

JOURNAL OF THE SENATE

Fifty-sixth Legislative Assembly

* * * * *

Bismarck, January 18, 1999

The Senate convened at 1:15 p.m., with President Myrdal presiding.

The prayer was offered by Rev. Maury Millican, Bismarck Reformed Church, Bismarck.

The roll was called and all members were present except Senators Fischer, Heitkamp, Lindaas, and Mutch.

A quorum was declared by the President.

MESSAGE TO THE SENATE FROM THE HOUSE (LANCE HAGEN, CHIEF CLERK)

MADAM PRESIDENT: The Speaker has signed and your signature is respectfully requested on: HCR 3012.

MESSAGE TO THE SENATE FROM THE HOUSE (LANCE HAGEN, CHIEF CLERK)

MADAM PRESIDENT: The House has passed and your favorable consideration is requested on: HB 1053, HB 1055, HB 1077, HB 1084, HB 1111, HB 1115.

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

MR. SPEAKER: The President has signed: HCR 3012.

CORRECTION AND REVISION OF THE JOURNAL

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

Page 30, Line 16, replace "**Human Services**" with "**Appropriations**"

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

MOTION

SEN. ST. AUBYN MOVED that SB 2057, which is on the Eleventh order, be laid over one legislative day, which motion prevailed.

MOTION

SEN. ST. AUBYN MOVED that SB 2120, which is on the Eleventh order, be laid over two legislative days, which motion prevailed.

MOTION

SEN. ST. AUBYN MOVED that SB 2035 and SB 2069, which are on the Eleventh order, be rereferred to the **Appropriations Committee**, which motion prevailed. Pursuant to Sen. St. Aubyn's motion, SB 2035 and SB 2069 were rereferred.

CONSIDERATION OF AMENDMENTS

SB 2145: SEN. MUTZENBERGER (Government and Veterans Affairs Committee) MOVED that the amendments on SJ page 90 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2049: A BILL for an Act to create and enact a new section to chapter 30.1-23 of the North Dakota Century Code, relating to the entry of a safe deposit box.

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, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christmann; Cook; DeMers; Flakoll; Freborg; Grindberg; Holmberg; Kelsh; Kilzer; Kinnoin; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lyson; Mathern, D.; Mathern, T.; Mutzenberger; Naaden; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Schobinger; Solberg; St. Aubyn;

Stenehjem, B.; Stenehjem, W.; Tallackson; Thane; Thompson; Tomac; Traynor; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Fischer; Heitkamp; Lindaas; Mutch

Engrossed SB 2049 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2102: A BILL for an Act to amend and reenact section 57-38-35.2, subsection 15 of section 57-38-40, and subsections 1 and 2 of section 57-38-45 of the North Dakota Century Code, relating to the payment of interest on income tax refunds; and to provide for retroactive application.

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, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christmann; Cook; DeMers; Flakoll; Freborg; Grindberg; Holmberg; Kelsh; Kilzer; Kinnoin; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lyson; Mathern, D.; Mathern, T.; Mutzenberger; Naaden; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Tallackson; Thane; Thompson; Tomac; Traynor; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Fischer; Heitkamp; Lindaas; Mutch

Engrossed SB 2102 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2070: A BILL for an Act to amend and reenact subsections 2 and 9 of section 15-39.1-04, subsections 1 and 4 of section 15-39.1-10, sections 15-39.1-11, 15-39.1-12, 15-39.1-16, subsection 2 of section 15-39.1-17, sections 15-39.1-20, and 15-39.1-24 of the North Dakota Century Code, relating to definitions, eligibility for benefits, vesting, early retirement, annuities, death of member, withdrawals, and purchase of additional credit under the teachers' fund for retirement; and to repeal section 15-39.1-12.1 of the North Dakota Century Code, relating to partial service retirements under the teachers' fund for retirement.

