

JOURNAL OF THE SENATE

Fifty-eighth Legislative Assembly

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Bismarck, February 17, 2003

The Senate convened at 12:30 p.m., with President Pro Tem Traynor presiding.

The prayer was offered by Father Joji Itukulapati, Church of the Nativity, Fargo.

The roll was called and all members were present except Senators Andrist and Grindberg.

A quorum was declared by the President Pro Tem.

MOTION

SEN. CHRISTMANN MOVED that the Senate resolve itself into a Confirmation Session, which motion prevailed.

REPORT OF SELECT COMMITTEE

MR. PRESIDENT: Your **Select Committee (Sen. Flakoll, Chairman)** appointed to consider the nominations for the North Dakota State Board of Higher Education, do advise and consent to the nomination of Susan Andrews.

SEN. FLAKOLL MOVED that the report be adopted.

ROLL CALL

The question being will the Senate "advise and consent to the nomination of Susan Andrews for the North Dakota State Board of Higher Education", the roll was called and there were 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Brown; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fairfield; Fischer; Flakoll; Freborg; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Urlacher; Wardner

ABSENT AND NOT VOTING: Grindberg

The Senate advises and consents to the nomination of Susan Andrews to the North Dakota State Board of Higher Education.

REPORT OF SELECT COMMITTEE

MR. PRESIDENT: Your **Select Committee (Sen. Flakoll, Chairman)** appointed to consider the nominations for the North Dakota State Board of Higher Education, do advise and consent to the nomination of Pamela Kostelecky.

SEN. FLAKOLL MOVED that the report be adopted.

ROLL CALL

The question being will the Senate "advise and consent to the nomination of Pamela Kostelecky for the North Dakota State Board of Higher Education", the roll was called and there were 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Brown; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fairfield; Fischer; Flakoll; Freborg; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Urlacher; Wardner

ABSENT AND NOT VOTING: Grindberg

The Senate advises and consents to the nomination of Pamela Kostelecky to the North Dakota State Board of Higher Education.

REPORT OF SELECT COMMITTEE

MR. PRESIDENT: Your **Select Committee (Sen. Flakoll, Chairman)** appointed to consider the nominations for the North Dakota State Board of Higher Education, do advise and consent to the nomination of Richard Kunkel.

SEN. FLAKOLL MOVED that the report be adopted.

ROLL CALL

The question being will the Senate "advise and consent to the nomination of Richard Kunkel for the North Dakota State Board of Higher Education", the roll was called and there were 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Brown; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fairfield; Fischer; Flakoll; Freborg; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Urlacher; Wardner

ABSENT AND NOT VOTING: Grindberg

The Senate advises and consents to the nomination of Richard Kunkel to the North Dakota State Board of Higher Education.

MOTION

SEN. CHRISTMANN MOVED the Confirmation Session be dissolved, which motion prevailed.

MOTION

SEN. CHRISTMANN MOVED that SB 2271, SB 2296, and SB 2329, which are on the Sixth order, be laid over one legislative day, which motion prevailed.

MOTION

SEN. CHRISTMANN MOVED that SB 2236 and SB 2357 be moved to the bottom of the Eleventh order, which motion prevailed.

MOTION

SEN. CHRISTMANN MOVED that the rules be suspended and 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 2305, as engrossed: SEN. BOWMAN (Appropriations Committee) MOVED that the amendments on SJ page 407 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2305: A BILL for an Act to create and enact a new section to chapter 15.1-07 and a new section to chapter 15.1-27 of the North Dakota Century Code, relating to approved joint powers agreements and reimbursement for participation.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 41 YEAS, 5 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Brown; Christenson; Christmann; Dever; Erbele; Espegard; Every; Fairfield; Fischer; Flakoll; Freborg; Heitkamp; Holmberg; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; Nichols; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Tollefson; Traynor; Trenbeath; Urlacher; Wardner

NAYS: Cook; Kilzer; O'Connell; Polovitz; Thane

ABSENT AND NOT VOTING: Grindberg

Reengrossed SB 2305 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2251: SEN. ESPEGARD (Industry, Business and Labor Committee) MOVED that the amendments on SJ pages 381-382 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2251: A BILL for an Act to create and enact a new chapter to title 26.1 of the North Dakota Century Code, relating to creation of a property insurance placement facility.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Brown; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fairfield; Fischer; Flakoll; Freborg; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Urlacher; Wardner

ABSENT AND NOT VOTING: Grindberg

Engrossed SB 2251 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2237: SEN. HEITKAMP (Natural Resources Committee) MOVED that the amendments on SJ page 402 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2237: A BILL for an Act to amend and reenact subsection 12 of section 20.1-02-05 of the North Dakota Century Code, relating to the power of the director of the game and fish department to issue special crossbow hunting permits.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Brown; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fairfield; Fischer; Flakoll; Freborg; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Urlacher; Wardner

ABSENT AND NOT VOTING: Grindberg

Engrossed SB 2237 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2278: SEN. FISCHER (Natural Resources Committee) MOVED that the amendments on SJ page 406 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2278: A BILL for an Act to amend and reenact section 61-16.1-09.1 of the North Dakota Century Code, relating to maintenance of natural watercourses and debrisment of bridges and low water crossings.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Brown; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fairfield; Fischer; Flakoll; Freborg; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch;

Nelson; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Urlacher; Wardner

ABSENT AND NOT VOTING: Grindberg

Engrossed SB 2278 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SCR 4024: SEN. FLAKOLL (Agriculture Committee) MOVED that the amendments on SJ page 408 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4024: A concurrent resolution celebrating the World Series victory of Darin Erstad as a member of the Anaheim Angels baseball team.

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

Engrossed SCR 4024 was declared adopted, and the title was agreed to on a voice vote.

SECOND READING OF SENATE BILL

SB 2319: A BILL for an Act amend and reenact section 19-18-04 of the North Dakota Century Code, relating to pesticide registration fees; to provide an appropriation; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Brown; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fairfield; Fischer; Flakoll; Freborg; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Urlacher; Wardner

ABSENT AND NOT VOTING: Grindberg

Engrossed SB 2319 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2363: A BILL for an Act to amend and reenact subsection 4 of section 20.1-03-11 and subsection 4 of section 20.1-03-12 of the North Dakota Century Code, relating to deer hunting by nonresidents.

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 44 YEAS, 2 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Brown; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fairfield; Fischer; Flakoll; Freborg; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lyson; Mathern; Mutch; Nelson; Nething; Nichols; O'Connell; Polovitz; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Urlacher; Wardner

NAYS: Lindaas; Robinson

ABSENT AND NOT VOTING: Grindberg

Engrossed SB 2363 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2032: A BILL for an Act to provide an appropriation for the data envelopment analysis project.

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 28 YEAS, 18 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Bercier; Brown; Christenson; Cook; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Heitkamp; Klein; Krebsbach; Lee, G.; Lee, J.; Lyson; Mathern; Nelson; Nething; Nichols; O'Connell; Seymour; Syverson; Taylor; Thane; Tollefson; Traynor; Urlacher

NAYS: Andrist; Bowman; Christmann; Dever; Fairfield; Holmberg; Kilzer; Krauter; Kringstad; Lindaas; Mutch; Polovitz; Robinson; Schobinger; Stenehjem; Tallackson; Trenbeath; Wardner

ABSENT AND NOT VOTING: Grindberg

SB 2032 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2193: A BILL for an Act to amend and reenact section 11 of chapter 535 of the 1999 Session Laws as amended by section 1 of chapter 559 of the 2001 Session Laws, relating to the issuance of bonds for construction of an outlet from Devils Lake.

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, 3 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Brown; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Seymour; Syverson; Tallackson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Urlacher; Wardner

ABSENT AND NOT VOTING: Fairfield; Grindberg; Stenehjem

SB 2193 passed and the title was agreed to.

MOTION

SEN. CHRISTMANN MOVED that SB 2327 be moved to the top of the Eleventh order, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2327: A BILL for an Act to amend and reenact section 54-18-02 of the North Dakota Century Code, relating to authorizing the state mill and elevator association to acquire ownership of equity in private business entities.

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 18 YEAS, 28 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Bercier; Christenson; Erbele; Espegard; Every; Fairfield; Heitkamp; Holmberg; Krauter; Lindaas; Mathern; Nelson; Nichols; O'Connell; Polovitz; Robinson; Seymour; Taylor

NAYS: Andrist; Bowman; Brown; Christmann; Cook; Dever; Fischer; Flakoll; Freborg; Kilzer; Klein; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lyson; Mutch; Nething; Schobinger; Stenehjem; Syverson; Tallackson; Thane; Tollefson; Traynor; Trenbeath; Urlacher; Wardner

ABSENT AND NOT VOTING: Grindberg

SB 2327 lost.

MOTION

SEN. CHRISTMANN MOVED that SB 2336 be moved to the bottom of the Eleventh order, which motion prevailed.

MOTION

SEN. CHRISTMANN MOVED that SB 2236 be moved to the top of the Eleventh order, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2236: A BILL for an Act to amend and reenact section 20.1-08-04.5 of the North Dakota Century Code, relating to the hunting of deer with muzzleloading firearms.

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 15 YEAS, 31 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Christenson; Cook; Fairfield; Krauter; Mathern; Nelson; Nichols; O'Connell; Polovitz; Seymour; Tallackson; Taylor; Tollefson; Trenbeath

NAYS: Bercier; Bowman; Brown; Christmann; Dever; Erbele; Espeward; Every; Fischer; Flakoll; Freborg; Heitkamp; Holmberg; Kilzer; Klein; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mutch; Nething; Robinson; Schobinger; Stenehjem; Syverson; Thane; Traynor; Urlacher; Wardner

ABSENT AND NOT VOTING: Grindberg

SB 2236 lost.

SECOND READING OF SENATE BILL

SB 2233: A BILL for an Act to provide an appropriation to the department of public instruction for a pilot rural school outreach initiative with the North Dakota museum of art.

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 7 YEAS, 39 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Bercier; Christenson; Espeward; O'Connell; Polovitz; Seymour; Tallackson

NAYS: Andrist; Bowman; Brown; Christmann; Cook; Dever; Erbele; Every; Fairfield; Fischer; Flakoll; Freborg; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; Nichols; Robinson; Schobinger; Stenehjem; Syverson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Urlacher; Wardner

ABSENT AND NOT VOTING: Grindberg

SB 2233 lost.

SECOND READING OF SENATE BILL

SB 2342: A BILL for an Act to create and enact a new subsection to section 39-10-07.2 of the North Dakota Century Code, relating to the display of an electronic lighting device.

