

JOURNAL OF THE SENATE

Fifty-seventh Legislative Assembly

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Bismarck, February 15, 2001

The Senate convened at 1:00 p.m., with President Pro Tem Krebsbach presiding.

The prayer was offered by Pastor Dennis Krey, Word of Faith Church, Bismarck.

The roll was called and all members were present except Senators Bercier and Traynor.

A quorum was declared by the President Pro Tem.

CONSIDERATION OF AMENDMENTS

SB 2337: SEN. EVERY (Industry, Business and Labor Committee) MOVED that the amendments on SJ page 459 be adopted and then be **REREFERRED** to the **Appropriations Committee** with **DO PASS**, which motion prevailed.

MOTION

SEN. CHRISTMANN MOVED that the rules be suspended, and that after action taken on the Sixth order, all bills on that order be placed on the Eleventh order, as amended, for immediate second reading and final passage, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2299, as engrossed: SEN. CHRISTMANN (Appropriations Committee) MOVED that the amendments on SJ page 459 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2299: A BILL for an Act to create and enact a new subdivision to subsection 7 of section 57-60-01 of the North Dakota Century Code, relating to coal conversion facility gross receipts; to amend and reenact sections 49-06-02 and 57-39.2-02.1, subsection 44 of section 57-39.2-04, section 57-39.2-26.1, subsection 9 of section 57-40.2-01, section 57-40.2-02.1, subdivision b of subsection 3 of section 57-60-01, and sections 57-60-02, 57-60-14, 57-61-01, 57-61-01.7, and 57-62-02 of the North Dakota Century Code, relating to sales and use taxes on coal, the coal severance tax, allocation of coal development funds, the privilege tax on coal conversion facilities, allocation of the privilege tax on coal conversion facilities, and the expiration date for certain severance tax reductions; to repeal section 57-61-01.8 of the North Dakota Century Code, relating to a coal severance tax reduction for coal burned in small boilers; and to provide an effective date.

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; Christenson; Christmann; Cook; Dever; Erbele; Espgaard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroepflin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nothing; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Trenbeath; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Bercier; Traynor

Reengrossed SB 2299 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2021: SEN. SOLBERG (Appropriations Committee) MOVED that the amendments on SJ pages 452-457 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2021: A BILL for an Act to provide an appropriation for defraying the expenses of the extension service, northern crops institute, upper great plains transportation institute, and the agricultural experiment station; to provide statements of legislative intent; to provide for a report to the budget section; and to amend and reenact section 4-05.1-16 and subsection 1 of section 4-05.1-21 of the North Dakota Century Code, relating to changing the voting membership of the state board of agricultural research and education and use of agricultural research fund annual proceeds.

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; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nothing; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Trenbeath; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Bercier; Traynor

Engrossed SB 2021 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2121: SEN. D. MATHERN (Industry, Business and Labor Committee) MOVED that the amendments on SJ page 457 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2121: A BILL for an Act to amend and reenact sections 65-01-05 and 65-05-33 of the North Dakota Century Code, relating to workers' compensation fraud; to provide a penalty; and to provide an effective date.

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; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nothing; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Trenbeath; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Bercier; Traynor

Engrossed SB 2121 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2181, as engrossed: SEN. STENEHJEM (Appropriations Committee) MOVED that the amendments on SJ pages 457-458 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2181: A BILL for an Act to create and enact a new section to chapter 40-57.3 and a new section to chapter 57-39.2 of the North Dakota Century Code, relating to authority of cities to impose motor vehicle rental taxes and a rental company surcharge on motor vehicle rentals; to amend and reenact subsection 13 of section 57-39.2-04 of the North Dakota Century Code, relating to limitations on the sales tax exemption for rentals of motor vehicles; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 37 YEAS, 10 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Andrist; Christmann; Cook; Dever; Erbele; Espegard; Fischer; Flakoll; Freborg; Grindberg; Holmberg; Kilzer; Klein; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Trenbeath; Urlacher; Wanzek; Wardner; Watne