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 44 YEAS, 0 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christmann; Cook; DeMers; Flakoll; Freborg; Grindberg; Holmberg; Kelsh; Kilzer; Kinnoin; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lyson; Mathern, D.; Mathern, T.; Mutzenberger; Naaden; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Thane; Thompson; Tomac; Traynor; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Fischer; Heitkamp; Lindaas; Mutch; Tallackson

SB 2070 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2089: A BILL for an Act to amend and reenact subsections 3, 5, 7, and 8 of section 20.1-03-11 of the North Dakota Century Code, relating to gratis and preferential landowner big game hunting licenses; and to declare an emergency.

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 44 YEAS, 0 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christmann; Cook; DeMers; Flakoll; Freborg; Grindberg; Holmberg; Kelsh; Kilzer; Kinnoin; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutzenberger; Naaden; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Schobinger; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Thane; Thompson; Tomac; Traynor; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Fischer; Heitkamp; Mutch; Solberg; Tallackson

SB 2089 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2178: A BILL for an Act to amend and reenact sections 23-25-10 and 61-28-08 of the North Dakota Century Code, relating to air and water pollution penalties; 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 43 YEAS, 3 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christmann; Cook; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Kinnoin; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutzenberger; Naaden; Nelson, G.; Nething; Redlin; Robinson; Sand; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Thane; Thompson; Tomac; Traynor; Urlacher; Wanzek; Wardner; Watne

NAYS: DeMers; Nelson, C.; O'Connell

ABSENT AND NOT VOTING: Fischer; Mutch; Tallackson

SB 2178 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2179: A BILL for an Act to amend and reenact subsection 3 of section 20.1-02-17.1, sections 20.1-02-18.1, 54-01.1-08, 54-21.3-04.1, subsections 3 and 4 of section 54-44.5-01, sections 54-44.5-02, 54-44.5-03, 54-44.5-04, 54-44.5-05, and subsections 2, 3, and 4 of section 54-44.5-07 of the North Dakota Century Code, relating to changing the name of the office of intergovernmental assistance to the division of community services.

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; Bercier; Bowman; Christmann; Cook; DeMers; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Kinnoin; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutzenberger; Naaden; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Thane; Thompson; Tomac; Traynor; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Fischer; Mutch; Tallackson

SB 2179 passed and the title was agreed to.

MOTION

SEN. C. NELSON MOVED that SB 2239 be returned to the Senate floor from the **Education Committee** for the purpose of withdrawal, which motion prevailed.

REQUEST

SEN. C. NELSON REQUESTED the unanimous consent of the Senate to withdraw SB 2239. There being no objection, it was so ordered 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 2027, SB 2033, SB 2034, SB 2062, SB 2075, SB 2099, SB 2137, SB 2141, SB 2148, SB 2155.

MOTION

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

MOTION

SEN. ST. AUBYN 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 1:00 p.m., Tuesday, January 19, 1999, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2067: Political Subdivisions Committee (Sen. Lee, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2067 was placed on the Sixth order on the calendar.

Page 1, line 2, after "1999" insert "; and to provide for a legislative council study on the validation of bonds"

Page 1, line 6, after the first "chapter" insert "- Legislative council study"

Page 1, line 7, after "1999" insert ". During the interim between regular sessions of the legislative assembly, the legislative council shall study the need to update the application of this chapter to bond issues"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2071: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2071 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2105: Finance and Taxation Committee (Sen. Urlacher, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2105 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2107: Natural Resources Committee (Sen. Traynor, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2107 was placed on the Sixth order on the calendar.

Page 2, line 15, after the second underscored comma insert "or if the state engineer determines a hearing is necessary to obtain additional information to evaluate the application or to receive public input."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2116: 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 2116 was placed on the Sixth order on the calendar.

Page 1, line 3, after "chambers" insert "; and to declare an emergency"

Page 2, after line 23, insert:

"SECTION 3. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2128: Political Subdivisions Committee (Sen. Lee, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2128 was placed on the Sixth order on the calendar.