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, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Brown; Christenson; Christmann; Cook; Dever; Erbele; Espeward; Every; Fairfield; Fischer; Flakoll; Freborg; Heitkamp; Holmberg; Kilzer; Klein;

Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Urlacher; Wardner

ABSENT AND NOT VOTING: Grindberg

SB 2342 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2351: A BILL for an Act to amend and reenact section 65-05-09.2 of the North Dakota Century Code, relating to workers' compensation social security retirement offset.

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 16 YEAS, 30 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Bercier; Christenson; Every; Fairfield; Heitkamp; Krauter; Lindaas; Mathern; Nelson; Nichols; O'Connell; Polovitz; Robinson; Seymour; Tallackson; Taylor

NAYS: Andrist; Bowman; Brown; Christmann; Cook; Dever; Erbele; Espegard; Fischer; Flakoll; Freborg; Holmberg; Kilzer; Klein; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lyson; Mutch; Nething; Schobinger; Stenehjem; Syverson; Thane; Tollefson; Traynor; Trenbeath; Urlacher; Wardner

ABSENT AND NOT VOTING: Grindberg

SB 2351 lost.

SECOND READING OF SENATE BILL

SB 2356: A BILL for an Act relating to fees in biotechnology contracts.

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 16 YEAS, 30 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Bercier; Bowman; Christenson; Every; Fairfield; Heitkamp; Krauter; Lindaas; Mathern; Nelson; Nichols; O'Connell; Polovitz; Robinson; Seymour; Taylor

NAYS: Andrist; Brown; Christmann; Cook; Dever; Erbele; Espegard; Fischer; Flakoll; Freborg; Holmberg; Kilzer; Klein; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lyson; Mutch; Nething; Schobinger; Stenehjem; Syverson; Tallackson; Thane; Tollefson; Traynor; Trenbeath; Urlacher; Wardner

ABSENT AND NOT VOTING: Grindberg

SB 2356 lost.

MOTION

SEN. CHRISTMANN MOVED that the Senate stand in recess until 2:15 p.m., which motion prevailed.

THE SENATE RECONVENED pursuant to recess taken, with President Pro Tem Traynor presiding.

SECOND READING OF SENATE BILL

SB 2376: A BILL for an Act to amend and reenact section 5-01-16 of the North Dakota Century Code, relating to the direct sale of alcoholic beverages.

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 15 YEAS, 31 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Brown; Christenson; Fischer; Flakoll; Freborg; Holmberg; Klein; Kringstad; Lee, G.; Lee, J.; Nelson; Polovitz; Seymour; Tallackson; Taylor

NAYS: Andrist; Bercier; Bowman; Christmann; Cook; Dever; Erbele; Espegard; Every; Fairfield; Heitkamp; Kilzer; Krauter; Krebsbach; Lindaas; Lyson; Mathern; Mutch; Nething; Nichols; O'Connell; Robinson; Schobinger; Stenehjem; Syverson; Thane; Tollefson; Traynor; Trenbeath; Urlacher; Wardner

ABSENT AND NOT VOTING: Grindberg

SB 2376 lost.

SECOND READING OF SENATE BILL

SB 2381: A BILL for an Act to amend and reenact section 26.1-33-17 of the North Dakota Century Code, relating to the insurance commissioner's rulemaking authority regarding variable life contracts.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 4 YEAS, 42 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Christenson; Every; Polovitz; Seymour

NAYS: Andrist; Bercier; Bowman; Brown; Christmann; Cook; Dever; Erbele; Espegard; Fairfield; Fischer; Flakoll; Freborg; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; Nichols; O'Connell; Robinson; Schobinger; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Urlacher; Wardner

ABSENT AND NOT VOTING: Grindberg

SB 2381 lost.

SECOND READING OF SENATE BILL

SB 2397: A BILL for an Act to amend and reenact subsection 3 of section 65-05-08 and section 65-05-33 of the North Dakota Century Code, relating to false claims or statements made to workers' compensation.

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, 46 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

NAYS: Andrist; Bercier; Bowman; Brown; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fairfield; Fischer; Flakoll; Freborg; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Urlacher; Wardner

ABSENT AND NOT VOTING: Grindberg

SB 2397 lost.

SECOND READING OF SENATE BILL

SB 2415: A BILL for an Act to amend and reenact section 5-02-05 of the North Dakota Century Code, relating to the dispensing of alcoholic beverages on certain days.

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 26 YEAS, 20 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Bercier; Christenson; Cook; Espegard; Every; Flakoll; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, J.; Nelson; Nething; Nichols; O'Connell; Polovitz; Seymour; Stenehjelm; Syverson; Tallackson; Taylor; Thane; Traynor

NAYS: Andrist; Bowman; Brown; Christmann; Dever; Erbele; Fairfield; Fischer; Freborg; Lee, G.; Lindaas; Lyson; Mathern; Mutch; Robinson; Schobinger; Tollefson; Trenbeath; Urlacher; Wardner

ABSENT AND NOT VOTING: Grindberg

SB 2415 passed and the title was agreed to.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4011: A concurrent resolution directing the Legislative Council to study alternative methods for recording and discharging a lien on a motor vehicle.

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO PASS.

SCR 4011 was declared adopted, and the title was agreed to on a voice vote.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4014: A concurrent resolution directing the Legislative Council to study methods for funding and providing law enforcement training in this state.

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO PASS.

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

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4019: A concurrent resolution directing the Legislative Council to study actions that can be taken at the state level to address the problem of inaccurate or obsolete information on consumer reports.

The question being on the final passage of the resolution, which has been read, and has committee recommendation of DO PASS.

SCR 4019 was declared adopted, and the title was agreed to on a voice vote.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4025: A concurrent resolution urging Congress to promote development of North Dakota's wind energy resource by appropriating funds to provide a two and one-half cents per kilowatt hour wind energy production tax credit.

REQUEST

SEN. CHRISTMANN REQUESTED a recorded roll call vote on SCR 4025, which request was granted.

ROLL CALL

The question being on the final passage of the resolution, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 31 YEAS, 15 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Bercier; Christenson; Erbele; Espegard; Every; Fairfield; Flakoll; Heitkamp; Holmberg; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Nelson; Nething;

Nichols; O'Connell; Polovitz; Robinson; Seymour; Syverson; Tallackson; Taylor; Thane; Traynor; Trenbeath; Urlacher; Wardner

NAYS: Andrist; Bowman; Brown; Christmann; Cook; Dever; Fischer; Freborg; Kilzer; Klein; Kringstad; Mutch; Schobinger; Stenehjerm; Tollefson

ABSENT AND NOT VOTING: Grindberg

SCR 4025 was declared adopted and the title was agreed to.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4028: A concurrent resolution urging Congress to increase Medicare reimbursement rates for rural health care providers and to use an appropriate amount of the federal budget to equalize Medicare rates within North Dakota and the nation.

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO PASS.

SCR 4028 was declared adopted, and the title was agreed to on a voice vote.

MOTION

SEN. KRAUTER MOVED that SCR 4004 be returned to the Senate floor from the **Agriculture Committee** for the purpose of withdrawal, which motion prevailed.

REQUEST

SEN. KRAUTER REQUESTED the unanimous consent of the Senate to withdraw SCR 4004. There being no objection, it was so ordered by the President.

SECOND READING OF SENATE BILL

SB 2027: A BILL for an Act to create and enact a new section to chapter 19-10 of the North Dakota Century Code, relating to the sale of gasoline blended with ethanol; and to provide an effective date.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 15 YEAS, 31 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Bercier; Christenson; Every; Fairfield; Heitkamp; Krauter; Kringstad; Lindaas; Mathern; Nichols; Polovitz; Robinson; Tallackson; Taylor; Thane

NAYS: Andrist; Bowman; Brown; Christmann; Cook; Dever; Erbele; Espegard; Fischer; Flakoll; Freborg; Holmberg; Kilzer; Klein; Krebsbach; Lee, G.; Lee, J.; Lyson; Mutch; Nelson; Nething; O'Connell; Schobinger; Seymour; Stenehjerm; Syverson; Tollefson; Traynor; Trenbeath; Urlacher; Wardner

ABSENT AND NOT VOTING: Grindberg

SB 2027 lost.

SECOND READING OF SENATE BILL

SB 2175: A BILL for an Act to amend and reenact section 40-08-15 of the North Dakota Century Code, relating to the compensation of a mayor.

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, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Brown; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Fairfield; Fischer; Flakoll; Freborg; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Nelson; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Seymour; Stenehjerm; Syverson; Tallackson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Urlacher; Wardner

NAYS: Every; Heitkamp; Mutch

ABSENT AND NOT VOTING: Grindberg

SB 2175 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2189: A BILL for an Act to amend and reenact section 39-21-41.4 of the North Dakota Century Code, relating to use of safety belts in motor vehicles; and to repeal section 39-21-41.5 of the North Dakota Century Code, relating to secondary enforcement of safety belt requirements.

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 16 YEAS, 30 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Christenson; Every; Kilzer; Kringstad; Lee, J.; Lindaas; Lyson; Mathern; Nelson; O'Connell; Polovitz; Robinson; Syverson; Tallackson; Thane; Tollefson

NAYS: Andrist; Bercier; Bowman; Brown; Christmann; Cook; Dever; Erbele; Espegard; Fairfield; Fischer; Flakoll; Freborg; Heitkamp; Holmberg; Klein; Krauter; Krebsbach; Lee, G.; Mutch; Nething; Nichols; Schobinger; Seymour; Stenehjem; Taylor; Traynor; Trenbeath; Urlacher; Wardner

ABSENT AND NOT VOTING: Grindberg

SB 2189 lost.

SECOND READING OF SENATE BILL

SB 2208: A BILL for an Act to amend and reenact sections 40-04.1-05, 40-08-10, and 40-09-11 of the North Dakota Century Code, relating to the meeting dates of city governing bodies.

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, 2 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Brown; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fairfield; Fischer; Flakoll; Freborg; Holmberg; Kilzer; Klein; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Urlacher; Wardner

NAYS: Heitkamp; Krauter

ABSENT AND NOT VOTING: Grindberg

SB 2208 passed and the title was agreed to.

MOTION

SEN. CHRISTMANN MOVED that SB 2215 be moved to the bottom of the Eleventh order, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2276: A BILL for an Act to create and enact a new section to chapter 39-04 of the North Dakota Century Code, relating to collegiate number plates.

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 14 YEAS, 32 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Bowman; Christenson; Dever; Lee, J.; Lindaas; Mathern; Nelson; Nichols; O'Connell; Polovitz; Robinson; Seymour; Syverson; Wardner

NAYS: Andrist; Bercier; Brown; Christmann; Cook; Erbele; Espegard; Every; Fairfield; Fischer; Flakoll; Freborg; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lyson; Mutch; Nething; Schobinger; Stenehjerm; Tallackson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Urlacher

ABSENT AND NOT VOTING: Grindberg

SB 2276 lost.