NAYS: Bowman; Christenson; Every; Heitkamp; Kelsh; Krauter; Mathern, D.; Nichols; O'Connell; Tomac

ABSENT AND NOT VOTING: Bercier; Traynor

Reengrossed SB 2181 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2200: SEN. FREBORG (Appropriations Committee) MOVED that the amendments on SJ page 458 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2200: A BILL for an Act to amend and reenact subsection 2 of section 14 of chapter 169 of the 1999 Session Laws, relating to school district reorganization bonuses; to provide an appropriation; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 45 YEAS, 2 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Trenbeath; Urlacher; Wanzek; Wardner; Watne

NAYS: Andrist; Mutch

ABSENT AND NOT VOTING: Bercier; Traynor

Engrossed SB 2200 passed, the title was agreed to, and the emergency clause was declared carried.

CONSIDERATION OF AMENDMENTS

SB 2229: SEN. ANDRIST (Appropriations Committee) MOVED that the amendments on SJ page 458 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2229: A BILL for an Act to provide an appropriation to the adjutant general for the operation of the North Dakota veterans' cemetery.

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; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Trenbeath; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Bercier; Traynor

Engrossed SB 2229 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2294: SEN. NICHOLS (Finance and Taxation Committee) MOVED that the amendments on SJ pages 458-459 be adopted with **DO PASS**, which motion prevailed.

MOTION

SEN. CHRISTMANN MOVED that Engrossed SB 2294 be rereferred to the **Appropriations Committee**, which motion prevailed. Pursuant to Sen. Christmann's motion, SB 2294 was rereferred.

CONSIDERATION OF AMENDMENTS

SB 2327: SEN. POLOVITZ (Human Services Committee) MOVED that the amendments on SJ page 459 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2327: A BILL for an Act to amend and reenact sections 23-02.1-09, 23-02.1-10, and 23-02.1-13, subsection 1 of section 23-02.1-14, sections 23-02.1-19, 23-02.1-20, and 23-02.1-21, and paragraph 2 of subdivision a of subsection 3 of section 50-09-08.2 of the North Dakota Century Code, relating to birth, death, and fetal death certificates.

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; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nothing; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Trenbeath; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Bercier; Traynor

Engrossed SB 2327 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2415: SEN. LYSON (Political Subdivisions Committee) MOVED that the amendments on SJ page 460 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2415: A BILL for an Act to amend and reenact sections 57-40.6-06 and 57-40.6-07 of the North Dakota Century Code, relating to a 911 system data base.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 45 YEAS, 1 NAY, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nothing; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Tallackson; Thane; Tollefson; Tomac; Trenbeath; Urlacher; Wanzek; Wardner; Watne

NAYS: Stenehjem

ABSENT AND NOT VOTING: Bercier; Freborg; Traynor

Engrossed SB 2415 passed and the title was agreed to.

REQUEST

SEN. FREBORG REQUESTED that the record reflect he intended to vote AYE of SB 2415, which request was granted.

CONSIDERATION OF AMENDMENTS

SB 2428: SEN. WARDNER (Finance and Taxation Committee) MOVED that the amendments on SJ page 460 be adopted and then be placed on the Eleventh order with **DO PASS**.

REQUEST

SEN. TALLACKSON REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to SB 2428, which request was granted.

ROLL CALL

The question being on the motion to adopt the amendments to SB 2428, the roll was called and there were 29 YEAS, 18 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; Christmann; Cook; Dever; Erbele; Espegard; Fischer; Freborg; Grindberg; Holmberg; Kilzer; Klein; Krebsbach; Kringstad; Lee; Lyson; Mutch; Nelson, G.; Nething; Solberg; Stenehjerm; Thane; Tollefson; Trenbeath; Urlacher; Wanzek; Wardner; Watne

NAYS: Christenson; Every; Flakoll; Heitkamp; Kelsh; Krauter; Kroeplin; Lindaas; Mathern, D.; Mathern, T.; Nelson, C.; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Tallackson; Tomac

ABSENT AND NOT VOTING: Bercier; Traynor

The motion to adopt the amendments to SB 2428 passed.

