

## JOURNAL OF THE SENATE

## Fifty-fifth Legislative Assembly

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Bismarck, March 6, 1997

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

The prayer was offered by Pastor Bob Nordvall, Charity Lutheran, Bismarck.

The roll was called and all members were present except Senators Mathern and Tallackson.

A quorum was declared by the President.

**COMMUNICATION FROM GOVERNOR EDWARD T. SCHAFER**

This is to inform you that on March 5, 1997, I signed the following: SB 2044, SB 2055, SB 2059, SB 2077, SB 2085, SB 2162, SB 2205, and SB 2334.

Also, on March 6, 1997, I signed the following: SB 2090, SB 2092, SB 2130, SB 2155, SB 2156, SB 2170, SB 2190, SB 2303.

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

**MADAM PRESIDENT:** The Speaker has signed: SB 2024, SB 2025, SB 2035, SB 2048, SB 2049, SB 2069, SB 2075, SB 2079, SB 2164, SCR 4004, SCR 4009, SCR 4017, SCR 4023.

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

**MADAM PRESIDENT:** The House has passed unchanged: SB 2073, SB 2110, SB 2125, SB 2143, SCR 4008.

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

**MADAM PRESIDENT:** The House has amended, subsequently passed, and the emergency clause carried: SB 2091, SB 2112.

**HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2091**

Page 1, line 9, after the second "program" insert "contracted," and after "developed" insert an underscored comma

Page 1, line 12, replace "VI" with "XI"

Page 1, line 15, replace the underscored semicolon with ". A state agency, institution, department, or board may"

Page 1, line 17, remove the underscored semicolon and after the first "and" insert "may"

Renumber accordingly

**HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2112**

Page 1, line 16, replace "a district" with "the nearest available magistrate."

Page 1, remove line 17

Renumber accordingly

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

**MADAM PRESIDENT:** The House has amended and subsequently passed: SB 2213, SB 2279.

**HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2213**

Page 1, line 9, remove "personal"

Page 1, line 10, after "any" insert "computer" and remove "that is not in violation of section 16.1-10-02"

Renumber accordingly

**HOUSE AMENDMENTS TO SENATE BILL NO. 2279**

Page 1, line 1, after "to" insert "create and enact a new section to chapter 35-20 of the North Dakota Century Code, relating to liens for unpaid earned property or casualty insurance premiums; and to"

Page 1, line 14, after "name" insert "and address"

Page 1, line 15, after the first period insert "The name and address of the lienholder."

3. The social security number of the debtor, or in the case of a debtor doing business other than as an individual, the internal revenue service taxpayer identification number of that person.

4. "

Page 1, line 16, overstrike "3" and insert immediately thereafter "5"

Page 1, line 17, overstrike "4" and insert immediately thereafter "6"

Page 1, line 18, overstrike "5" and insert immediately thereafter "7"

Page 1, after line 18, insert:

"**SECTION 2.** A new section to chapter 35-20 of the North Dakota Century Code is created and enacted as follows:

**Amendment of lien for unpaid earned property or casualty insurance premiums.** A lienholder may file an amendment to correct the social security or internal revenue service taxpayer identification number of the debtor, to correct the spelling of the debtor's or lienholder's name, or to correct or change the address of the debtor or lienholder. The secretary of state shall prescribe a form that may be used to amend or assign the unpaid earned property or casualty insurance premium lien that has been filed under section 35-20-15. The amendment or assignment of a lien does not affect the priority of the lien."

Renumber accordingly

**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)**  
**MR. SPEAKER:** The Senate has passed unchanged: HB 1049, HB 1276, HB 1336, HB 1392.

**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)**  
**MR. SPEAKER:** The Senate has failed to pass: HB 1149.

**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)**  
**MR. SPEAKER:** The Senate has amended and subsequently failed to pass: HB 1441.

**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)**  
**MR. SPEAKER:** The Senate has amended, subsequently passed, and the emergency clause carried: HB 1033.

**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)**  
**MR. SPEAKER:** The Senate has amended and subsequently passed: HB 1240.

**MOTION**

**SEN. GOETZ MOVED** that the rules be suspended and Joint Rule 203 be amended to read "forty-third", thereby extending the deadline for transmitting Senate resolutions to the House, and that the House be notified of that extension, which motion prevailed.

**MOTION**

**SEN. GOETZ MOVED** that, after action taken on the Sixth order today, the rules be suspended and SCR 4012, as amended, be moved to the Eleventh order for immediate second reading and final passage, and that, after action on the Eleventh order and Consent Calendar today, Engrossed SCR 4012, SCR 4022, and SCR 4056 be transmitted to the House immediately, which motion prevailed.