SECOND READING OF SENATE BILL

SB 2277: A BILL for an Act to amend and reenact subsection 1 of section 61-16.1-11 of the North Dakota Century Code, relating to the joint exercise of powers by water resource districts.

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 41 YEAS, 5 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Brown; Christenson; Cook; Dever; Erbele; Every; Fairfield; Fischer; Flakoll; Freborg; Heitkamp; Holmberg; Kilzer; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Seymour; Stenehjerm; Syverson; Tallackson; Taylor; Thane; Tollefson; Urlacher; Wardner

NAYS: Christmann; Espegard; Klein; Traynor; Trenbeath

ABSENT AND NOT VOTING: Grindberg

SB 2277 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2283: A BILL for an Act to adopt the Uniform Conservation Easements Act, relating to conservation easements; and to amend and reenact subsection 2 of section 47-05-02.1 of the North Dakota Century Code, relating to duration of conservation easements.

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 8 YEAS, 38 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Christenson; Erbele; Holmberg; Mathern; Nelson; Polovitz; Seymour; Tallackson

NAYS: Andrist; Bercier; Bowman; Brown; Christmann; Cook; Dever; Espegard; Every; Fairfield; Fischer; Flakoll; Freborg; Heitkamp; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mutch; Nething; Nichols; O'Connell; Robinson; Schobinger; Stenehjerm; Syverson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Urlacher; Wardner

ABSENT AND NOT VOTING: Grindberg

SB 2283 lost.

SECOND READING OF SENATE BILL

SB 2284: A BILL for an Act to create and enact a new section to chapter 47-10 of the North Dakota Century Code, relating to the duty of a seller to provide notice of unpaid special assessments to the buyer of real property; and to amend and reenact sections 40-23-05, 40-23-07, 40-23.1-04, and 40-24-02 of the North Dakota Century Code, relating to additional allowable costs on special assessment projects and allowable interest on unpaid special assessments.

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 2 YEAS, 43 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Flakoll; Heitkamp

NAYS: Andrist; Bercier; Bowman; Brown; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fairfield; Fischer; Freborg; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Urlacher; Wardner

ABSENT AND NOT VOTING: Grindberg; Nothing

SB 2284 lost.

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 2002, SB 2017, SB 2023, SB 2041, SB 2135, SB 2160, SB 2195, SB 2227, SB 2242, SB 2328, SB 2330, SB 2337, SB 2349, SB 2361, SB 2367, SB 2379, SB 2389, SB 2400.

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 2345.

MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)

MR. PRESIDENT: The House has passed and your favorable consideration is requested on: HB 1088, HB 1096, HB 1232, HB 1263, HB 1334, HB 1370, HB 1379, HB 1387, HB 1415, HB 1427, HB 1443.

MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)

MR. PRESIDENT: The House has passed, the emergency clause carried, and your favorable consideration is requested on: HB 1438.

MOTION

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

MOTION

SEN. CHRISTMANN 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 8:00 a.m., Tuesday, February 18, 2003, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2009: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2009 was placed on the Sixth order on the calendar.

Page 1, line 2, after "reenact" insert "subsection 1 of section 19-13.1-03 and" and replace "4-01-21" with "19-14-04"

Page 1, line 3, replace "the salary of the agriculture commissioner" with "pet food and livestock medicine registration fees"

Page 1, line 11, replace "4,555,365" with "4,495,813"

Page 1, line 18, replace "788,209" with "800,000"

Page 1, line 21, replace "12,604,626" with "12,556,865"

Page 1, line 22, replace "8,336,778" with "8,607,851"

Page 1, line 23, replace "4,267,848" with "3,949,014"

Page 2, remove lines 1 through 7

Page 2, line 14, replace "\$156,359" with "\$54,496"

Page 2, line 19, replace "\$550,000" with "\$950,000"

Page 2, line 22, after the period insert "The agriculture commissioner may spend moneys from the game and fish department operating fund only after costs for the various agriculture department programs have been incurred."

SECTION 5. AMENDMENT. Subsection 1 of section 19-13.1-03 of the North Dakota Century Code is amended and reenacted as follows:

1. Each pet food and specialty pet food must be registered before being distributed in this state. The application for registration must be submitted on forms furnished by the commissioner. The application must be accompanied by a label and any other printed matter describing each product and the registration fee ~~offity~~ one hundred dollars per product. Upon approval by the commissioner, a certificate of registration must be furnished to the applicant. Registrations are not transferable. Registration covers a two-year period beginning January first and ending December thirty-first. Registration renewals received after January thirty-first must be assessed a penalty fee of ten dollars per product. Products found marketed in this state without proper registration must be assessed the penalty fee of twenty-five dollars.

SECTION 6. AMENDMENT. Section 19-14-04 of the North Dakota Century Code is amended and reenacted as follows:

19-14-04. Registration fee. Prior to each two-year registration, a registration fee of ~~twenty forty~~ dollars must be paid to the ~~commissioner of agriculture~~ commissioner for each livestock medicine that is registered."

ReNUMBER accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2009 - Department of Agriculture - Senate Action

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$4,555,365	(\$59,552)	\$4,495,813
Operating expenses	3,358,672		3,358,672
Capital assets	8,000		8,000
Grants	100,000		100,000
Board of Animal Health	876,517		876,517
State meat inspection	770,554		770,554
Pride of Dakota	180,948		180,948
Wildlife services	788,209	11,791	800,000
Safe Send	619,525		619,525
Noxious weeds	<u>1,346,836</u>		<u>1,346,836</u>
Total all funds	\$12,604,626	(\$47,761)	\$12,556,865
Less estimated income	<u>8,336,778</u>	<u>271,073</u>	<u>8,607,851</u>
General fund	\$4,267,848	(\$318,834)	\$3,949,014
FTE	57.00	0.00	57.00

Dept. 602 - Department of Agriculture - Detail of Senate Changes

	REMOVES RECOMMENDED SALARY INCREASE 1	CHANGES FUNDING SOURCE FOR WILDLIFE SERVICES 2	INCREASES FUNDING FOR WILDLIFE SERVICES 3	FUNDING SOURCE CHANGE 4	TOTAL SENATE CHANGES
Salaries and wages	(\$59,552)				(\$59,552)
Operating expenses					
Capital assets					
Grants					
Board of Animal Health					
State meat inspection					
Pride of Dakota					
Wildlife services			\$11,791		11,791
Safe Send					
Noxious weeds					
Total all funds	(\$59,552)	\$0	\$11,791	\$0	(\$47,761)
Less estimated income	<u>(27,064)</u>	<u>388,209</u>	<u>11,791</u>	<u>(101,863)</u>	<u>271,073</u>
General fund	(\$32,488)	(\$388,209)	\$0	\$101,863	(\$318,834)

FTE 0.00 0.00 0.00 0.00 0.00

¹ This amendment removes the Governor's recommendation for state employee salary increases and retains the recommended state payment for health insurance premiums.

² This amendment changes the funding source for wildlife services from the general fund to the game and fish fund.

³ This amendment increases funding for wildlife services from the game and fish fund to a total of \$800,000.

⁴ This amendment changes the funding source from the anhydrous ammonia storage inspection fund to the general fund. The increase in the general fund appropriation of \$101,863 is offset by an increase in pet food and livestock medicine registration fees which are anticipated to increase general fund revenues by \$180,500. The total funding to the Agriculture Commissioner from the anhydrous ammonia storage inspection fund is \$54,496.

A section is added that increases the pet food registration fee from \$50 to \$100 for a two-year period. This increase is estimated to generate an additional \$152,500 in general fund revenues.

A section is added that increases the livestock medicine registration fee from \$20 to \$40 for a two-year period. This increase is estimated to generate an additional \$28,000 in general fund revenues.

The section providing for the Agriculture Commissioner's salary increase is removed.

This amendment provides that the Agriculture Commissioner is to be reimbursed from the game and fish fund only after costs have been incurred. The Department of Agriculture may receive up to \$800,000 from the game and fish fund for wildlife services. In addition, the Board of Animal Health may receive up to \$150,000 from the game and fish fund.

REPORT OF STANDING COMMITTEE

SB 2019: Appropriations Committee (Sen. Heitkamp, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2019 was placed on the Sixth order on the calendar.

Page 1, line 10, replace "15,282,264" with "15,300,190"

Page 1, line 11, replace "9,416,219" with "9,466,219"

Page 1, line 14, replace "6,886,245" with "6,881,931"

Page 1, line 18, replace "1,342,951" with "1,338,069"

Page 1, line 19, replace "400,000" with "800,000"

Page 1, line 20, replace "39,759,673" with "40,218,403"

Page 2, line 9, replace "\$400,000" with "\$800,000"

ReNUMBER accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2019 - Game and Fish Department - Senate Action

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$15,282,264	\$17,926	\$15,300,190
Operating expenses	9,416,219	50,000	9,466,219
Capital assets	2,259,944		2,259,944
Grants	3,602,050		3,602,050
Land habitat and deer degradation	6,886,245	(4,314)	6,881,931
Noxious weed control	300,000		300,000
Grants, gifts, and donations	150,000		150,000
Nongame wildlife conservation	120,000		120,000
Lonetree Reservoir	1,342,951	(4,882)	1,338,069
Wildlife services	<u>400,000</u>	<u>400,000</u>	<u>800,000</u>
Total all funds	\$39,759,673	\$458,730	\$40,218,403
Less estimated income	<u>39,759,673</u>	<u>458,730</u>	<u>40,218,403</u>
General fund	\$0	\$0	\$0
FTE	139.00	2.00	141.00

Dept. 720 - Game and Fish Department - Detail of Senate Changes

	REMOVES RECOMMENDED SALARY INCREASE 1	ADDS FUNDING AND 2 NEW FTE GAME WARDEN POSITIONS 2	INCREASES THE WILDLIFE SERVICES LINE ITEM 3	TOTAL SENATE CHANGES
Salaries and wages	(\$155,484)	\$173,410		\$17,926
Operating expenses		50,000		50,000
Capital assets				
Grants				
Land habitat and deer depredation	(4,314)			(4,314)
Noxious weed control				
Grants, gifts, and donations				
Nongame wildlife conservation				
Lonetree Reservoir	(4,882)			(4,882)
Wildlife services			<u>\$400,000</u>	<u>400,000</u>
Total all funds	(\$164,680)	\$223,410	\$400,000	\$458,730
Less estimated income	<u>(164,680)</u>	<u>223,410</u>	<u>400,000</u>	<u>458,730</u>
General fund	\$0	\$0	\$0	\$0
FTE	0.00	2.00	0.00	2.00

¹ This amendment removes the Governor's recommendation for state employee salary increases and retains the recommended state payment for health insurance premiums.