SECOND READING OF SENATE BILL

SB 2428: A BILL for an Act to provide for a legislative council study of the state and local tax structure for funding of elementary and secondary education.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 40 YEAS, 7 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Holmberg; Kelsh; Kilzer; Klein; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mutch; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjerm; Thane; Tollefson; Tomac; Trenbeath; Urlacher; Wanzek; Wardner; Watne

NAYS: Christenson; Heitkamp; Krauter; Mathern, D.; Mathern, T.; Nelson, C.; Tallackson

ABSENT AND NOT VOTING: Bercier; Traynor

Engrossed SB 2428 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SCR 4014: SEN. ERBELE (Human Services Committee) MOVED that the amendments on SJ page 461 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4014: A concurrent resolution directing the Legislative Council to study the adoption laws of this state and other states.

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

Engrossed SCR 4014 was declared adopted, and the title was agreed to on a voice vote.

CONSIDERATION OF AMENDMENTS

SCR 4022: SEN. KILZER (Human Services Committee) MOVED that the amendments on SJ page 461 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4022: A concurrent resolution urging the State Health Officer to transmit the treatment guidelines for congestive heart failure published by the Heart Failure Society of America, Inc., to appropriate health care professionals and to urge the adoption of these guidelines in the professionals' practices.

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

Engrossed SCR 4022 was declared adopted, and the title was agreed to on a voice vote.

SECOND READING OF SENATE BILL

SB 2243: A BILL for an Act to create and enact chapter 43-51 of the North Dakota Century Code, relating to licensing of marriage and family therapists; 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 NOT PASS, the roll was called and there were 1 YEA, 46 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Thane

NAYS: Andrist; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroepelin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Tollefson; Tomac; Trenbeath; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Bercier; Traynor

SB 2243 lost.

SECOND READING OF SENATE BILL

SB 2322: A BILL for an Act to create and enact a new section to chapter 15-10 of the North Dakota Century Code, relating to the mitigation of damages by the president of an institution of higher education.

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 9 YEAS, 38 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Christenson; Every; Heitkamp; Kelsh; Krauter; Mathern, T.; Nelson, C.; Nichols; Tallackson

NAYS: Andrist; Bowman; Christmann; Cook; Dever; Erbele; Espegard; Fischer; Flakoll; Freborg; Grindberg; Holmberg; Kilzer; Klein; Krebsbach; Kringstad; Kroepelin; Lee; Lindaas; Lyson; Mathern, D.; Mutch; Nelson, G.; Nething; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Thane; Tollefson; Tomac; Trenbeath; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Bercier; Traynor

SB 2322 lost.

SECOND READING OF SENATE BILL

SB 2372: A BILL for an Act to create and enact a new subsection to section 16.1-07-08 of the North Dakota Century Code, relating to absent voter's ballots; and to amend and reenact section 16.1-07-04 of the North Dakota Century Code, relating to the distribution of absent voter's ballots.

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 40 YEAS, 7 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; Christmann; Cook; Dever; Erbele; Espegard; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mutch; Nelson, G.; Nething; Nichols; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Thane; Tollefson; Tomac; Trenbeath; Urlacher; Wanzek; Wardner; Watne

NAYS: Christenson; Every; Mathern, D.; Mathern, T.; Nelson, C.; O'Connell; Tallackson

ABSENT AND NOT VOTING: Bercier; Traynor

SB 2372 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2374: A BILL for an Act to amend and reenact subsection 1 of section 57-35.3-05 and section 57-38-01.7 of the North Dakota Century Code, relating to financial institutions tax and income tax credits for contributions to support institutions of higher education; 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 PASS, the roll was called and there were 35 YEAS, 12 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Andrist; Christenson; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Heitkamp; Holmberg; Kelsh; Kilzer; Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Nelson, C.; Nething; Nichols; O'Connell; Robinson; Schobinger; Tallackson; Thane; Tollefson; Tomac; Trenbeath; Urlacher; Wardner; Watne