**CONSIDERATION OF AMENDMENTS**

**SCR 4012: SEN. W. STENEHJEM (Judiciary Committee) MOVED** that the amendments on SJ pages 646-647 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

**SECOND READING OF SENATE CONCURRENT RESOLUTION**

**SCR 4012:** A concurrent resolution for the amendment of sections 1 and 5 of article V of the Constitution of North Dakota, relating to the election of executive branch officers.

**ROLL CALL**

The question being on the final adoption of the amended resolution, which has been read, the roll was called and there were 32 YEAS, 15 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Berg; Bowman; Christmann; DeMers; Fischer; Freborg; Goetz; Grindberg; Holmberg; Kinnoin; Klein; Krebsbach; Kringstad; Lee; Mutzenberger; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; O'Connell; Robinson; Sand; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Traynor; Urlacher; Wanzek; Watne; Wogsland

**NAYS:** Cook; Heitkamp; Kelsh; Krauter; LaFountain; Lindaas; Lips; Mutch; Redlin; Schobinger; Solberg; Thane; Thompson; Tomac; Yockim

**ABSENT AND NOT VOTING:** Mathern; Tallackson

Engrossed SCR 4012 was declared adopted and the title was agreed to.

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

**MR. SPEAKER:** The Senate has passed and your favorable consideration is requested on: SCR 4012.

**CONSIDERATION OF AMENDMENTS**

**HB 1098: SEN. LAFOUNTAIN (Industry, Business and Labor Committee) MOVED** that the amendments on SJ page 654 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

**CONSIDERATION OF AMENDMENTS**

**HB 1223, as engrossed: SEN. THOMPSON (Industry, Business and Labor Committee) MOVED** that the amendments on SJ pages 654-655 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

**CONSIDERATION OF AMENDMENTS**

**HB 1238, as engrossed: SEN. THOMPSON (Industry, Business and Labor Committee) MOVED** that the amendments on SJ page 655 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

**MOTION**

**SEN. GOETZ MOVED** that the rules be suspended and that, after action taken on the Sixth order, Reengrossed HB 1393, as amended, be placed on the Fourteenth order for immediate second reading and final passage, which motion prevailed.

**CONSIDERATION OF AMENDMENTS**

**HB 1393, as engrossed: SEN. FREBORG (Education Committee) MOVED** that the amendments on SJ pages 655-656 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

**SECOND READING OF HOUSE BILL**

**HB 1393:** A BILL for an Act to create and enact a new section to chapter 15-40.1 of the North Dakota Century Code, relating to supplemental payments to high school districts.

**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; Berg; Bowman; Christmann; Cook; DeMers; Fischer; Freborg; Goetz; Grindberg; Heitkamp; Holmberg; Kelsh; Kinnoin; Klein; Krauter; Krebsbach; Kringstad; LaFountain; Lee; Lindaas; Lips; Mutch; Mutzenberger; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Thane; Thompson; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

**ABSENT AND NOT VOTING:** Mathern; Tallackson

Reengrossed HB 1393, as amended, passed and the title was agreed to.

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**SECOND READING OF SENATE CONCURRENT RESOLUTION**

**SCR 4022:** A concurrent resolution directing the Legislative Council to study the public utility territorial integrity laws of this state.

**REQUEST**

**SEN. ST. AUBYN REQUESTED** a recorded roll vote on the question of the final adoption of SCR 4022, which request was granted.

**ROLL CALL**

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 20 YEAS, 27 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Cook; DeMers; Fischer; Goetz; Grindberg; Holmberg; Krebsbach; Kringstad; LaFountain; Lee; Mutch; Nalewaja; Nelson, G.; Nething; Schobinger; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Traynor; Watne

**NAYS:** Andrist; Berg; Bowman; Christmann; Freborg; Heitkamp; Kelsh; Kinnoin; Klein; Krauter; Lindaas; Lips; Mutzenberger; Naaden; Nelson, C.; O'Connell; Redlin; Robinson; Sand; Solberg; Thane; Thompson; Tomac; Urlacher; Wanzek; Wogsland; Yockim

**ABSENT AND NOT VOTING:** Mathern; Tallackson

SCR 4022 was declared lost.

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**MOTION**

**SEN. GOETZ MOVED** that SCR 4028, which is on the Eleventh order, be rereferred to the **Judiciary Committee**, which motion prevailed. Pursuant to Sen. Goetz's motion, SCR 4028 was rereferred.