² This amendment authorizes the addition of two new FTE game warden positions.

³ This amendment increases the wildlife services line item from \$400,000 to \$800,000, which is provided to the Agriculture Commissioner to pay for services provided by the United States Department of Agriculture Wildlife Services Agency to alleviate wildlife depredation and damage in North Dakota.

REPORT OF STANDING COMMITTEE

SB 2022: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2022 was placed on the Sixth order on the calendar.

Page 1, line 2, remove the second "and"

Page 1, line 4, after "projects" insert "; to amend and reenact section 54-27-25 of the North Dakota Century Code, relating to allocation of the tobacco settlement trust fund; and to repeal chapter 61-38 of the North Dakota Century Code, relating to assumption of the section 404 program"

Page 1, line 12, replace "2,639,225" with "2,077,370"

Page 1, line 13, replace "147,746,765" with "147,367,303"

Page 1, line 14, replace "special funds appropriation" with "all funds" and replace "150,385,990" with "149,444,673"

Page 1, after line 14, insert:

"Less estimated income	<u>140,004,556</u>
Total general fund appropriation	<u>\$9,440,117"</u>

Page 4, line 29, replace "\$60,000,000" with "\$49,523,771"

Page 4, after line 31, insert:

"SECTION 10. RESOURCES TRUST FUND APPROPRIATION - ADJUSTMENT. If the resources trust fund 2003-05 revenues are in excess of \$13,650,000, any excess is appropriated, subject to emergency commission approval, from the resources trust fund to the state water commission for the biennium beginning July 1, 2003, and ending June 30, 2005.

SECTION 11. AMENDMENT. Section 54-27-25 of the North Dakota Century Code is amended and reenacted as follows:

54-27-25. Tobacco settlement trust fund - Interest on fund - Uses. There is created in the state treasury a tobacco settlement trust fund. The fund consists of the tobacco settlement dollars obtained by the state under sections IX (payments) and XI (calculation and disbursement of payments) of the master settlement agreement and

consent agreement adopted by the east central judicial district court in its judgment entered December 28, 1998 [Civil No. 98-3778]. All moneys received by the state pursuant to the judgment and all moneys received by the state for enforcement of the judgment must be deposited in the fund. Interest earned on the fund must be credited to the fund and deposited in the fund. The principal and interest of the fund must be allocated as follows:

1. Transfers to a community health trust fund to be administered by the state department of health. The state department of health may use funds as appropriated for community-based public health programs and other public health programs, including programs with emphasis on preventing or reducing tobacco usage in this state. Transfers under this subsection must equal ten percent of total annual transfers from the tobacco settlement trust fund.
2. Transfers to the common schools trust fund to become a part of the principal of that fund. Transfers under this subsection must equal forty-five percent of total annual transfers from the tobacco settlement trust fund.
3. Transfers to the water development trust fund to be used to address the long-term water development and management needs of the state. Transfers under this subsection must equal forty-five percent of the total annual transfers from the tobacco settlement trust fund.

~~Notwithstanding the provisions of this section, during each biennium transfers that would be made to the common schools trust fund under subsection 2 must instead be transferred to the water development trust fund until the state water commission certifies to the state treasurer that deposits in the water development trust fund during that biennium are sufficient to pay the principal and interest for that biennium on bonds authorized under section 61-02.1-01. When that certification is received, the state treasurer shall determine the amount deposited in the water development trust fund during that biennium and transfers that would be made to the water development trust fund under subsection 3 must instead be transferred to the common schools trust fund until deposits in the common schools trust fund during that biennium are equal to the amount deposited in the water development trust fund during that biennium or until the end of the biennium, whichever occurs first.~~

Transfers to the funds under this section must be made within thirty days of receipt by the tobacco settlement trust fund.

SECTION 12. REPEAL. Chapter 61-38 of the North Dakota Century Code is repealed."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2022 - Water Commission - Senate Action

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Administrative and support services	\$2,639,225	(\$561,855)	\$2,077,370
Water and atmospheric resources	147,746,765	(379,462)	147,367,303
Total all funds	\$150,385,990	(\$941,317)	\$149,444,673
Less estimated income	150,385,990	(10,381,434)	140,004,556
General fund	\$0	\$9,440,117	\$9,440,117
FTE	85.00	(3.00)	82.00

Dept. 770 - State Water Commission - Detail of Senate Changes

	REMOVES RECOMMENDED SALARY INCREASE 1	CHANGES FOR ADMINISTRATIVE EXPENSES 2	REMOVES FUNDING FOR RENT, AUDIT, AND LEGAL FEES 3	REMOVES FUNDING FOR SECTION 404 PROGRAM 4	ADDS FUNDING FOR 1 FTE POSITION 5	TOTAL SENATE CHANGES
Administrative and	(\$13,881)		(\$547,974)			(\$561,855)

support services						
Water and atmospheric resources	(85,748)			(\$393,714)	\$100,000	(379,462)
Total all funds	(\$99,629)	\$0	(\$547,974)	(\$393,714)	\$100,000	(\$941,317)
Less estimated income	<u>(17,347)</u>	<u>(9,522,399)</u>	<u>(547,974)</u>	<u>(393,714)</u>	<u>100,000</u>	<u>(10,381,434)</u>
General fund	(\$82,282)	\$9,522,399	\$0	\$0	\$0	\$9,440,117
FTE	0.00	0.00	0.00	(4.00)	1.00	(3.00)

¹ This amendment removes the Governor's recommendation for state employee salary increases and retains the recommended state payment for health insurance premiums.

² This amendment transfers funding for administrative expenses of the State Water Commission from the water development trust fund to the general fund.

³ This amendment removes funding from the water development trust fund for rent (\$257,974), audit fees (\$25,000), and Attorney General fees (\$265,000). These are additional costs the State Water Commission would have incurred as a special fund agency.

⁴ This amendment removes funding for the Section 404 program, including four FTE positions.

⁵ This amendment adds one FTE floodplain mapping coordinator position under the community assistance program from Federal Emergency Management Agency funding.

The total authorized in Section 9 for bonding is reduced from \$60,000,000 to \$49,523,771.

A section is added providing that revenues in excess of the \$13,650,000 from the resources trust fund are appropriated to the State Water Commission subject to Emergency Commission approval.

North Dakota Century Code (NDCC) Chapter 61-38 relating to the assumption of the Section 404 program of the Clean Water Act by the State Water Commission is repealed.

A section is added amending NDCC Section 54-27-25, relating to the uses of the tobacco settlement collections. This change removes the tobacco settlement collection funding priority provided to the water development trust fund based on need for interest and principal on bond payments. Previously the statute provided that distributions were to be made based on the water development trust fund's needs before funding is made available to the common schools trust fund.

REPORT OF STANDING COMMITTEE

SB 2048, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO NOT PASS** (9 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2048 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2065, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO NOT PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2065 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2077: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2077 was placed on the Sixth order on the calendar.

Page 1, line 1, after "reenact" insert "subsection 2 of section 54-52.4-01 and"

Page 1, after line 4, insert:

"SECTION 1. AMENDMENT. Subsection 2 of section 54-52.4-01 of the North Dakota Century Code is amended and reenacted as follows:

2. "Employee" means an individual employed in this state by an employer, ~~whose employment is not limited in duration, who is employed for an average of at least twenty hours per week, and who has been employed by the same employer for at least one year~~ has been employed by the employer for at least twelve months, and who has worked at least one thousand two hundred fifty hours for the employer over the previous twelve months."

Page 2, line 7, after "necessary" insert ". If an employee normally works a part-time schedule or variable hours, the amount of leave to which an employee is entitled must be

determined on a pro rata or proportional basis by comparing the new schedule with the employee's normal schedule"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2112: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). SB 2112 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2149: Transportation Committee (Sen. Trenbeath, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2149 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "subsection 1 of section 39-06-01.1,"

Page 1, line 4, remove "minor operators of motor vehicles,"

Page 1, line 6, replace "fees for certified driver records for" with "issuance of a temporary certificate after granting a"

Page 1, remove lines 11 through 21

Page 2, line 8, remove "has not been or" and after the second "not" insert "revoked, suspended, or canceled or"

Page 4, line 17, remove the overstrike over "~~two~~" and remove "three"

Page 4, line 19, after "which" insert "immediately"

Page 6, overstrike line 15

Page 6, line 16, overstrike "sufficient evidence of the conviction."

Page 6, line 31, overstrike "such" and insert immediately thereafter "the"

Page 7, line 1, overstrike "such" and insert immediately thereafter "the"

Page 7, line 2, overstrike "such" and insert immediately thereafter "the"

Page 7, line 4, overstrike "said" and insert immediately thereafter "the"

Page 7, line 6, overstrike "Said" and insert immediately thereafter "The"

Page 7, line 9, overstrike "Said" and insert immediately thereafter "The", overstrike "such" and insert immediately thereafter "the", and overstrike "shall be"

Page 7, line 10, overstrike "deemed to"

Page 7, line 13, overstrike "said"

Page 7, line 14, overstrike "agreements" and insert immediately thereafter "agreement"

Page 7, line 15, overstrike "said" and insert immediately thereafter "the", overstrike "theretofore", and after "filed" insert "up to that time"

Page 7, line 16, overstrike "such" and insert immediately thereafter "the"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2221: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman) recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2221 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2240: Natural Resources Committee (Sen. Fischer, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS**

(5 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2240 was placed on the Sixth order on the calendar.

Page 1, line 1, after "sections" insert "61-16.1-14, 61-21-45,", after the first comma insert "and", and remove the second comma

Page 1, after line 4, insert:

"SECTION 1. AMENDMENT. Section 61-16.1-14 of the North Dakota Century Code is amended and reenacted as follows:

61-16.1-14. Contracts for construction or maintenance of project. If the cost of construction or maintenance of a project does not exceed ~~fifty thousand dollars~~ the amount provided for construction of a public improvement under section 48-01.1-03, the work may be done on a day work basis or a contract may be let without being advertised. In cases where the cost of the construction or maintenance exceeds ~~fifty thousand dollars~~ the amount provided for construction of a public improvement under section 48-01.1-03, the board must let a contract in accordance with chapters 48-01.1 and 48-02.