NAYS: Bowman; Christmann; Cook; Freborg; Grindberg; Klein; Mutch; Nelson, G.; Polovitz; Solberg; Stenehjem; Wanzek

ABSENT AND NOT VOTING: Bercier; Traynor

SB 2374 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2399: A BILL for an Act to amend and reenact section 54-27-25 of the North Dakota Century Code, relating to the use of funds in the community health trust fund; and to provide an appropriation.

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 0 YEAS, 47 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

NAYS: Andrist; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Trenbeath; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Bercier; Traynor

SB 2399 lost.

SECOND READING OF SENATE BILL

SB 2423: A BILL for an Act to amend and reenact subdivision a of subsection 3 of section 49-23-04 of the North Dakota Century Code, relating to the one-call excavation notice system.

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 3 YEAS, 44 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Solberg; Stenehjem; Wardner

NAYS: Andrist; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espgaard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Tallackson; Thane; Tollefson; Tomac; Trenbeath; Urlacher; Wanzek; Watne

ABSENT AND NOT VOTING: Bercier; Traynor

SB 2423 lost.

SECOND READING OF SENATE BILL

SB 2439: A BILL for an Act to amend and reenact subsection 1 of section 12-54.1-01 of the North Dakota Century Code, relating to performance-based sentence reduction.

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 0 YEAS, 47 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

NAYS: Andrist; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espgaard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Trenbeath; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Bercier; Traynor

SB 2439 lost.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)

MR. SPEAKER: The Senate has passed, the emergency clause carried, and your favorable consideration is requested on: SB 2191, SB 2430.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2086, SB 2095, SB 2166, SB 2180, SB 2234, SB 2344, SB 2363, SB 2404, SB 2419.

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)

MR. PRESIDENT: The House has passed, the emergency clause carried, and your favorable consideration is requested on: HB 1022, HB 1236, HB 1374.

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)

MR. PRESIDENT: The House has passed and your favorable consideration is requested on: HB 1008, HB 1009, HB 1042, HB 1153, HB 1162, HB 1202, HB 1285, HB 1310, HB 1336, HB 1352, HB 1356, HB 1370, HB 1396, HB 1404, HB 1409, HB 1467, HB 1472, HCR 3020, HCR 3021, HCR 3022, HCR 3043.

MOTION

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

MOTION

SEN. CHRISTMANN MOVED that the Senate be on the Fourth, Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 12:30 p.m., Friday, February 16, 2001, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2081, as engrossed: Appropriations Committee (Sen. Nething, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2081 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2176: Appropriations Committee (Sen. Nething, Chairman) recommends **DO PASS** (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). SB 2176 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2244: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2244 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2271: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends **DO NOT PASS** and **BE REREFERRED** to the **Appropriations Committee** (5 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). SB 2271 was rereferred to the **Appropriations Committee**.

REPORT OF STANDING COMMITTEE

SB 2286: Finance and Taxation Committee (Sen. Urlacher, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2286 was placed on the Sixth order on the calendar.

Page 2, remove lines 22 through 25

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2311: Natural Resources Committee (Sen. Fischer, Chairman) recommends **DO NOT PASS** (4 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). SB 2311 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2365: Judiciary Committee (Sen. Traynor, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2365 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "four" with "two"

Page 1, line 3, remove the first "and" and after "39-10-33.3" insert a comma

Page 1, line 5, remove "to repeal sections 25-13-01 and 25-13-05 of the"

Page 1, line 6, remove "North Dakota Century Code, relating to legislative policy;"

Page 1, line 11, remove ", or is being specially trained."