**SECOND READING OF HOUSE BILL**

**HB 1143:** A BILL for an Act to create and enact two new sections to chapter 15-39.1 of the North Dakota Century Code, relating to correction of errors in teachers' fund for retirement benefit calculations; to amend and reenact subsections 10 and 11 of section 15-39.1-04, sections 15-39.1-08, 15-39.1-14, 15-39.1-15, 15-39.1-19.1, 15-39.1-20, 15-39.1-23, and 15-39.1-24 of the North Dakota Century Code, relating to definitions, compensation of board members, mandatory retirement, return to teaching, withdrawal, failure to make required reports and payments, military service credit, and acceptance of rollovers from other qualified plans under the teachers' fund for retirement; 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 47 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Berg; Bowman; Christmann; Cook; DeMers; Fischer; Freborg; Goetz; Grindberg; Heitkamp; Holmberg; Kelsh; Kinnoin; Klein; Krauter; Krebsbach; Kringstad; LaFountain; Lee; Lindaas; Lips; Mutch; Mutzenberger; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Thane; Thompson; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

**ABSENT AND NOT VOTING:** Mathern; Tallackson

Engrossed HB 1143, as amended, passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1301:** A BILL for an Act to amend and reenact subsection 15 of section 57-02-08 of the North Dakota Century Code, relating to the farm residence and buildings exemption for bed and breakfast facilities; 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 43 YEAS, 3 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Berg; Bowman; Christmann; Cook; Fischer; Freborg; Goetz; Grindberg; Heitkamp; Holmberg; Kelsh; Kinnoin; Klein; Krauter; Krebsbach; Kringstad; Lindaas; Lips; Mutch; Mutzenberger; Naaden; Nalewaja; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Thane; Thompson; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

**NAYS:** DeMers; Lee; Nelson, C.

**ABSENT AND NOT VOTING:** LaFountain; Mathern; Tallackson

HB 1301, as amended, passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1048:** A BILL for an Act to create and enact a new subsection to section 50-06-05.1 of the North Dakota Century Code, relating to the powers and duties of the department of human services; and to amend and reenact section 12.1-32-15 of the North Dakota Century Code, relating to registration of sexually violent predators.

**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; Berg; Bowman; Christmann; Cook; DeMers; Fischer; Freborg; Goetz; Grindberg; Heitkamp; Holmberg; Kelsh; Kinnoin; Klein; Krauter; Krebsbach; Kringstad; Lee; Lindaas; Lips; Mutch; Mutzenberger; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Thane; Thompson; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

**ABSENT AND NOT VOTING:** LaFountain; Mathern; Tallackson

Engrossed HB 1048 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1131:** A BILL for an Act to amend and reenact section 15-27.1-11, subsection 1 of section 15-40.2-01, sections 15-40.2-09, and 15-40.2-10 of the North Dakota Century Code, relating to attendance of students in out-of-state schools.

**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, 1 NAY, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Berg; Bowman; Christmann; Cook; DeMers; Fischer; Freborg; Goetz; Grindberg; Heitkamp; Kelsh; Kinnoin; Klein; Krauter; Krebsbach; Kringstad; LaFountain; Lee; Lindaas; Lips; Mutch; Mutzenberger; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Thane; Thompson; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

**NAYS:** Holmberg

**ABSENT AND NOT VOTING:** Mathern; Tallackson

Engrossed HB 1131 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1134:** A BILL for an Act to create and enact a new section to chapter 43-30 of the North Dakota Century Code, relating to continuing education requirements for private investigative and security officers; and to amend and reenact sections 43-30-06, 43-30-10, 43-30-12, 43-30-13, and 43-30-16 of the North Dakota Century Code, relating to injunctive power of the private investigative and security board, disciplinary action, disciplinary hearing, and fees.

**ROLL CALL**

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

**YEAS:** Andrist; Berg; Bowman; Christmann; Cook; DeMers; Fischer; Freborg; Goetz; Grindberg; Heitkamp; Holmberg; Kelsh; Kinnoin; Klein; Krauter; Krebsbach; Kringstad; LaFountain; Lee; Lindaas; Lips; Mutch; Mutzenberger; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Thane; Thompson; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

**ABSENT AND NOT VOTING:** Mathern; Tallackson

Engrossed HB 1134 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1180:** A BILL for an Act to amend and reenact sections 12.1-31.1-03, 12.1-31.1-04, and subdivision a of subsection 1 of section 19-03.1-23 of the North Dakota Century Code, relating to unlawful possession, manufacture, or delivery of drug paraphernalia and methamphetamine; 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 47 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Berg; Bowman; Christmann; Cook; DeMers; Fischer; Freborg; Goetz; Grindberg; Heitkamp; Holmberg; Kelsh; Kinnoin; Klein; Krauter; Krebsbach; Kringstad; LaFountain; Lee; Lindaas; Lips; Mutch; Mutzenberger; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Thane; Thompson; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

**ABSENT AND NOT VOTING:** Mathern; Tallackson

Engrossed HB 1180 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1193:** A BILL for an Act to create and enact a new section to chapter 34-02 of the North Dakota Century Code, relating to references by employers.

**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 35 YEAS, 12 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bowman; Christmann; Cook; Fischer; Freborg; Goetz; Grindberg; Holmberg; Kinnoin; Klein; Krebsbach; Kringstad; Lee; Lips; Mutch; Naaden; Nalewaja; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne

**NAYS:** Berg; DeMers; Heitkamp; Kelsh; Krauter; LaFountain; Lindaas; Mutzenberger; Nelson, C.; Thompson; Wogsland; Yockim

**ABSENT AND NOT VOTING:** Mathern; Tallackson

Engrossed HB 1193 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1197:** A BILL for an Act to amend and reenact section 34-06-15 of the North Dakota Century Code, relating to issuing special licenses to employ at less than minimum wage.