Page 1, line 1, after "11-13-02.1" insert "and subsection 2 of section 44-04-18"

Page 1, line 2, remove "by county officials"

Page 1, line 8, overstrike the comma

Page 1, line 9, overstrike "or furnish copies of records to,"

Page 1, line 11, overstrike ", or furnish copies of records to,"

Page 1, line 16, overstrike "or preparing", remove "the", and overstrike "copies of records"

Page 1, after line 18, insert:

"SECTION 2. AMENDMENT. Subsection 2 of section 44-04-18 of the 1997 Supplement to the North Dakota Century Code is amended and reenacted as follows:

2. Upon request for a copy of specific public records, any entity subject to subsection 1 shall furnish the requester one copy of the public records requested. A request need not be made in person or in writing, and the copy must be mailed upon request. The entity may charge a reasonable fee for making or mailing the copy, or both. An entity may require payment before making or mailing the copy, or both. If the entity is not authorized to use the fees to cover the cost of providing or mailing the copy, or both, or if a copy machine is not readily available, the entity may make arrangements for the copy to be provided or mailed, or both, by another entity, public or private, and the requester shall pay the fee to that other entity. As used in this subsection, "reasonable fee" means the actual cost to the public entity of making or mailing a copy of a record, or both, including labor, materials, postage, and equipment, but excluding any cost associated with ~~locating, reviewing, or providing access to the requested record, or any cost associated with~~ excising confidential or closed material under section 44-04-18.8. An entity may impose a fee not exceeding twenty-five dollars per hour for locating and compiling a record if locating or compiling the record requires more than one hour. This subsection does not apply to copies of public records for which a different fee is specifically provided by law."

Re-number accordingly

REPORT OF STANDING COMMITTEE

SB 2131: 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 2131 was placed on the Sixth order on the calendar.

Page 1, line 13, replace "manual for courts-martial, United States, 1995 edition" with "Manual for Courts-Martial, United States, 1984 (1998 edition)"

Page 2, line 17, overstrike "courts of inquiry and"

Page 2, line 19, replace "manual for courts-martial, United States, 1995 edition" with "Manual for Courts-Martial, United States, 1984 (1998 edition)"

Re-number accordingly

REPORT OF STANDING COMMITTEE

SB 2136: 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 2136 was placed on the Sixth order on the calendar.

Page 1, line 13, after the underscored period insert "However, the Bank of North Dakota shall send notice of the proposed sale or lease of agricultural real estate with an appraised

value of less than ten thousand dollars to the adjacent landowners by registered mail twenty days before the execution of the sale or lease documents."

Renumber accordingly

FIRST READING OF SENATE BILLS

Sen. Grindberg introduced:

SB 2251: A BILL for an Act to amend and reenact sections 26.1-38.1-01, 26.1-38.1-02, 26.1-38.1-03, 26.1-38.1-05, 26.1-38.1-06; subsection 5 of section 26.1-38.1-07, subsection 3 of section 26.1-38.1-08; sections 26.1-38.1-09, 26.1-38.1-10, 26.1-38.1-11, 26.1-38.1-12, and 26.1-38.1-16 of the North Dakota Century Code, relating to the life and health insurance guaranty association and the related duties and powers of the insurance commissioner.

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

Sens. Krauter, D. Mathern, Tomac and Reps. Fairfield, Martinson, Price introduced:

SB 2270: A BILL for an Act to create and enact a new section to chapter 19-02.1 of the North Dakota Century Code, relating to country of origin labels; and to provide a penalty.