Page 1, remove lines 23 and 24

Page 2, remove lines 1 through 12

Page 2, line 15, after "dog" insert "in training" and replace "The trainer of an" with:

"1. A trainer with an"

Page 2, line 16, replace ", with the assistance dog," with "in training"

Page 2, line 18, after "dog" insert "in training"

Page 2, replace line 19 with:

- "a. The trainer notifies an onsite manager that an assistance dog in training is being brought onto the premises;
- b. The trainer wears a photo identification card issued by a dog training program holding membership in assistance dogs"

Page 2, line 20, remove "indicating that the trainer is a member of assistance dogs"

Page 2, line 21, remove "international"

Page 2, line 22, replace "2" with "c"

Page 2, line 23, after "dog" insert "in training."

- 2. Upon receiving notice as provided in subsection 1, the onsite manager may not deny admission to the trainer and the assistance dog in training without good cause"

Page 3, line 17, remove ", including a trainer,"

Page 3, line 18, after the period insert "This section does not apply to a denial of admission under section 3 of this Act."

Page 4, remove lines 1 and 2

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2377: Natural Resources Committee (Sen. Fischer, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2377 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2408: Finance and Taxation Committee (Sen. Urlacher, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2408 was placed on the Sixth order on the calendar.

Page 1, line 15, after "cigars" insert ", pipe tobacco"

Page 1, line 18, after "cigars" insert ", pipe tobacco"

Page 1, line 21, after "cigars" insert ", pipe tobacco"

Page 1, line 22, after "cigars" insert ", pipe tobacco"

Page 2, line 5, replace the underscored comma with "and"

Page 2, line 6, remove ", and pipe tobacco"

Page 2, line 15, after "cigars" insert ", pipe tobacco"

Page 2, line 18, after "cigars" insert ", pipe tobacco"

Page 2, line 23, after "cigars" insert ", pipe tobacco"

Page 2, line 25, after "cigars" insert ", pipe tobacco"

Page 2, line 27, after "cigars" insert ", pipe tobacco"

Page 3, line 3, after "cigars" insert ", pipe tobacco"

Page 3, line 5, after the period insert "For sales of other tobacco products, the records must also include the net weight in ounces, as listed by the manufacturer."

Page 3, line 8, after "cigars" insert ", pipe tobacco"

Page 3, line 10, after the period insert "For sales of other tobacco products, each licensed distributor shall also report to the tax commissioner the net weight in ounces, as listed by the manufacturer."

Page 3, line 23, after "~~products~~" insert "and pipe tobacco"

Page 3, line 27, after "~~products~~" insert "and pipe tobacco"

Page 3, line 28, after "~~products~~" insert "and pipe tobacco"

Page 4, line 1, after "~~products~~" insert "or pipe tobacco"

Page 4, line 7, replace "fifteen" with "sixteen"

Page 4, remove lines 9 and 10

Page 5, line 4, remove the overstrike over the second overstruck comma and insert immediately thereafter "pipe tobacco,"

Page 5, line 7, after the overstruck comma insert "and pipe tobacco"

Page 5, line 14, after "~~products~~" insert "or pipe tobacco"

Page 5, line 27, after "~~snuff~~" insert ", pipe tobacco,"

Page 6, line 3, after "~~and~~" insert ", pipe tobacco,"

Page 6, line 20, remove the overstrike over the second overstruck comma and insert immediately thereafter "pipe tobacco,"

Page 6, line 22, remove the overstrike over the second overstruck comma and insert immediately thereafter "pipe tobacco,"

Page 6, line 27, remove the overstrike over the second overstruck comma and insert immediately thereafter "pipe tobacco,"

Page 6, line 30, remove the overstrike over the second overstruck comma and insert immediately thereafter "pipe tobacco,"

Page 7, line 3, after the period insert "For sales of other tobacco products, the return must also include the net weight in ounces, as listed by the manufacturer."