**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 32 YEAS, 15 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bowman; Christmann; Cook; Fischer; Freborg; Goetz; Grindberg; Holmberg; Kinnoin; Klein; Krebsbach; Kringstad; LaFountain; Lee; Lips; Mutch; Naaden; Nalewaja; Nelson, G.; Nething; Sand; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Thane; Traynor; Urlacher; Wanzek; Watne

**NAYS:** Berg; DeMers; Heitkamp; Kelsh; Krauter; Lindaas; Mutzenberger; Nelson, C.; O'Connell; Redlin; Robinson; Thompson; Tomac; Wogslund; Yockim

**ABSENT AND NOT VOTING:** Mathern; Tallackson

Engrossed HB 1197 passed and the title was agreed to.

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**MOTION**

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

**MOTION**

**SEN. GOETZ MOVED** that the Senate be on the Fifth, Thirteenth, and Sixteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 12:30 p.m., Friday, March 7, 1997, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

**HB 1079: Judiciary Committee (Sen. W. Stenehjem, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1079 was placed on the Sixth order on the calendar.

Page 1, line 8, replace "B" with "C"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1093, as engrossed: Judiciary Committee (Sen. W. Stenehjem, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1093 was placed on the Sixth order on the calendar.

Page 1, line 6, replace "subsection" with "subsections 1 and"

Page 1, line 18, remove "or under a law or procedure"

Page 1, line 19, remove "substantially similar to"

Page 1, line 23, after "law" insert "or procedure"

Page 1, line 24, remove "or under a law or procedure substantially"

Page 2, line 1, remove "similar to"

Page 2, line 3, overstrike the third "the"

Page 2, line 4, overstrike "Commonwealth of" and after the comma insert "the United States Virgin Islands,"

Page 2, line 5, overstrike "'state'"

Page 2, line 9, replace "or the procedures under" with an underscored comma

Page 2, line 10, after "Act" insert an underscored comma

Page 3, line 18, overstrike "each individual party has" and insert immediately thereafter "all of the parties who are individuals have" and overstrike "consent" and insert immediately thereafter "consents"

Page 4, line 18, replace "is controlling" with "controls" and after "be" insert "so"

Page 4, line 28, replace "is controlling" with "controls"

Page 4, line 29, after "be" insert "so"

Page 5, line 2, after "child" insert "controls and" and after "be" insert "so"

Page 5, line 4, replace "is controlling" with "controls" and after "be" insert "so"

Page 5, line 8, replace "must" with "shall" and replace "is controlling" with "controls"

Page 5, line 9, after "be" insert "so"

Page 5, line 12, after "be" insert "so"

Page 5, line 14, replace "Every" with "The requesting party shall give notice of the request to each" and replace "a" with "the"

Page 5, remove line 15

Page 5, line 17, after "the" insert "controlling", remove "that must be", overstrike "recognized", and remove "as controlling"

Page 5, line 19, replace "in accordance with" with "under"

Page 5, line 20, remove "child"

Page 5, line 21, remove "support"

Page 5, line 22, remove "child support" and replace "include" with "state"

Page 5, line 24, replace the first "the" with "an"

Page 5, line 25, replace "that" with "the"

Page 5, line 26, replace "Failure" with "A party who obtains the order and fails to file a certified copy is subject to appropriate sanctions by a tribunal in which the issue of failure to file arises. The failure to file does not affect the validity or enforceability of the controlling order."

Page 5, remove lines 27 through 30

Page 6, line 14, replace "documents" with "document"

Page 8, line 14, replace the first "the" with "an income-withholding", after "employer" insert "shall", and remove "shall"

Page 8, line 18, after "as" insert "otherwise"

Page 8, line 20, replace ", as applicable, that" with "which"

Page 8, line 21, remove "the"

Page 9, line 1, replace the first "arrears" with "arrearages" and replace the second "arrears" with "arrearages"

Page 9, line 3, replace "The" with "An"

Page 9, line 7, replace "time periods" with "times"

Page 9, line 8, replace "income-withholding" with "withholding"

Page 9, line 9, replace "the" with "an"

Page 9, line 10, after "multiple" insert "income-withholding", after "orders" insert "with respect", and remove "withhold support from"

Page 9, line 11, replace "is deemed to have satisfied" with "satisfies" and after "if" insert "the employer complies with"

Page 9, line 13, remove "is complied with"

Page 9, line 16, replace "any" with "an" and after "withholding" insert "of"

Page 10, line 2, remove the underscored semicolon

Page 10, line 17, overstrike "the date of mailing or personal"

Page 10, line 18, overstrike "service of the"

Page 10, line 27, replace "Subsection" with "Subsections 1 and"

Page 10, line 28, replace "is" with "are"

Page 10, after line 28, insert:

- "1. A nonregistering party seeking to contest the validity or enforcement of a registered order in this state shall request a hearing within twenty days after ~~the date of mailing or personal service~~ of notice of the registration. The nonregistering party may seek to vacate the registration, to assert any defense to an allegation of noncompliance with the registered order, or to contest the remedies being sought or the amount of any alleged arrearages pursuant to section 14-12.2-41."