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

Sens. W. Stenehjem, Krebsbach introduced:

SB 2271: A BILL for an Act to create and enact a new subsection to section 10-19.1-10, a new subsection to section 10-19.1-65, a new subsection to section 10-19.1-87, a new subsection to section 10-32-13, a new subsection to section 10-33-06, a new subsection to section 10-33-17, a new subsection to section 45-10.1-04, sections 45-10.1-04.1, 45-10.1-51.1, 45-10.1-54.1, 45-10.1-58.1, 45-13-04.1, 45-13-04.2, 45-15-03.1, 45-15-03.2, 45-22-08.1, 45-22-21.1, and chapter 45-23 of the North Dakota Century Code, relating to business corporations, nonprofit corporations, limited partnerships, general partnerships, limited liability partnerships, and limited liability limited partnerships; to amend and reenact sections 10-06.1-12, 10-06.1-13, 10-06.1-17, 10-06.1-27, 10-19.1-01, subsection 2 of section 10-19.1-05, section 10-19.1-11, subsection 1 of section 10-19.1-13, section 10-19.1-23, subsection 2 of section 10-19.1-30, section 10-19.1-61, subsection 5 of section 10-19.1-61.1, subsection 1 of section 10-19.1-63, subsection 4 of section 10-19.1-64, section 10-19.1-66, subsection 2 of section 10-19.1-68, subsection 2 of section 10-19.1-70, subsection 1 of section 10-19.1-73.2, subsection 1 of section 10-19.1-76.2, subsection 3 of section 10-19.1-83, subsection 1 of section 10-19.1-84, subsection 3 of section 10-19.1-88, sections 10-19.1-91, 10-19.1-96, 10-19.1-97, 10-19.1-98, 10-19.1-99, 10-19.1-100, 10-19.1-101, 10-19.1-102, 10-19.1-103, subsection 2 of section 10-19.1-106, subsection 1 of section 10-19.1-108, subsection 3 of section 10-19.1-112, subsection 1 of section 10-19.1-113.1, sections 10-19.1-129, 10-19.1-137, 10-19.1-139, subsection 1 of section 10-19.1-146, sections 10-19.1-147, 10-30-05, 10-30.1-04, subsection 1 of section 10-31-02.1, subsection 2 of section 10-31-11, sections 10-31-13, 10-32-02, 10-32-06, 10-32-07, subsection 1 of section 10-32-10, subsection 5 of section 10-32-11, sections 10-32-17, 10-32-22, 10-32-23, 10-32-28, 10-32-30, 10-32-31, 10-32-32, subsection 2 of section 10-32-35, sections 10-32-36, 10-32-37, 10-32-38, 10-32-39, subsection 3 of section 10-32-40, sections 10-32-40.1, 10-32-42, subsection 1 of section 10-32-43, section 10-32-43.1, subsection 1 of section 10-32-44, section 10-32-48, subsection 2 of section 10-32-48.1, sections 10-32-49, 10-32-50, subdivision d of subsection 1 of section 10-32-51, sections 10-32-54, 10-32-55, 10-32-56, 10-32-57, subsection 7 of section 10-32-58, sections 10-32-59, 10-32-60, 10-32-61, 10-32-62, subdivision c of subsection 1 of section 10-32-64, subsection 1 of section 10-32-66, subsection 2 of section 10-32-67, sections 10-32-68, 10-32-70, 10-32-71, 10-32-72, 10-32-74, 10-32-75, 10-32-76, subsection 1 of section 10-32-78, subdivision a of subsection 1 of section 10-32-78.1, subsection 1 of section 10-32-79, sections 10-32-80, 10-32-81, 10-32-82, 10-32-83, subsection 1 of section 10-32-84, subsection 2 of section 10-32-85, section 10-32-86, subdivision b of subsection 2 of section 10-32-87, sections 10-32-88, 10-32-89, 10-32-94, 10-32-95, 10-32-99, 10-32-100, subdivision b of subsection 1 of section 10-32-101, section 10-32-102, subsection 1 of section 10-32-103, sections 10-32-104, 10-32-105, subdivision a of subsection 2 of section 10-32-106, sections 10-32-107, 10-32-109, paragraph 1 of subdivision b of subsection 1 of section 10-32-112, subdivision b of subsection 3 of section 10-32-113, sections 10-32-114, 10-32-119, subsection 2 of section 10-32-122, sections 10-32-131, 10-32-140, 10-32-142, subsection 2 of section 10-32-149, subsection 1 of section 10-32-150, section 10-33-01, subsection 1 of section 10-33-10, subsection 4 of section 10-33-13, section 10-33-49, subsection 3 of section 10-33-50, subsection 3 of section 10-33-54, section 10-33-84, subsection 2 of section 10-33-87, sections 10-33-95, 10-33-130, 34-09-06, 45-10.1-01, subsection 1 of section 45-10.1-02, sections 45-10.1-08, 45-10.1-09, 45-10.1-10, 45-10.1-11, 45-10.1-14, 45-10.1-15, 45-10.1-36, 45-10.1-51, 45-10.1-52, 45-10.1-53, 45-10.1-55, 45-10.1-58,