Page 7, line 25, after "~~and~~" insert "pipe tobacco,"

Page 8, line 3, after "cigars" insert ", pipe tobacco"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2409: Human Services 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 2409 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "and" and after "penalty" insert "; and to provide an effective date"

Page 1, remove lines 18 and 19

Page 1, line 20, replace "7" with "6"

Page 1, line 23, replace "8" with "7"

Page 2, line 1, replace "9" with "8"

Page 2, line 2, replace "10" with "9"

Page 2, line 11, replace "11" with "10"

Page 2, line 14, replace "12" with "11"

Page 2, line 19, replace "13" with "12"

Page 2, line 22, replace "14" with "13"

Page 2, line 25, replace "15" with "14"

Page 2, line 27, replace "16" with "15"

Page 3, line 3, remove "nurse,"

Page 3, line 12, remove "nurse,"

Page 3, line 16, remove "nursing,"

Page 3, line 27, replace "August 1, 2001" with "January 1, 2003"

Page 4, line 23, replace "Passes" with "Completes a board-approved course of study and passes" and after the second period insert "The board-approved course of study training standards may be no less stringent than, nor in conflict with, applicable ionizing radiation operator training requirements adopted in accordance with chapters 23-20, 23-20.1, and 23-20.2."

Page 4, line 26, replace "August 1, 2001" with "January 1, 2003"

Page 5, after line 8, insert:

"3. The board-approved course of study training standards may be no less stringent than, nor in conflict with, applicable ionizing radiation operator training requirements adopted in accordance with chapters 23-20, 23-20.1, and 23-20.2."

Page 6, after line 3, insert:

"**SECTION 12. EFFECTIVE DATE.** This Act becomes effective on January 1, 2003."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2431: Judiciary Committee (Sen. Traynor, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2431 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2441: Judiciary Committee (Sen. Traynor, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2441 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "section" with "sections 5-01-08 and"

Page 1, after line 3, insert:

"**SECTION 1. AMENDMENT.** Section 5-01-08 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

5-01-08. Persons under twenty-one years of age prohibited from manufacturing, purchasing, consuming, or possessing alcoholic beverages or entering licensed premises - Penalty - Exceptions - Referrals to addiction facilities - Jurisdiction. Except as permitted in this section and section 5-02-06, any person under twenty-one years of age manufacturing or attempting to manufacture alcoholic beverages, purchasing or attempting to purchase alcoholic beverages, consuming or having recently consumed alcoholic beverages other than during a religious service, being under the influence of alcoholic beverages, or being in possession of alcoholic beverages, or furnishing money to any person for such purchase, or entering any licensed premises where alcoholic beverages are being sold or displayed, except a restaurant when accompanied by a parent or legal guardian, or in accordance with section 5-02-06, or if the person is a law enforcement officer or other public official entering the premises in the performance of official duty, is guilty of a class B misdemeanor. The court may, under this section, refer the person to an

outpatient addiction facility licensed by the state department of human services for evaluation and appropriate counseling or treatment. The offense of consumption occurs in the county of consumption or the county where the offender is arrested."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2444: Judiciary Committee (Sen. Traynor, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2444 was placed on the Sixth order on the calendar.

Page 1, line 7, remove the second "and" and after "penalty" insert "; and to declare an emergency"

Page 8, after line 13, insert:

"SECTION 10. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2445: Judiciary Committee (Sen. Traynor, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2445 was placed on the Sixth order on the calendar.

Page 1, line 12, replace "a" with "the most"

Page 1, line 13, remove "and trafficking in their age groups"

Page 1, line 14, replace "unlawful" with "gateway and other illicit"

Page 1, line 15, replace "unlawful" with "gateway and other illicit" and replace "at school-related activities" with "on school property"

Page 1, line 16, replace "unlawful" with "gateway and other illicit" and replace "This report must" with:

"2. The state crime laboratory shall provide a report that includes the type of each controlled substance tested and the number of times tests were run for each controlled substance."