Page 11, line 7, remove "unless section 14-12.2-46.1 applies,"

Page 11, line 8, overstrike the first comma and insert immediately thereafter "section 14-12.2-46.1 does not apply and" and overstrike the second comma

Page 11, line 15, overstrike "An individual party or the" and insert immediately thereafter "The" and after "child" insert ", or a party who is an individual,"

Page 11, line 16, after "tribunal" insert "of this state", overstrike "individual", after "parties" insert "who are individuals", overstrike "a", and overstrike "consent" and insert immediately thereafter "consents"

Page 11, line 17, overstrike "providing that" and insert immediately thereafter "for" and overstrike "may" and insert immediately thereafter "to"

Page 11, line 19, replace "which" with "that" and after "enacted" insert "a law or established procedures substantially similar to the procedures under"

Page 11, line 20, remove "written", after "consent" insert "otherwise required", replace the second "the" with "an", and remove "party"

Page 11, line 29, replace "is" with "controls"

Page 11, line 30, remove "controlling" and after "be" insert "so"

Page 11, line 31, remove "nonmodifiable" and after "order" insert "which are nonmodifiable"

Page 12, line 2, overstrike the second "of" and insert immediately thereafter "having"

Page 12, line 23, after "modify" insert "child"

Page 12, line 25, after "all" insert "of", remove "individual", and after "parties" insert "who are individuals"

Page 12, line 28, replace "as provided in" with "under" and after "apply" insert "the provisions of"

Page 12, line 29, after "14-12.2-12" insert ", sections 14-12.2-35 through 14-12.2-46.2, and the procedural and substantive law of this state" and after "the" insert "proceeding for"

Page 12, line 30, remove "proceeding"

Page 13, line 1, replace "and the tribunal shall apply the" with an underscored period

Page 13, remove line 2

Page 13, line 5, replace "which" with "that"

Page 13, line 6, replace "that" with "the"

Page 13, line 7, replace "Failure of the party obtaining the order to file a certified copy as required subjects" with "A party who obtains the order and fails to file a certified copy is subject to appropriate sanctions by a tribunal in which the issue of failure to file arises. The failure to file does not affect the validity or enforceability of the modified order of the new tribunal having continuing, exclusive jurisdiction."

Page 13, remove lines 8 through 10

Page 13, line 16, remove "or under a law or procedure substantially similar to"

Page 13, line 21, overstrike "and" and insert immediately thereafter an underscored comma and after "14-17" insert ", and the rules of this state on choice of law"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1146, as reengrossed: 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). Reengrossed HB 1146 was placed on the Sixth order on the calendar.

Page 1, line 1, after "to" insert "create and enact a new section to chapter 15-27.4 of the North Dakota Century Code, relating to per student payments for students from dissolved districts; to" and after the second comma insert "15-40.2-01, 15-40.2-04,"

Page 1, line 2, remove "subsection 2 of section 39-21-18, sections" and after "57-15-13" insert a comma

Page 1, line 5, replace "foundation aid" with "per student payments for cooperating and reorganized"

Page 1, line 6, remove "amounts after reorganization of" and replace "for students moving to new" with "procedures"

Page 1, line 7, remove "districts, vehicles that may be used as schoolbuses" and replace "levy decisions" with "levies"

Page 1, after line 10, insert:

**"SECTION 1.** A new section to chapter 15-27.4 of the North Dakota Century Code is created and enacted as follows:

**Per student payments - Dissolution of school districts.** If a school district dissolves after June 30, 1997, any other school district accepting a student from the dissolved district is entitled to receive, for a period of four years, the same per student payment for each student from the dissolved district as the dissolved district received for each student before the dissolution. This section is applicable only if it results in a per student payment that is higher than that which would otherwise be received by the admitting district."