SECTION 2. AMENDMENT. Section 61-21-45 of the North Dakota Century Code is amended and reenacted as follows:

61-21-45. Contracts for work of cleaning and repairing drains. If the cost of any work of cleaning out or repairing any drain, or system of legal drains, if more than one cleaning or repair project is carried on under one contract, does not exceed ~~fifty thousand dollars~~ the amount provided for construction of a public improvement under section 48-01.1-03 in any one year, the work may be done on a day work basis or a contract may be let without being advertised. In cases where the cost of such work exceeds ~~fifty thousand dollars~~ the amount provided for construction of a public improvement under section 48-01.1-03 in any one year, a contract must be let in accordance with chapters 48-01.1 and 48-02. The competitive bid requirement is waived, upon the determination of the board that an emergency situation exists requiring the prompt repair of a project, and a contract may be made for the prompt repair of the project without seeking bids."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2275: Transportation Committee (Sen. Trenbeath, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (4 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2275 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "subsection 3 of"

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

Page 1, line 4, replace "Subsection 3 of section" with "Section"

Page 1, replace lines 6 through 17 with:

"26.1-41-13. Priority of applicable security - Coordination of benefits.

1. A basic no-fault insurer has the primary obligation to make payment for economic loss because of accidental bodily injury arising out of the operation of a motor vehicle; provided, that the amount of all benefits a claimant recovered or is entitled to recover for the same elements of loss under any workers' compensation law must be subtracted from the basic no-fault benefits otherwise payable for the injury.
2. As between applicable security basic no-fault benefits are payable as follows:
 - a. As to any person injured while occupying a secured motor vehicle, or injured as a pedestrian by a secured motor vehicle, the basic no-fault insurer of the secured motor vehicle shall pay the benefits.
 - b. As to any person who is injured while occupying an unsecured motor vehicle, or while being struck as a pedestrian by an unsecured motor

vehicle, the basic no-fault insurer affording the benefits to the injured person shall pay the benefits.

- c. As to any person injured while occupying a bus that is a secured motor vehicle, the basic no-fault insurer affording benefits to the injured person as the owner of a secured motor vehicle or as a relative of the owner of a secured motor vehicle shall pay the benefits; and, if there is no basic no-fault insurer affording benefits to the injured person, then the basic no-fault insurer of the bus shall pay the benefits.
 - d. As to any person injured while occupying a secured motor vehicle that is transporting persons under a ridesharing arrangement, as defined in section 8-02-07, the basic no-fault insurer affording benefits to the injured person as the owner of a secured motor vehicle or as a relative of the owner of a secured motor vehicle shall pay the benefits; and, if there is no basic no-fault insurer affording benefits to the injured person, then the basic no-fault insurer of the secured motor vehicle shall pay the benefits.
3. An insurer, health maintenance organization, or nonprofit health service corporation, other than a basic no-fault insurer, authorized to do business in this state may coordinate any benefits it is obligated to pay for economic loss incurred as a result of accidental bodily injury, with the first ~~five~~ ten thousand dollars of basic no-fault benefits. A basic no-fault insurer authorized to do business in this state may coordinate any benefits it is obligated to pay for medical expenses incurred as a result of accidental bodily injury in excess of ~~five~~ ten thousand dollars. An insurer, health maintenance organization, or nonprofit health service corporation, other than a basic no-fault insurer, may not coordinate benefits unless it provides those persons who purchase benefits from it with an equitable reduction or savings in the direct or indirect cost of purchased benefits. The commissioner shall approve any coordination of benefits plan.

SECTION 2. AMENDMENT. Section 26.1-41-13 of the North Dakota Century Code is amended and reenacted as follows:

26.1-41-13. Priority of applicable security - Coordination of benefits.

1. A basic no-fault insurer has the primary obligation to make payment for economic loss because of accidental bodily injury arising out of the operation of a motor vehicle; provided, that the amount of all benefits a claimant recovered or is entitled to recover for the same elements of loss under any workers' compensation law must be subtracted from the basic no-fault benefits otherwise payable for the injury.
2. As between applicable security basic no-fault benefits are payable as follows:
 - a. As to any person injured while occupying a secured motor vehicle, or injured as a pedestrian by a secured motor vehicle, the basic no-fault insurer of the secured motor vehicle shall pay the benefits.
 - b. As to any person who is injured while occupying an unsecured motor vehicle, or while being struck as a pedestrian by an unsecured motor vehicle, the basic no-fault insurer affording the benefits to the injured person shall pay the benefits.
 - c. As to any person injured while occupying a bus that is a secured motor vehicle, the basic no-fault insurer affording benefits to the injured person as the owner of a secured motor vehicle or as a relative of the owner of a secured motor vehicle shall pay the benefits; and, if there is no basic no-fault insurer affording benefits to the injured person, then the basic no-fault insurer of the bus shall pay the benefits.
 - d. As to any person injured while occupying a secured motor vehicle that is transporting persons under a ridesharing arrangement, as defined in section 8-02-07, the basic no-fault insurer affording benefits to the injured person as the owner of a secured motor vehicle or as a

relative of the owner of a secured motor vehicle shall pay the benefits; and, if there is no basic no-fault insurer affording benefits to the injured person, then the basic no-fault insurer of the secured motor vehicle shall pay the benefits.

- ~~3. An insurer, health maintenance organization, or nonprofit health service corporation, other than a basic no-fault insurer, authorized to do business in this state may coordinate any benefits it is obligated to pay for economic loss incurred as a result of accidental bodily injury, with the first five thousand dollars of basic no-fault benefits. A basic no-fault insurer authorized to do business in this state may coordinate any benefits it is obligated to pay for medical expenses incurred as a result of accidental bodily injury in excess of five thousand dollars. An insurer, health maintenance organization, or nonprofit health service corporation, other than a basic no-fault insurer, may not coordinate benefits unless it provides these persons who purchase benefits from it with an equitable reduction or savings in the direct or indirect cost of purchased benefits. The commissioner shall approve any coordination of benefits plan.~~

SECTION 3. EFFECTIVE DATE. Section 2 of this Act becomes effective on August 1, 2005."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2310: Natural Resources Committee (Sen. Fischer, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2310 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 provide for a legislative council study of wind energy development.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. LEGISLATIVE COUNCIL - WIND ENERGY DEVELOPMENT STUDY. The legislative council shall consider studying, during the 2003-04 interim, issues related to wind energy development in this state, including wind turbine siting requirements, wind energy development contract provisions, the potential economic benefits of wind energy development for farmers and ranchers, the potential adverse impacts of wind energy development on landowners, and the impact of wind energy development on organized labor, especially in the energy industry. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the fifty-ninth legislative assembly."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2315, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). Engrossed SB 2315 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "subsection 3 of section 57-36-09, subsection 4 of"

Page 1, line 2, remove "section 57-36-25, subsection 3 of section 57-36-26,"

Page 1, remove line 3

Page 1, line 4, remove "subsection 1 of section 57-39.2-18," and remove "subdivision a of"

Page 1, remove lines 5 through 7

Page 1, line 8, after "and" insert "section"

Page 1, remove lines 9 through 11

Page 1, remove lines 15 through 24

Page 2, remove lines 1 through 20

Page 3, remove lines 10 through 30

Page 4, remove lines 1 through 31

Page 5, remove lines 1 through 11

Page 5, remove lines 22 through 30

Page 6, remove lines 1 through 31

Page 7, remove lines 1 through 31

Page 8, remove lines 1 through 31

Page 9, remove lines 1 through 3

Page 9, line 22, remove "Sections 1, 2, 3, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15,"

Page 9, remove line 23

Page 9, line 24, replace "and 17 of this Act are" with "This Act is"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2316: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman) recommends **DO NOT PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2316 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2324: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2324 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2334: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2334 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "an appropriation" and remove "creation of"

Page 1, line 4, replace "**APPROPRIATION**" with "**BEEF SYSTEMS CENTER OF EXCELLENCE**"

Page 1, remove lines 5 through 9

Page 1, line 10, replace "2." with "1. North Dakota state university shall establish a beef systems center of excellence in the department of animal and range science."

Page 1, line 19, after "marketing" insert "; and

- c. Provide training, education, and outreach opportunities to students, businesses, and beef cattle producers"

Page 1, line 20, replace "3." with "2."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

SENATE - This amendment removes the appropriation for the creation of a beef systems center of excellence in the Department of Animal and Range Science of North Dakota State University, and adds that the center shall provide training, education, and outreach opportunities to students, businesses, and beef cattle producers.

REPORT OF STANDING COMMITTEE

SB 2335: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2335 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 subdivision to subsection 4 of section 6-09-15, a new section to chapter 6-09, and a new subsection to section 10-30.5-04 of the North Dakota Century Code, relating to powers of the Bank of North Dakota and powers of the North Dakota development fund, incorporated; and to provide an expiration date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new subdivision to subsection 4 of section 6-09-15 of the North Dakota Century Code is created and enacted as follows:

In North Dakota alternative and venture capital investments and early-stage capital funds including the North Dakota development fund, incorporated, not to exceed five million dollars, for the purpose of providing funds for investment in North Dakota alternative and venture capital investments and early-stage capital funds.

SECTION 2. A new section to chapter 6-09 of the North Dakota Century Code is created and enacted as follows:

Reimbursement of Bank losses. The Bank of North Dakota shall request from the industrial commission a transfer from the student loan trust fund to reimburse the Bank for any losses incurred from investments in North Dakota alternative and venture capital investments and early-stage capital funds including the North Dakota development fund, incorporated.

SECTION 3. A new subsection to section 10-30.5-04 of the North Dakota Century Code is created and enacted as follows:

Borrow funds not to exceed five million dollars from the Bank of North Dakota for the purpose of investing in North Dakota alternative and venture capital investments and early-stage capital funds.

SECTION 4. EXPIRATION DATE. Sections 1 and 3 of this Act are effective through July 31, 2007, and after that date are ineffective."

ReNUMBER accordingly

REPORT OF STANDING COMMITTEE

SB 2338: Transportation Committee (Sen. Trenbeath, Chairman) recommends **DO NOT PASS** (5 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2338 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2341: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2341 was placed on the Sixth order on the calendar.

Page 2, line 24, replace "6033(a)(2)(A)(k)" with "6033(a)(2)(A)(i)"

Page 6, line 26, replace "Names and addresses of, and total annual compensation paid to, officers," with "Total compensation, including salaries, fees, bonuses, fringe benefits, severance payments, and deferred compensation, paid to employees by the charitable organization and all its affiliated organizations."

Page 6, remove line 27

Page 7, line 4, remove "Copies of contracts between the charitable organization and professional"

Page 7, remove lines 5 through 8

Page 7, line 9, remove "p." and replace "on" with "or"

Page 7, line 11, replace "q." with "p."

Page 8, line 14, overstrike "or solicitor"

Page 10, line 4, remove "and"

Page 10, line 7, after "contributions" insert "; and

c. Be submitted within ten days of the date of execution"

Page 10, after line 21, insert:

"5. A professional fundraiser may not solicit on behalf of a charitable organization that is not registered."