Page 1, remove lines 17 and 18

Page 1, line 19, replace "2" with "3"

Page 1, line 20, remove ", sought treatment, or were referred for treatment for"

Page 1, line 21, remove "unlawful drug use" and replace "The availability and adequacy of treatment" with "The report must include information about the variety of drugs, legal and illegal, for which people were treated."

Page 1, remove line 22

Page 1, line 23, replace "3" with "4"

Page 2, line 4, after the period insert "The report also must identify the number of people referred to treatment and treated as a condition of sentencing, probation, or parole."

Page 2, line 5, replace "4" with "5"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2447: Agriculture Committee (Sen. Wanzek, Chairman) recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2447 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4015: Natural Resources Committee (Sen. Fischer, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SCR 4015 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4018: Judiciary Committee (Sen. Traynor, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SCR 4018 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4019: Judiciary Committee (Sen. Traynor, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SCR 4019 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4023: Agriculture Committee (Sen. Wanzek, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4023 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4025: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4025 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4027: Human Services Committee (Sen. Lee, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4027 was placed on the Sixth order on the calendar.

Page 1, line 2, after "consumers" insert "and the state, and whether the state should establish a program to assist in the purchase of prescription drugs based upon income"

Page 1, after line 4, insert:

"**WHEREAS**, Medicaid drug expenditures for the 1997-99 biennium totaled \$47.1 million, of which \$12.3 million were from the general fund; for the 1999-2001 biennium, the department of human services budgeted \$50.4 million, of which \$15 million are state funds; and the latest estimates indicate that the department of human services will expend \$63.5 million, of which \$18.9 million are state funds while the department of human services is anticipating expenditures in the next biennium to exceed \$80 million; and"

Page 1, line 21, after "consumers" insert "and the state, and whether the state should establish a program to assist in the purchase of prescription drugs based upon income"

Renumber accordingly

FIRST READING OF SENATE CONCURRENT RESOLUTION

Sen. Urlacher and Rep. F. Klein introduced:

SCR 4040: A concurrent resolution directing the Legislative Council to study the problems associated with credit card companies marketing credit cards to college students.

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

FIRST READING OF HOUSE BILLS

HB 1008: A BILL for an Act to provide an appropriation for defraying the expenses of the public service commission; and to amend and reenact section 49-01-05 of the North Dakota Century Code, relating to the salary of public service commissioners.

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

HB 1009: A BILL for an Act to provide an appropriation for defraying the expenses of the agriculture commissioner; to provide project safe send user fees; and to amend and reenact sections 4-01-21, 19-18-02.1, and 19-18-04 of the North Dakota Century Code, relating to the salary of the agriculture commissioner, uses of the environment and rangeland protection fund, and pesticide registration fees.

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

HB 1022: A BILL for an Act to provide an appropriation for defraying the expenses of the tourism department; to create and enact a new section to chapter 54-34.4 of the North

Dakota Century Code, relating to copyright and trademark; to amend and reenact section 54-34.4-04 of the North Dakota Century Code, relating to the motion picture advisory board; to provide legislative intent; and to declare an emergency.

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

HB 1042: A BILL for an Act to amend and reenact section 10-30.1-04 of the North Dakota Century Code, relating to venture capital corporation incorporation.

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

HB 1153: A BILL for an Act to create and enact a new section to chapter 65-05 of the North Dakota Century Code, relating to establishing incentives for employers to hire workers who have previously sustained a work injury; to amend and reenact subsection 19 of section 65-01-02 and sections 65-05-08 and 65-05-32 of the North Dakota Century Code, relating to the definition of fee schedule for workers' compensation purposes, prohibiting employers from requiring injured workers to use sick or annual leave benefits, the confidentiality and use of workers' compensation claim file information; to provide a penalty; to provide a continuing appropriation; and to provide an effective date.

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

HB 1162: A BILL for an Act to amend and reenact section 65-05.2-02 of the North Dakota Century Code and section 6 of chapter 556 of the 1999 Session Laws, relating to payment of supplementary benefits for certain workers' compensation benefit recipients; and to provide an effective date.