Page 1, line 17, replace "after" with "before"

Page 1, line 22, remove "on or"

Page 1, line 23, replace "1" with "31"

Page 2, line 12, after "instruction" insert "and effective before July 1, 1997"

Page 2, after line 21, insert:

**"SECTION 4. AMENDMENT.** Section 15-40.2-01 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

**15-40.2-01. Transfer of ~~pupils~~ students to other districts or institutions - Tuition agreements - Student discretion upon cessation of educational services.**

1. The school board of any district may send kindergarten, elementary, or high school ~~pupils~~ students into another school district or to an accredited institution of another state when, because of shorter distances and other conveniences, it is to the best interests of the school district to do so, and in such instances the board may pay the tuition of ~~such pupils~~ the students to the district or institution to which they are sent. The school board may arrange, and when petitioned to do so by a majority of qualified electors of the district, shall arrange with the school boards of other districts or with the institutions, to send ~~pupils~~ students to such other districts or institutions who can be taught conveniently therein, and for the payment of their tuition and for furnishing and paying for their transportation to and from such other schools or institutions.
2. If a school district does not provide educational services to an entire grade level, the students in that grade level may attend school at a public school of their choice, outside their district of residence without going through the procedures outlined in section 15-40.2-05. The school district of residence shall pay tuition to the admitting school district. ~~A student may exercise the provisions of this subsection whether the school district of residence ceased to provide the required grade level before or after August 1, 1995.~~ For purposes of determining whether educational services are provided to an entire grade level, the several school districts cooperating with each other for the joint provision of educational services under a plan approved by the superintendent of public instruction must be considered to be a single district.

**SECTION 5. AMENDMENT.** Section 15-40.2-04 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

**15-40.2-04. Nonresident tuition payments mandatory - Payments are exclusive.**

1. a. Except as provided in this subsection, any school district that admits nonresident students to its schools, as provided by this chapter, shall charge tuition for those students. School districts have the option of charging tuition for nonresident students enrolled in an approved alternative education program. The whole amount of the tuition must be paid by the district from which the student is admitted, in accordance with section 15-40.2-03, or by the student's parent or guardian, in accordance with section 15-40.2-06.
- b. Except as otherwise provided, any school district that fails to charge and collect tuition for nonresident students as provided for in section 15-40.2-03 and this section shall forfeit foundation payments for those nonresident students for whom tuition is not paid. A school district may accept a nonresident student from another school district in this state which offers the same grade level as that in which the student is enrolled, without a charge and collection of tuition if a written agreement is made between the sending and receiving districts. For purposes of determining whether the same grade level is offered, the several school districts cooperating with each other for the joint provision of educational services under a plan approved by the superintendent of public instruction must be considered to be a single district. The written agreement must specify whether transportation is to be provided and if so, by which district. If a school district of residence does not provide transportation to the student, it may be provided by the admitting district and the admitting district is then entitled to state payments for the transportation of the student. No written agreement is necessary if the nonresident student is enrolled in an approved alternative education program for which no tuition is charged. A school district may accept a nonresident student

described in section 15-40.3-07 from another school district in this state without a charge and collection of tuition and without a written agreement.

- c. No school district may charge or collect from any nonresident student, parent or guardian of a nonresident student, or the district of the student's residence, any registration, textbook, or laboratory fee, or any other fee or charge which is not charged to or for all resident students.
2. For purposes of subsection 1 and all statutory provisions relating to open enrollment, the member districts of a consortium must be treated as a single school district."

Page 3, line 10, after the period insert "For purposes of determining whether the grade level in which a student requires enrollment is offered, the several school districts cooperating with each other for the joint provision of educational services under a plan approved by the superintendent of public instruction must be considered to be a single district."

Page 3, remove lines 18 through 31

Page 4, remove lines 1 and 2

ReNUMBER accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1154: Education Committee (Sen. Freborg, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1154 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1160, as engrossed: 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). Engrossed HB 1160 was placed on the Sixth order on the calendar.

Page 1, line 4, replace the first "section" with "sections" and remove "subsection 3 of section 43-47-02, sections"

Page 2, remove lines 17 through 22

ReNUMBER accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1161, as engrossed: Human Services Committee (Sen. Thane, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1161 was placed on the Sixth order on the calendar.

Page 1, line 1, after "to" insert "create a new section to chapter 43-41 of the North Dakota Century Code, relating to fees charged by the North Dakota board of social work examiners; to"

Page 5, line 20, overstrike "not subject to section"

Page 5, line 21, overstrike "44-04-18 and section 6 of article XI of the Constitution of North Dakota" and insert immediately thereafter "are not public records"

Page 6, line 10, overstrike "board shall require reexamination" and insert immediately thereafter "license expires and the person may not practice social work until the license is renewed"

Page 6, after line 13, insert:

- "6. If a license has not been renewed as a result of nonpayment of the renewal fee or the failure of the licensee to present satisfactory proof of completion of the continuing education requirements, the applicant may renew the license within six months after the expiration of the previous license upon payment to the board of the amount of the renewal fee and by presenting satisfactory proof that the continuing education requirements have been

met. The board may also charge a late fee. If a license is not renewed within six months after the expiration of the license, a new application for licensure must be made.