Page 12, line 11, remove "A list of the five highest paid directors, officers, and employees of the"

Page 12, remove lines 12 and 13

Page 12, line 14, remove "each." and replace "includes" with ", including"

Page 12, line 15, after "compensation" insert an underscored comma and after "paid" insert "to employees"

Page 12, line 16, replace "related" with "its affiliated"

Page 13, line 3, overstrike "the organization's registration will"

Page 13, line 4, overstrike "no longer be in effect and"

Page 13, line 20, after the overstruck period insert "Any person conducting a solicitation after the person's registration is revoked is guilty of a class C felony. The criminal penalties in this section are in addition to all other causes of action, remedies, and penalties available to the state."

Page 14, line 15, after "chapter" insert "in accordance with chapter 28-32, but which need not comply with section 28-32-07"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2343: Agriculture Committee (Sen. Flakoll, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (4 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). SB 2343 was placed on the Sixth order on the calendar.

Page 1, line 6, after "A" insert "corporate owner of a"

Page 1, line 7, replace "engage in the business of farming or ranching on its land" with "is not subject to the divestiture requirements of this chapter"

Page 1, line 9, replace "This chapter does not prohibit, restrict, or otherwise impose obligations" with "Before a transfer of ownership of a corporate owner of a nursing home owning farmland or ranchland under this section, the owner of the nursing home owning the farmland or ranchland must divest itself of that land and the farmland or ranchland ownership may not be acquired by the new owner of the nursing home."

Page 1, remove line 10

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2353: Natural Resources Committee (Sen. Fischer, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2353 was placed on the Sixth order on the calendar.

Page 1, line 8, after the first underscored comma insert "a" and remove the second "or"

Page 1, line 9, after "10-06.1-01" insert ", or a partnership, limited partnership, limited liability partnership, or limited liability limited partnership in which the partners are all related to each other within one of the degrees of kinship or affinity described in subsection 2 of section 10-06.1-12,"

Page 2, line 4, after "A" insert "partnership, limited partnership, limited liability partnership, limited liability limited partnership,"

Page 2, line 5, after "corporation" insert an underscored comma

Page 2, line 6, after the second "a" insert "partner," and after "shareholder" insert an underscored comma

Page 2 line 7, after the underscored period insert "If the individual who is a partner, shareholder, or member designated to receive the license is a nonresident, that individual shall pay the fee required for a nonresident big game license."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2362: Natural Resources Committee (Sen. Fischer, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2362 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2366: Transportation Committee (Sen. Trenbeath, Chairman) recommends **DO NOT PASS** (5 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2366 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2386: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends **DO NOT PASS** (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2386 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2387: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2387 was placed on the Sixth order on the calendar.

Page 2, line 4, remove "No"

Page 2, remove line 5

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2392: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends **DO NOT PASS** (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2392 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2401: Natural Resources Committee (Sen. Fischer, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2401 was placed on the Sixth order on the calendar.

Page 1, line 14, after "light" insert "with a power source", remove "four", and overstrike "cells in the aggregate of"

Page 1, line 22, after "flashlight" insert "with a power source", remove "four", and overstrike "cells in the aggregate of"

Page 2, line 8, after "flashlight" insert "with a power source"

Page 2, line 9, remove "four" and overstrike "cells in the aggregate of"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2411: Finance and Taxation Committee (Sen. Urlacher, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2411 was placed on the Sixth order on the calendar.

Page 1, line 19, replace "The" with "Notwithstanding any other law, the"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SCR 4018: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4018 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4022: Natural Resources Committee (Sen. Fischer, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SCR 4022 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4030: Transportation Committee (Sen. Trenbeath, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4030 was placed on the Eleventh order on the calendar.

FIRST READING OF SENATE CONCURRENT RESOLUTION

Sens. Nething, Heitkamp, Krauter and Reps. Belter, Delmore, Timm introduced:

SCR 4031: A concurrent resolution to create and enact a new section to article X of the Constitution of North Dakota, relating to the allocation of funds from settlements with tobacco product manufacturers for long-term water development and water management purposes.

Was read the first time and referred to the **Joint Constitutional Revision Committee**.

FIRST READING OF HOUSE BILLS

HB 1064: A BILL for an Act to amend and reenact subsection 1 of section 52-11-01 and subsection 7 of section 54-52-04 of the North Dakota Century Code, relating to the retirement plan for employees of job service North Dakota and authority of the public employees retirement system board.

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

HB 1065: A BILL for an Act to amend and reenact sections 65-01-02, 65-01-17, and 65-02-01.1 of the North Dakota Century Code, relating to changing the name of the workers compensation bureau to workforce safety and insurance; and to declare an emergency.

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

HB 1066: A BILL for an Act to provide for the continuation of an agricultural pesticide and pesticide container disposal program; and to provide an expiration date.

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

HB 1067: A BILL for an Act to amend and reenact section 53-01-18 of the North Dakota Century Code, relating to exempt boxing exhibitions.

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

HB 1068: A BILL for an Act to create and enact a new section to chapter 15-20.4 of the North Dakota Century Code, relating to the issuance, manufacture, and use of false academic credentials; and to provide a penalty.

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

HB 1070: A BILL for an Act to create and enact a new subsection to section 41-09-29 of the North Dakota Century Code, relating to perfection of security interests; and to amend and reenact subdivision e of subsection 1 of section 41-09-02, subdivision vv of subsection 1 of section 41-09-02, and subdivision a of subsection 2 of section 41-09-24 of the North Dakota Century Code, relating to definitions and the jurisdiction of banks.

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

HB 1071: A BILL for an Act to provide for the adoption of the Uniform Foreign Money-Judgments Recognition Act.

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

HB 1073: A BILL for an Act to amend and reenact subsection 12 of section 54-23.3-04 of the North Dakota Century Code, relating to authority of the director of the department of corrections and rehabilitation to lease and sell land.

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

HB 1074: A BILL for an Act to repeal sections 12-47-27, 12-47-28, and 12-47-29 of the North Dakota Century Code, relating to transfers of penitentiary inmates to the state hospital.

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

HB 1075: A BILL for an Act to amend and reenact section 54-44.6-01 of the North Dakota Century Code, relating to the statewide forms management program.

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

HB 1076: A BILL for an Act to amend and reenact section 54-44.1-07 of the North Dakota Century Code, relating to the date by which appropriation and budget-related legislation must be submitted to the legislative council.

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

HB 1078: A BILL for an Act to amend and reenact section 44-04-18.1 of the North Dakota Century Code, relating to the confidentiality of personal information obtained by a state agency in administering occupational or professional licenses.

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

HB 1079: A BILL for an Act to amend and reenact section 15.1-02-11 of the North Dakota Century Code, relating to the rulemaking authority of the superintendent of public instruction.

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

HB 1080: A BILL for an Act to amend and reenact subsection 4 of section 15.1-32-01 of the North Dakota Century Code, relating to the definition of students with disabilities who are incarcerated.

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

HB 1081: A BILL for an Act to amend and reenact subsection 2 of section 14-02.5-09 of the North Dakota Century Code, relating to dwellings exempt from certain provisions of the housing discrimination laws.

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

HB 1082: A BILL for an Act to amend and reenact sections 34-06-03, 34-06-04, 34-06-14, 34-06-17, and 34-06-19 of the North Dakota Century Code, relating to authority of the labor commissioner to adopt rules on wages and working conditions for employment in this state; and to repeal sections 34-06-09, 34-06-10, 34-06-11, 34-06-12, and 34-06-13 of the North Dakota Century Code, relating to authority of the labor commissioner to issue orders on wages and working conditions for employment in this state.

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

HB 1083: A BILL for an Act to amend and reenact sections 14-02.4-21, 14-02.5-22, and 14-02.5-46 of the North Dakota Century Code, relating to confidential information obtained under the human rights and housing discrimination laws.

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

HB 1084: A BILL for an Act to amend and reenact section 50-11-07 of the North Dakota Century Code, relating to the denial or revocation of a foster care license.

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

HB 1085: A BILL for an Act to amend and reenact sections 50-11.1-04 and 50-11.1-06.2 of the North Dakota Century Code, relating to consideration of reports of child abuse or neglect in licensing or registering child care providers.

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

HB 1087: A BILL for an Act to amend and reenact sections 54-53-02 and 54-53-03 of the North Dakota Century Code, relating to composition of the advisory transportation council and purpose of the upper great plains transportation institute.

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

HB 1089: A BILL for an Act to create and enact a new section to chapter 12.1-32 of the North Dakota Century Code, relating to a probation officer taking a defendant into custody for treatment and rehabilitation in lieu of revocation of probation.

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

HB 1090: A BILL for an Act to amend and reenact subsection 1 of section 27-20-51 and section 27-20-52 of the North Dakota Century Code, relating to juvenile records.

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

HB 1092: A BILL for an Act to create and enact a new section to chapter 11-18, a new subsection to section 23-02.1-28, and three new sections to chapter 44-04 of the North Dakota Century Code, relating to redaction of social security numbers by the county recorder, the confidentiality of social security numbers, the confidentiality of client files at the University of North Dakota school of law, and the confidentiality of records of fire department and rural fire protection districts; and to amend and reenact section 20.1-03-35, subsection 8 of section 23-02.1-19, section 23-02.1-27, subsection 6 of section 41-09-73, section 43-50-04, subsection 2 of section 44-04-18.1, subsection 6 of section 44-04-20, and subsection 1 of section 44-04-21.1 of the North Dakota Century Code, relating to confidentiality of social security numbers, notice of emergency or special meetings, and release of certain information received by the attorney general when preparing open records and meetings opinions.

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

HB 1093: A BILL for an Act to amend and reenact sections 54-06-30 and 54-06-31 of the North Dakota Century Code, relating to state employee bonus programs for performance and recruitment and retention programs; to provide an effective date; and to declare an emergency.

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

HB 1095: A BILL for an Act to amend and reenact section 37-15-14 of the North Dakota Century Code, relating to veterans' home general fund appropriation expenditures.

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

HB 1097: A BILL for an Act to amend and reenact section 52-04-09 of the North Dakota Century Code, relating to the setting of unemployment insurance tax rates.

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

HB 1098: A BILL for an Act to amend and reenact section 52-06-21 of the North Dakota Century Code, relating to unemployment insurance benefit determinations.

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

HB 1099: A BILL for an Act to repeal chapter 52-06.1 of the North Dakota Century Code, relating to shared work unemployment compensation; and to declare an emergency.

