

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

HB 1173: A BILL for an Act to create and enact chapters 26.1-03.1 and 26.1-10.1 of the North Dakota Century Code, relating to risk-based capital for insurers and disclosure of material transactions; and to amend and reenact section 26.1-03-11.3 of the North Dakota Century Code, relating to confidentiality and sharing of certain information.

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

HB 1176: A BILL for an Act to create and enact a new section to chapter 6-06 of the North Dakota Century Code, relating to examination of credit union computer servicers.

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

HB 1184: A BILL for an Act to amend and reenact sections 26.1-22.1-07 and 26.1-22.1-10 of the North Dakota Century Code, relating to inspection of boilers and certificates of inspection.

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

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

William C. Parker, Secretary