**SECTION 7.** A new section to chapter 43-41 of the North Dakota Century Code is created and enacted as follows:

**Fees.** The board shall set by rule all fees authorized by this chapter. The fees may not exceed the following amounts:

1. <u>Application fee</u>	<u>\$ 50.00</u>
2. <u>License fee</u>	<u>\$150.00</u>
3. <u>Renewal fee</u>	<u>\$100.00</u>
4. <u>Late fee</u>	<u>\$300.00"</u>

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1167: Judiciary Committee (Sen. W. Stenehjem, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1167 was placed on the Sixth order on the calendar.

Page 1, line 1, after "sections" insert "40-57.3-02,"

Page 1, line 5, after "chance" insert "and moneys in a city visitors' promotion capital construction fund"

Page 1, after line 13, insert:

**"SECTION 2. AMENDMENT.** Section 40-57.3-02 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

**40-57.3-02. City visitors' promotion fund - City visitors' promotion capital construction fund - Visitors' committee - Establishment - Purpose.** The governing body of any city which imposes a city tax pursuant to section 40-57.3-01 or 40-57.3-01.1 shall, as appropriate, establish a city visitors' promotion fund, a city visitors' promotion capital construction fund, and a visitors' committee. The visitors' committee shall serve as an advisory committee to the city governing body in administering the proceeds from the taxes available to the city under this chapter. The moneys in the visitors' promotion fund must be used generally to promote, encourage, and attract visitors to come to the city and use the travel and tourism facilities within the city. The moneys in the visitors' promotion capital construction fund must be used generally for tourism or the purchase, equipping, improving, construction, maintenance, repair, and acquisition of buildings or property consistent with visitor attraction or promotion. The committee shall consist of five members appointed by the governing body of the city. These appointees shall serve without compensation, except for reimbursement for necessary expenses. Committee members shall serve for a term of four years, except that two of those initially appointed must be appointed for an initial term of two years. Vacancies must be filled in the same manner as the initial appointment. The committee shall elect a chairperson and vice chairperson from among its members to serve for a term of two years."

Page 14, line 9, overstrike "or" and insert immediately thereafter ", an"

Page 14, line 10, after "permit" insert ", or a temporary employee employed through a temporary employment agency"

Page 17, line 25, overstrike "paddlewheel ticket" and after "~~exceed~~" insert "wager"

Page 17, line 27, overstrike "wagered paddlewheel ticket" and insert immediately thereafter "wager" and overstrike "price of the"

Page 17, line 28, overstrike "paddlewheel ticket" and insert immediately thereafter "wager" and overstrike "paddlewheel tickets" and insert immediately thereafter "a wager"

Page 17, line 31, overstrike "paddlewheel ticket" and insert immediately thereafter "wager"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1169: Education Committee (Sen. Freborg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1169 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "and"

Page 1, line 2, remove "postsecondary"

Page 1, remove lines 7 through 10

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1199: Agriculture Committee (Sen. Wanzek, Chairman)** recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1199 was rereferred to the **Appropriations Committee**.

**REPORT OF STANDING COMMITTEE**

**HB 1234: Judiciary Committee (Sen. W. Stenehjem, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1234 was placed on the Sixth order on the calendar.

Page 3, line 27, remove "which arrived in"

Page 3, line 28, remove "time to be considered by the county canvassing board"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1237, as engrossed: Industry, Business and Labor Committee (Sen. Mutch, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1237 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1255, as engrossed: Agriculture Committee (Sen. Wanzek, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1255 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1323, as engrossed: Judiciary Committee (Sen. W. Stenehjem, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1323 was placed on the Sixth order on the calendar.

Page 1, line 11, replace "a present" with "an"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1357, as engrossed: Judiciary Committee (Sen. W. Stenehjem, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1357 was placed on the Sixth order on the calendar.

Page 1, line 6, after "individual" insert ", with the intent to arouse, appeal to, or gratify that individual's lust, passions, or sexual desires,"

Page 2, remove lines 8 through 13

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1371, as engrossed: Judiciary Committee (Sen. W. Stenehjem, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO**

**PASS** (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed HB 1371 was placed on the Sixth order on the calendar.

Page 1, line 9, overstrike "prohibition" and insert immediately thereafter "regulation"

Page 1, line 10, replace "prohibition" with "regulation"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1383, as engrossed: Industry, Business and Labor Committee (Sen. Mutch, Chairman)** recommends **DO NOT PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1383 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1384, as engrossed: Industry, Business and Labor Committee (Sen. Mutch, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (4 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1384 was placed on the Sixth order on the calendar.