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

HB 1103: A BILL for an Act to create and enact a new section to chapter 15-03, a new section to chapter 15-04, and a new section to chapter 15-07 of the North Dakota Century Code, relating to authority for payment of expenses by the board of university and school lands; to amend and reenact sections 15-03-01.2, 15-03-16, 15-04-23, 15-06-22, 15-08-04, and 47-30.1-23 of the North Dakota Century Code, relating to authority for the payment of expenses by the board of university and school lands; to repeal section 15-03-01.3 of the North Dakota Century Code; relating to apportionment of board of university and school lands maintenance fund balances; and to provide a continuing appropriation.

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

HB 1112: A BILL for an Act to amend and reenact subsection 2 of section 39-06.1-06, sections 39-06.1-09 and 39-12-02, subsection 1 of section 39-12-05.3, and sections 39-12-08, 39-12-09, and 39-12-17 of the North Dakota Century Code, relating to noncriminal disposition fees, definition of moving violation, vehicles of excessive size and weight, and limitations on loads extending beyond the sides of a motor vehicle; and to provide a penalty.

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

HB 1113: A BILL for an Act to amend and reenact section 24-02-17 of the North Dakota Century Code, relating to bidding of highway contracts; and to provide an effective date.

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

HB 1117: A BILL for an Act to amend and reenact section 37-14-03.3 of the North Dakota Century Code, relating to use of moneys in the permanent revolving fund of the veterans' aid fund.

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

HB 1123: A BILL for an Act to amend and reenact section 23-01-08 of the North Dakota Century Code, relating to authority of the state health officer to appoint a deputy state health officer.

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

HB 1136: A BILL for an Act to amend and reenact subsection 1 of section 43-23.3-03, subsection 1 of section 43-23.3-08, sections 43-23.3-10, 43-23.3-12, and 43-23.3-19, and subsection 1 of section 43-23.3-22 of the North Dakota Century Code, relating to licensing of real estate appraisers.

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

HB 1137: A BILL for an Act to amend and reenact section 26.1-02-03 of the North Dakota Century Code, relating to requirements for an insurance company to do business in this state; and to provide a penalty.

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

HB 1138: A BILL for an Act to create and enact section 26.1-22-21.1 of the North Dakota Century Code, relating to insurance broker of record; to amend and reenact sections 26.1-22-05 and 26.1-22-21 of the North Dakota Century Code, relating to buildings insured by the state fire and tornado fund and excess loss reinsurance; and to declare an emergency.

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

HB 1139: A BILL for an Act to create and enact a new subsection to section 26.1-33-11 of the North Dakota Century Code, relating to interest paid on death claims by insurance companies; and to amend and reenact subdivision e of subsection 3 of section 26.1-29-09.1, subdivision c of subsection 2 of section 26.1-37-01, and subdivision a of subsection 1 of section 26.1-38.1-03 of the North Dakota Century Code, relating to insurable interest in personal insurance, credit insurance on motor vehicles, and life insurance and annuity accounts maintained by the life and health insurance guaranty association.

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

HB 1140: A BILL for an Act to amend and reenact subsection 3 of section 26.1-03-19.2, subsection 5 of section 26.1-12-03, and sections 26.1-12-04 and 26.1-18.1-08 of the North Dakota Century Code, relating to examination reports of foreign companies, term of existence of a mutual insurance company, articles of incorporation of a mutual insurance company, and annual reports of health maintenance organizations.

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

HB 1141: A BILL for an Act to amend and reenact subsection 1 of section 26.1-10.1-01 and section 26.1-10.1-03 of the North Dakota Century Code, relating to notice to the insurance commissioner of reinsurance agreements.

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

HB 1142: A BILL for an Act to create and enact section 26.1-25-04.4 of the North Dakota Century Code, relating to withdrawal of insurance companies; to amend and reenact subsection 1 of section 26.1-30.1-06 and subsection 1 of section 26.1-39-16 of the North Dakota Century Code, relating to nonrenewal of commercial and homeowner's insurance; and to repeal sections 26.1-01-06, 26.1-03-12, 26.1-03-13, 26.1-03-14, and 26.1-03-15 of the North Dakota Century Code, relating to product liability and legal malpractice reports.

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

HB 1143: A BILL for an Act to create and enact three new sections to chapter 44-04 of the North Dakota Century Code, relating to confidentiality of public health and security system plans; and to declare an emergency.

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

HB 1145: A BILL for an Act to create and enact two new subsections to section 57-51-01 and a new section to chapter 57-51 of the North Dakota Century Code, relating to a temporary exemption from the gross production tax for gas produced from shallow gas wells; and to provide an expiration date.

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

HB 1146: A BILL for an Act to amend and reenact subsection 4 of section 19-03.1-09 and subsection 4 of section 19-03.1-11 of the North Dakota Century Code, relating to controlled substances.

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

HB 1148: A BILL for an Act to create and enact a new section to chapter 61-16.1 of the North Dakota Century Code, relating to release of water resource board easements; and to amend and reenact sections 61-02-14.1, 61-16.1-38, and 61-16.1-53 of the North Dakota Century Code, relating to dam construction easements, dam construction permits, and dike and dam removal notices and hearings.

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

HB 1149: A BILL for an Act to amend and reenact sections 65-01-09, 65-04-03.1, 65-04-04, 65-04-15, subsection 1 of section 65-04-26.1, subsections 1 and 2 of section 65-04-32, subsection 3 of section 65-04-33, sections 65-05-07.2, 65-05-28.1, 65-06-01, 65-06-02, 65-06-03, and 65-06-04 of the North Dakota Century Code, relating to the workers compensation bureau's subrogation interests and participation in third-party actions, elimination of the expiration date for the state entities account, employer certificates of coverage, release of information from employer files, personal liability for failure to pay premiums or file premium reports, notice of decisions issued by the workers compensation bureau affecting employer accounts, the penalty structure for failure to secure workers' compensation coverage, employer medical assessments, eligibility of an employer to select preferred providers to render medical treatment, and emergency and disaster volunteers and volunteer firefighters; to repeal section 65-04-19.2 and chapter 65-14 of the North Dakota Century Code, relating to state agency participation in the workers' compensation risk management program and the employee information program on hazardous substances; to provide an effective date; and to declare an emergency.

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

HB 1150: A BILL for an Act to amend and reenact sections 65-02-03.1, 65-02-30, and 65-03-04 of the North Dakota Century Code, relating to the term of office of members and membership of the workers compensation bureau board of directors and biennial performance evaluations of the functions and operations of the workers compensation bureau; and to provide for application.

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

HB 1151: A BILL for an Act to create and enact a new section to chapter 37-01 of the North Dakota Century Code, relating to rights of persons who are called into active state or federal military service; and to declare an emergency.

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

HB 1157: A BILL for an Act to create and enact a new section to chapter 60-02 of the North Dakota Century Code, relating to licensed warehouse capacity and condominium storage; and to amend and reenact sections 60-02-07, 60-02-10.1, 60-02-33, subsection 8 of section 60-02.1-01, sections 60-02.1-07, 60-02.1-11, subsection 7 of section 60-02.1-14, sections 60-02.1-28, 60-02.1-29, 60-02.1-32 and subsection 4 of section 60-03-01 of the North Dakota Century Code, relating to licensing of grain warehouses, grain buyers, and hay buyers.

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

HB 1158: A BILL for an Act to amend and reenact subsections 18, 19, and 28 of section 19-18-02 and sections 19-18-04, 19-18-04.1, and 19-18-07 of the North Dakota Century Code, relating to pesticide registrations; to repeal section 19-18-02.2 of the North Dakota Century Code, relating to a pesticide residue advisory board; to provide a penalty; and to declare an emergency.

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

HB 1160: A BILL for an Act to amend and reenact sections 23-07-02, 23-09-01, 23-09-02.1, 23-09-03, 23-09-05, 23-09-06, 23-09-07, 23-09-09, 23-09-10, 23-09-11, 23-09-14, 23-09-16, 23-09-17, 23-09-18, 23-09-21, 23-09-22, 50-10.1-01, and 50-10.2-01 of the North Dakota Century Code, relating to assisted living facilities and lodging establishments.

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

HB 1161: A BILL for an Act to amend and reenact section 39-06-32, subsection 1 of section 39-08-01, sections 39-20-03.1 and 39-20-03.2, subsection 1 of section 39-20-04.1, subsections 2 and 5 of section 39-20-05, and sections 39-20-07 and 39-20-09 of the North Dakota Century Code, relating to the level of alcohol concentration prohibited for motor vehicle operators.

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

HB 1163: A BILL for an Act to create and enact section 25-03.1-03.1 of the North Dakota Century Code, relating to disclosure of health information for treatment of mental illness; to amend and reenact section 25-03.1-10, subsection 1 of section 25-03.1-13, section

25-03.1-43, and subsection 20 of section 43-17-31 of the North Dakota Century Code, relating to civil commitment for treatment of mental illness and substance abuse and a physician's duty to transfer medical records; to repeal section 25-03.1-44 of the North Dakota Century Code, relating to accounting for the disclosure of health information of an individual committed for the treatment of mental illness; to provide an effective date; and to declare an emergency.

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

HB 1164: A BILL for an Act to create and enact chapter 50-32 of the North Dakota Century Code, relating to licensing of assisted living facilities; to amend and reenact subsection 8 of section 23-09-01 and sections 50-24.5-01 and 50-24.5-02 of the North Dakota Century Code, relating to assisted living facilities; to repeal section 50-24.5-02.1 of the North Dakota Century Code, relating to registration of assisted living facilities; and to provide a penalty.

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

HB 1165: A BILL for an Act to create and enact chapter 50-31 of the North Dakota Century Code, relating to substance abuse treatment programs; to amend and reenact subsection 12 of section 25-03.1-02 and subdivision b of subsection 2 of section 26.1-36-08 of the North Dakota Century Code, relating to the correction of statutory cross-references; and to repeal chapter 23-17.1 of the North Dakota Century Code, relating to the licensing of addiction hospitals.

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

HB 1166: A BILL for an Act to amend and reenact sections 15.1-07-16, 15.1-09-46, 15.1-27-20, and 15.1-27-29 of the North Dakota Century Code, relating to reports made to the county superintendent of schools and the superintendent of public instruction.

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

HB 1167: A BILL for an Act to amend and reenact sections 4-05.1-04, 26.1-21-22, 43-25-13, and 43-32-11, subsection 4 of section 54-06-04, and section 54-54-09 of the North Dakota Century Code, relating to reports by agricultural research or research extension centers, the state bonding fund, the board of massage therapists, the board of psychologist examiners, the council on the arts, and other entities submitted to the governor or secretary of state.

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

HB 1168: A BILL for an Act to amend and reenact sections 44-06-04, 44-06-12, 44-06-13.1, 44-06-14, and 44-08-06 of the North Dakota Century Code, relating to notaries public and their seals and fees.