45-11-08.2, 45-13-01, subsection 2 of section 45-13-03, sections 45-13-05, 45-13-06, 45-14-01, subsection 1 of section 45-15-03, subsection 1 of section 45-15-06, sections 45-22-01, 45-22-03, 45-22-04, 45-22-05, 45-22-06, 45-22-07, 45-22-10, 45-22-11, 45-22-12, 45-22-13, 45-22-14, 45-22-15, 45-22-16, 45-22-17, 45-22-18, 45-22-20, subsection 1 of section 45-22-21, sections 45-22-22, 45-22-23, subsection 2 of section 45-22-24, sections 45-22-25, 45-22-26, subdivision b of subsection 1 of section 45-22-27, subsection 6 of section 47-22-02, sections 47-25-03, and 61-13-03.1 of the North Dakota Century Code, relating to farm corporations, business corporations, development corporations, venture capital corporations, professional associations, limited liability companies, nonprofit corporations, labor unions, limited partnerships, fictitious partnership names, general partnerships, limited liability partnerships, trademarks, trade names, and the organization of corporations for irrigation purposes; and to repeal sections 45-10.1-54 and 45-22-08 of the North Dakota Century Code, relating to the names of foreign limited partnership and piercing the limited liability shield of limited liability partnerships.

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

Sens. Klein, Krebsbach and Reps. Berg, Poolman introduced:

SB 2272: A BILL for an Act to amend and reenact section 65-01-08 of the North Dakota Century Code, relating to workers' compensation employer and staffing service relief from liability for injuries to an employee; and to declare an emergency.

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

Sens. Krauter, Bowman, Robinson, Solberg, Tallackson and Rep. DeKrey introduced:

SB 2273: A BILL for an Act to create and enact a new section to chapter 10-30.5 of the North Dakota Century Code, relating to the use of funds in the North Dakota development fund; and to provide for a transfer of moneys in the regional rural development revolving loan fund account.

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

Sens. Traynor, Watne and Rep. DeKrey introduced:

SB 2274: A BILL for an Act to amend and reenact subsection 7 of section 11-10-10 of the North Dakota Century Code, relating to the salaries of state's attorneys.

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

Sen. Grindberg introduced:

SB 2275: A BILL for an Act to create a new section to chapter 43-25 of the North Dakota Century Code, relating to student massage; to amend and reenact sections 43-25-02, 43-25-03, and 43-25-04 of the North Dakota Century Code, relating to massage therapist licensing requirements; and to declare an emergency.

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

Sens. Schobinger, Fischer, B. Stenehjem and Reps. Berg, Keiser, Price introduced:

SB 2276: A BILL for an Act to create and enact a new section to chapter 51-07 of the North Dakota Century Code, relating to use of replacement crash parts in motor vehicle repairs.

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

Sens. Kroeplin, Klein and Reps. Severson, Warner introduced:

SB 2277: A BILL for an Act to create and enact a new section to chapter 57-39.2 of the North Dakota Century Code, relating to a sales and use tax exemption for certain building materials used in economically disadvantaged cities; and to provide an effective date.