Page 1, line 2, after "inspections" insert "of electrical installations" and replace "penalties imposed" with "administrative actions"

Page 1, line 19, replace "**Reimbursement of costs**" with "**Civil proceedings**"

Page 1, replace lines 21 through 24 with "criminal proceedings, the board may commence administrative or civil court proceedings as follows:

1. The board may issue a cease and desist order against a person allegedly making or offering to make electrical installations in violation of section 43-09-09 or 43-09-09.2 based upon information provided to the board by its electrical inspectors or other persons, by investigation reports, affidavits, complaints of witnesses, or oral testimony given to the board at a regular or special board meeting. Violation of the cease and desist order may be considered by the court in issuing a temporary or permanent restraining order and in ordering the payment of costs and attorney's fees in proceedings authorized under this section.
2. The board may apply to the district court in the county in which the violations have occurred for a temporary or permanent injunction under chapter 32-06, enjoining persons from performing, advertising, or contracting for making electrical installations without a valid license issued by the board in violation of section 43-09-09 or 43-09-09.2. The court may not require a written undertaking, security, or bond as a basis for issuing any temporary or permanent restraining order under this section unless the court specifically orders and states the basis for requiring the security. Upon a determination that a violation of section 43-09-09 or 43-09-09.2 has occurred, the court may assess against the defendants the actual costs incurred and reasonable attorneys' fees necessary for the investigation and court proceedings against the unlicensed person.
3. After an administrative hearing has been conducted by the board under chapter 28-32, an appeal from an order of the board or from the assessment of costs and attorneys' fees may be taken to the district court under chapter 28-32."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1387, as engrossed: 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). Engrossed HB 1387 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 create and enact a new section to chapter 12.1-20 of the North Dakota Century Code, relating to prohibiting the facilitation of sexual acts in public; and to provide a penalty.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1.** A new section to chapter 12.1-20 of the North Dakota Century Code is created and enacted as follows:

**Facilitation of sexual acts in public.**

1. As used in this section:
  - a. "Adult entertainment center" means any commercial facility at which motion pictures or videos that include explicit representations of sexual conduct are offered for viewing at that facility, but does not include the guest rooms of a hotel or motel.
  - b. "Sexual act" has the meaning prescribed in section 12.1-20-02.
  - c. "Sexual conduct" has the meaning prescribed in section 12.1-27.1-01.
2. It is an infraction for a person to willfully own, rent, lease, manage, or exercise control of any portion of an adult entertainment center if that portion contains:
  - a. Any partition between subdivisions of a room or area that has an opening, commonly known as a glory hole, that facilitates a sexual act between individuals on either side of the partition; or
  - b. A room, booth, stall, or partitioned portion of a room offered to individuals for a fee as an incident to viewing a video, motion picture, or similar entertainment, unless the room, booth, stall, or partitioned portion of the room has:
    - (1) At least one side open to an adjacent public space so that the area inside is visible to individuals in the adjacent public space; and
    - (2) The viewing area is lighted in a manner that the persons in that area are visible from the adjacent public space.
3. This section does not apply to an enclosure that is a private office space used by the owner, manager, or employees of the adult entertainment center if that office space is not held out or available to the public for the purpose of viewing a video, motion picture, or similar entertainment for a fee.
4. The department of health or the state's attorney having jurisdiction may bring an action to enjoin a pattern of violations of this section."

Re-number accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1424, as engrossed: Political Subdivisions Committee (Sen. Andrist, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1424 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1428, as engrossed: Human Services Committee (Sen. Thane, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1428 was placed on the Sixth order on the calendar.

Page 2, line 11, replace "otherwise indicated" with "contraindicated"

Re-number accordingly

**REPORT OF STANDING COMMITTEE**

**HCR 3037: Finance and Taxation Committee (Sen. Urlacher, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3037 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HCR 3038: Finance and Taxation Committee (Sen. Urlacher, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HCR 3038 was placed on the Fourteenth order on the calendar.

**FIRST READING OF HOUSE CONCURRENT RESOLUTIONS**

**HCR 3016:** A concurrent resolution to create and enact a new section to article X of the Constitution of North Dakota, relating to the creation of a permanent trust fund.  
Was read the first time and referred to the **Natural Resources Committee**.

**HCR 3025:** A concurrent resolution urging Congress to take steps to devolve the unemployment compensation program back to the states.  
Was read the first time and referred to the **Natural Resources Committee**.

**HCR 3040:** A concurrent resolution directing the Legislative Council to study the truancy laws of this state and whether there are sufficient options and alternatives available to schools and school districts that have high incidences of truancy.  
Was read the first time and referred to the **Education Committee**.

**HCR 3043:** A concurrent resolution directing the Legislative Council to study the feasibility and desirability of implementing hail suppression programs for the reduction of property damage in urban and rural areas and funding the programs through property and casualty line insurance premium taxes.  
Was read the first time and referred to the **Agriculture Committee**.

**HCR 3047:** A concurrent resolution directing the Legislative Council to study the current standards for the accreditation of elementary and secondary schools in this state, the method by which accreditation standards are adopted, the fiscal impact of accreditation standards, and the feasibility and desirability of waiving standards if student performance levels exceed a designated score.  
Was read the first time and referred to the **Education Committee**.

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

**William C. Parker, Secretary**