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

HB 1202: A BILL for an Act to create and enact section 23-27-04.5 of the North Dakota Century Code, relating to the creation of a quick-response unit service pilot program; to amend and reenact sections 23-27-01, 23-27-02, 23-27-03, 23-27-04, 23-07-04.1, 23-27-04.2, 23-27-04.3, and 23-27-04.4 of the North Dakota Century Code, relating to licensure of emergency medical services operations; to provide an appropriation; and to provide an expiration date.

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

HB 1236: A BILL for an Act to amend and reenact sections 15.1-09-02 and 15.1-09-27 and subsection 1 of section 15.1-09-30 of the North Dakota Century Code, relating to terms of Fargo board of education members; and to declare an emergency.

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

HB 1285: A BILL for an Act to create and enact a new section to chapter 39-04 of the North Dakota Century Code, relating to liability insurance for motor vehicles.

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

HB 1310: A BILL for an Act to provide for scholarships for retraining elementary and secondary teachers.

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

HB 1336: A BILL for an Act to amend and reenact section 2 of chapter 188 of the 1987 Session Laws, relating to reversion of property not used as a fairgrounds in Stark County.

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

HB 1352: A BILL for an Act to create and enact a new section to chapter 16.1-01 of the North Dakota Century Code, relating to recall petitions; and to amend and reenact sections 16.1-01-09 and 44-08-21 of the North Dakota Century Code, relating to initiative and referendum petitions and recall petitions of political subdivision officials.

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

HB 1356: A BILL for an Act to amend and reenact section 20.1-06-08 of the North Dakota Century Code, relating to the governor's proclamation concerning spearfishing from dark houses.

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

HB 1370: A BILL for an Act to amend and reenact section 16.1-08.1-04 of the North Dakota Century Code, relating to supplemental campaign contribution statements.

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

HB 1374: A BILL for an Act relating to honorary high school diplomas for veterans; and to declare an emergency.

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

HB 1396: A BILL for an Act to create and enact a new subsection to section 61-02-14 of the North Dakota Century Code, relating to the powers and duties of the state water commission; and to amend and reenact subsections 4 and 5 of section 61-01-26 of the North Dakota Century Code and section 10 of chapter 535 of the 1999 Session Laws, relating to the sharing of costs for water quality protection programs and the statewide water development program.

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

HB 1404: A BILL for an Act to create and enact a new section to chapter 5-01 of the North Dakota Century Code, relating to farm winery licenses.

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

HB 1409: A BILL for an Act to create and enact a new section to chapter 23-27 and two new sections to chapter 57-40.6 of the North Dakota Century Code, relating to the dispatching of ambulances and standards and guidelines for 911 telephone systems; and to provide an effective date.

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

HB 1467: A BILL for an Act to transfer funds from the environment and rangeland protection fund to the minor use pesticide fund.

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

HB 1472: A BILL for an Act to create and enact a new section to chapter 50-24.1 of the North Dakota Century Code, relating to medical assistance for breast and cervical cancer; and to provide an appropriation.

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

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 3020: A concurrent resolution urging the United States Army Corps of Engineers to promote private access to, private ownership of, and private development on lands it owns and manages around Lake Sakakawea, including the return of lakeshore lands that are contiguous to current tribal-owned land to the Three Affiliated Tribes and development and implementation of a water level policy that establishes and assures that Lake Sakakawea will have a stable water level.

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

HCR 3021: A concurrent resolution expressing appreciation for passage of the Dakota Water Resources Act and urging Congress to fully fund the federal share of the water projects in that Act.

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

HCR 3022: A concurrent resolution directing the Legislative Council to study the use of incentive programs in North Dakota as a way of keeping elk in the state and providing increased opportunities for landowners, hunters, and the general public.

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

HCR 3043: A concurrent resolution directing the Legislative Council to study the fiscal note process.

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

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

WILLIAM R. HORTON, Secretary