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

Sens. Kroeplin, Klein and Reps. Brandenburg, Niemeier, Warner introduced:

SB 2278: A BILL for an Act to provide for an appropriation and a transfer of funds to the department of economic development and finance for allocation of grants for the remodeling of abandoned public school buildings.

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

Sens. DeMers, Lee, Kilzer and Reps. Jensen, Price, Rose introduced:

SB 2279: A BILL for an Act to create and enact two new sections to chapter 39-10.1 of the North Dakota Century Code, relating to bicycle helmets and restraining seats; and to amend and reenact section 39-10.1-01 of the North Dakota Century Code, relating to bicycles; and to provide a penalty.

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

Sens. Freborg, Watne introduced:

SB 2280: A BILL for an Act to amend and reenact sections 11-18-01, 11-18-06, 11-18-07, 11-18-10, 11-18-11, 35-03-11, 35-03-16, 35-22-15, 35-22-16, 35-27-12, 40-50.1-14,

40-50.1-17, 47-19-10, 47-29-04, and subsection 2 of section 52-04-12 of the North Dakota Century Code, relating to the recording of documents by the register of deeds; and to repeal section 19-08-07 of the North Dakota Century Code, relating to recording of bottle brands.

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

Sens. Thompson, Tallackson and Rep. Lundgren introduced:

SB 2281: A BILL for an Act to amend and reenact subdivision a of subsection 2 of section 15-40.1-06 of the North Dakota Century Code, relating to per student payments.

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

Sens. C. Nelson, Wardner and Reps. Maragos, Stefonowicz introduced:

SB 2282: A BILL for an Act to amend and reenact section 15-39.1-19.1 of the North Dakota Century Code, relating to participation in the teachers' fund for retirement by retired persons who have resumed teaching; to provide an effective date; and to provide an expiration date.

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

Sens. Traynor, Krebsbach, Thompson and Rep. DeKrey introduced:

SB 2283: A BILL for an Act to amend and reenact section 28-26-04 of the North Dakota Century Code, relating to attorney's fees in actions to collect debts or enforce obligations in commercial loan transactions.

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

Sens. Klein, Schobinger and Rep. Boehm introduced:

SB 2284: A BILL for an Act to create and enact a new subdivision to subsection 1 of section 57-38-01.2 and a new subsection to section 57-38-30.3 of the North Dakota Century Code, relating to reduction of the income tax marriage penalty; to provide an effective date; and to provide an expiration date.

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

Sen. Kilzer and Reps. Lundgren, Porter, Severson introduced:

SB 2285: A BILL for an Act to amend and reenact sections 23-27-01, 23-27-02, 23-27-03, 23-27-04, 23-27-04.1, 23-27-04.2, 23-27-04.3, and 23-27-04.4 of the North Dakota Century Code, relating to licensing of emergency services.

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

Sen. Tomac introduced:

SB 2286: A BILL for an Act to create and enact a new section to chapter 43-23.3 and a new subsection to section 43-23.3-03 of the North Dakota Century Code, relating to confidentiality of real estate appraiser records.

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

Sen. W. Stenehjem and Reps. R. Kelsch, Mahoney, Wentz introduced:

SB 2287: A BILL for an Act to create and enact a new section to chapter 28-20 of the North Dakota Century Code, relating to application of a partial payment on a judgment; to provide for retroactive application; and to declare an emergency.

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

Sen. W. Stenehjem and Reps. Hoffner, R. Kelsch, Mahoney, Wentz introduced:

SB 2288: A BILL for an Act to amend and reenact subsection 1 of section 14-08.1-05 of the North Dakota Century Code, relating to treatment of child support arrears as judgments; to provide for retroactive application; and to declare an emergency.

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

Sens. Wanzek, Tomac and Reps. D. Johnson, Renner introduced:

SB 2289: A BILL for an Act to amend and reenact section 6-09.10-03 of the North Dakota Century Code, relating to an expiration date for the agricultural mediation service; and to declare an emergency.

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

Sens. Lee, Fischer, Kroeplin and Reps. Devlin, Koppang, Koppelman introduced:

SB 2290: A BILL for an Act to amend and reenact section 40-47-01.1 of the North Dakota Century Code, relating to extraterritorial zoning.

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

Sens. W. Stenehjem, Kringstad, Robinson and Reps. Aarsvold, Bernstein, Martinson introduced:

SB 2291: A BILL for an Act to amend and reenact section 54-44.3-20 of the North Dakota Century Code, relating to inclusion of the teaching staff of institutions of higher education in the state classified service.

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

Sen. Tallackson introduced:

SB 2292: A BILL for an Act to amend and reenact section 4-10.1-16 of the North Dakota Century Code, relating to the penalty for delinquent payment of assessments to the potato council.

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

Sen. Thane and Reps. Koppang, Koppelman introduced:

SB 2293: A BILL for an Act to create and enact a new section to chapter 49-21 of the North Dakota Century Code, relating to customer credit in billing disputes; and to amend and reenact section 49-02-01.1 of the North Dakota Century Code, relating to public service commission jurisdiction.

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

Sens. DeMers, Bercier and Reps. D. Johnson, Lemieux introduced:

SB 2294: A BILL for an Act to create and enact a new section to chapter 54-40.2 of the North Dakota Century Code, relating to agreements between Indian tribes and the state; and to amend and reenact sections 54-40.2-01, 54-40.2-02, and 54-40.2-09 of the North Dakota Century Code, relating to agreements between Indian tribes and the state.

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

Sen. W. Stenehjem introduced:

SB 2295: A BILL for an Act to amend and reenact subsection 5 of section 26.1-17-33.1 of the North Dakota Century Code, relating to formation of insurance companies for administration of medicare claims.

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

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Sens. Sand, Kinnoin and Reps. Gorder, Meyer, Solberg introduced:

SCR 4013: A concurrent resolution to create and enact a new section to article X of the Constitution of North Dakota, relating to a health care trust fund for deposit and use of funds from settlements with tobacco product manufacturers.

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

Sen. W. Stenehjem and Rep. DeKrey introduced:

SCR 4014: A concurrent resolution directing the Legislative Council to study the method of providing legal representation for indigent criminal defendants and the feasibility and desirability of establishing a public defender system.

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

FIRST READING OF HOUSE BILLS

HB 1053: A BILL for an Act to amend and reenact subsection 15 of section 57-02-08 of the North Dakota Century Code, relating to application of the property tax exemption for farm buildings for beginning farmers; and to provide an effective date.

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

HB 1055: A BILL for an Act to amend and reenact section 57-02-14 of the North Dakota Century Code, relating to assessment of real property that is exempt from property taxation; and to provide an effective date.

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

HB 1077: A BILL for an Act to create and enact a new section to chapter 14-07.1 of the North Dakota Century Code, relating to recognition and enforcement of foreign domestic violence protection orders; to amend and reenact section 14-07.1-06 of the North Dakota Century Code, relating to violations of protection orders; and to provide a penalty.

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

HB 1084: A BILL for an Act to amend and reenact section 15-08-26 of the North Dakota Century Code, relating to depreciation of school trust land surface improvement costs.

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

HB 1111: A BILL for an Act to amend and reenact subsection 5 of section 57-40.3-04 of the North Dakota Century Code, relating to the motor vehicle excise tax exemption for transfers of motor vehicles in a business reorganization.

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

HB 1115: A BILL for an Act to create and enact two new sections to chapter 54-18 of the North Dakota Century Code, relating to the issuance of bonds by the industrial commission for the mill and elevator association.

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

The Senate stood adjourned pursuant to Senator St. Aubyn's motion.

WILLIAM C. PARKER, Secretary