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

HB 1169: A BILL for an Act to amend and reenact sections 47-22-01, 47-22-02, 47-22-03, 47-22-04, 47-22-05, 47-22-06, 47-22-06.1, 47-22-07, 47-22-08, 47-22-09, 47-22-10, 47-22-11, 47-22-12, and 47-22-13 of the North Dakota Century Code, relating to registration and protection of service marks; to provide for retroactive application; and to declare an emergency.

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

HB 1175: A BILL for an Act to amend and reenact subdivision b of subsection 1 of section 23-07-07.5 and section 23-07.7-01 of the North Dakota Century Code, relating to sexual offenses; and to repeal section 12.1-20-10 of the North Dakota Century Code, relating to unlawful cohabitation.

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

HB 1176: A BILL for an Act to amend and reenact sections 39-08-09 and 39-08-10 of the North Dakota Century Code, relating to a notice of accident to law enforcement.

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

HB 1178: A BILL for an Act to amend and reenact subsection 1 of section 28-32-10 of the North Dakota Century Code, relating to the contents of a notice of administrative rulemaking; and to provide an effective date.

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

HB 1183: A BILL for an Act to amend and reenact subsection 3 of section 4-14.2-03, subsection 1 of section 4-24-11.1, section 4-37-03, subsections 3 and 4 of section 6-09.10-02.1, subsection 1 of section 6-09.10-06, subsection 2 of section 12-44.1-01, sections 12-44.1-17 and 12-46-25, subsection 4 of section 12.1-32-07, sections 14-06.1-07 and 14-06.1-09, subsection 2 of section 14-08.1-05.1, subsection 1 of section 14-10.2-01, sections 15-10-18.3, 15-10-18.5, 15-20.1-01, 15-20.1-02,

15-20.1-03, 15-20.1-03.1, 15-20.1-04, 15-20.1-05, 15-20.1-06, 15-20.1-07, 15-20.1-11, 15-20.1-21, 15-20.2-01, 15-20.2-02, 15-20.2-03, 15-20.2-04, 15-20.2-05, 15-20.2-07, 15-20.2-08, 15-20.2-09, 15-20.2-10, 15-20.2-11, 15-20.2-12, 15-20.2-13, 15-20.2-14, 15-20.2-15, and 15-20.2-16, subsections 2 and 6 of section 15-20.4-01, subsection 11 of section 15-39.1-04, sections 15-63-02, 15-63-03, 15-63-04, 15-63-05, and 15.1-01-02, subsection 4 of section 15.1-02-13, subsection 7 of section 15.1-09-33, subsection 1 of section 15.1-09-36, subsection 1 of section 15.1-12-10, subsection 1 of section 15.1-13-01, subsection 4 of section 15.1-13-10, sections 15.1-14-23, 15.1-14-24, 15.1-14-25, 15.1-14-26, 15.1-14-27, 15.1-14-28, 15.1-14-29, 15.1-14-30, 15.1-14-31, and 15.1-14-32, subsection 5 of section 15.1-16-20, subsection 7 of section 15.1-21-02, section 15.1-25-01, subsection 1 of section 15.1-27-18, section 15.1-27-28, subsection 4 of section 15.1-27-37, subsections 3 and 6 of section 19-03.1-23, subsection 1 of section 19-03.1-23.1, sections 25-06-02, 25-07-04, 27-21-02, and 27-21-03, subsection 1 of section 27-21-06, sections 27-21-07, 27-21-09, 34-05-01.3, and 34-06-15, subsection 1 of section 37-07.1-02, section 40-57-02, subsection 3 of section 40-57-03, sections 40-57.2-01, 40-57.2-04, 43-35-13, 50-09-02.2, 50-11-01, 52-02-02.1, 52-02-08, and 52-08-12, subsection 2 of section 52-08.1-04, section 52-09-08, subsection 12 of section 54-10-14, section 54-56-01, subsection 2 of section 54-59-17, section 54-60-06, subsection 16 of section 57-15-06.7, subsection 15 of section 57-15-10, subsections 1 and 2 of section 57-15-14.2, section 57-15-17, subdivision m of subsection 1 of section 57-38-01.2, and subsection 2 of section 57-38-67 of the North Dakota Century Code, relating to changing the name of "state board for vocational and technical education" to "state board for career and technical education", changing the name of "area vocational and technology centers" to "area career and technology centers", authorizing area vocational and technology centers to accept property and grants from the federal government, and designating a department of career and technical education; and to repeal section 15-20.1-10 of the North Dakota Century Code, relating to the powers of the school board of a vocational school district.

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

HB 1184: A BILL for an Act to create and enact a new section to chapter 13-03.1 and a new section to chapter 13-05 of the North Dakota Century Code, relating to consumer finance license renewals and subpoena powers for collection agency information; and to amend and reenact sections 13-04.1-05 and 13-05-05 of the North Dakota Century Code, relating to money broker and collection agency license renewals and renewal late fees.

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

HB 1185: A BILL for an Act to amend and reenact subsection 6 of section 41-09-73 and section 41-09-84 of the North Dakota Century Code, relating to financing statements and termination statements under the Uniform Commercial Code.

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

HB 1186: A BILL for an Act to provide for a legislative council study of the state leasing of county court facilities.

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

HB 1189: A BILL for an Act to amend and reenact section 29-01-15 of the North Dakota Century Code, relating to the issuance of search warrants by municipal judges.

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

HB 1190: A BILL for an Act to create and enact a new subsection to section 26.1-40-15.2 and a new subsection to section 26.1-40-15.3 of the North Dakota Century Code, relating to uninsured and underinsured motorists; and to amend and reenact sections 26.1-41-20 and 39-05-20.2 of the North Dakota Century Code, relating to motor vehicle accidents and salvage certificates of title.

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

HB 1191: A BILL for an Act to amend and reenact section 39-08-01 of the North Dakota Century Code, relating to the drug court program.

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

HB 1192: A BILL for an Act to amend and reenact subsection 2 of section 36-21.1-09 of the North Dakota Century Code, relating to the valuation of live animal raffle prizes; and to declare an emergency.

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

HB 1193: A BILL for an Act to amend and reenact section 39-21-41.4 of the North Dakota Century Code, relating to the use of safety belts.

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

- HB 1195:** A BILL for an Act to amend and reenact section 35-20-08 of the North Dakota Century Code, relating to attorney's liens.
Was read the first time and referred to the **Judiciary Committee**.
- HB 1201:** A BILL for an Act to create and enact a new subsection to section 43-12.1-04 of the North Dakota Century Code, relating to persons excluded from the Nurse Practices Act.
Was read the first time and referred to the **Human Services Committee**.
- HB 1204:** A BILL for an Act to amend and reenact sections 43-03-01, 43-03-02, 43-03-08, 43-03-09, 43-03-10, 43-03-11, 43-03-12, 43-03-13, 43-03-16, 43-03-17, 43-03-18, 43-03-19, 43-03-20, 43-03-21, 43-03-22, and 43-03-23 of the North Dakota Century Code, relating to the registration of architects and landscape architects; and to provide a penalty.
Was read the first time and referred to the **Political Subdivisions Committee**.
- HB 1206:** A BILL for an Act to amend and reenact sections 40-57.1-03 and 40-57.1-04.1 of the North Dakota Century Code, relating to the duration of city or county property tax exemptions for new or expanding businesses; and to provide an effective date.
Was read the first time and referred to the **Political Subdivisions Committee**.
- HB 1210:** A BILL for an Act to create and enact a new subsection to section 57-51.1-03.1 of the North Dakota Century Code, relating to eligibility of a two-year inactive well for exemption from the oil extraction tax; and to amend and reenact subsection 12 of section 57-51.1-01 and subsection 4 of section 57-51.1-03 of the North Dakota Century Code, relating to the definition of a two-year inactive well and eligibility of a work-over project for exemption from the oil extraction tax.
Was read the first time and referred to the **Finance and Taxation Committee**.
- HB 1212:** A BILL for an Act to create and enact a new section to chapter 28-32 of the North Dakota Century Code, relating to requirement of consideration the effect of proposed administrative rules on small businesses, organizations, and political subdivisions; and to provide an effective date.
Was read the first time and referred to the **Industry, Business and Labor Committee**.
- HB 1213:** A BILL for an Act to amend and reenact section 44-04-18.3 of the North Dakota Century Code, relating to the confidentiality of records containing the telephone number and home address of juvenile court officers.
Was read the first time and referred to the **Judiciary Committee**.
- HB 1214:** A BILL for an Act to amend and reenact subsection 2 of section 28-22-03.1 of the North Dakota Century Code, relating to motor vehicles as property exempt from process.
Was read the first time and referred to the **Transportation Committee**.
- HB 1215:** A BILL for an Act to create and enact a new section to chapter 12.1-21 of the North Dakota Century Code, relating to tampering with, disabling, or falsely sounding a fire alarm and tampering with or disabling fire suppression equipment; to provide a penalty; and to declare an emergency.
Was read the first time and referred to the **Judiciary Committee**.
- HB 1216:** A BILL for an Act to amend and reenact section 26.1-21-09.1 of the North Dakota Century Code, relating to bonds for agents distributing hunting and fishing licenses.
Was read the first time and referred to the **Natural Resources Committee**.
- HB 1220:** A BILL for an Act to amend and reenact section 39-10-71 of the North Dakota Century Code, relating to the driver of a motor vehicle fleeing or attempting to elude a law enforcement officer.
Was read the first time and referred to the **Transportation Committee**.
- HB 1221:** A BILL for an Act to amend and reenact sections 23-07.3-01 and 23-07.3-02, subsections 1 and 10 of section 23-07.5-01, and subsections 3, 5, and 6 of section 23-07.5-02 of the North Dakota Century Code, relating to testing for contagious diseases; and to provide a penalty.
Was read the first time and referred to the **Human Services Committee**.
- HB 1222:** A BILL for an Act to create and enact a new section to chapter 32-03 of the North Dakota Century Code, relating to immunity for theft of anhydrous ammonia.
Was read the first time and referred to the **Judiciary Committee**.

HB 1223: A BILL for an Act to create and enact a new section to chapter 20.1-04 and a new section to chapter 20.1-08 of the North Dakota Century Code, relating to the opening date of pheasant season and the hunting of pheasants on certain lands in the state.

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

HB 1227: A BILL for an Act to amend and reenact section 37-01-42 of the North Dakota Century Code, relating to honorary high school diplomas for Korean conflict veterans.

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

HB 1228: A BILL for an Act to amend and reenact sections 25-03.2-03.1 and 50-11-02.3 of the North Dakota Century Code, relating to continuing a moratorium on the expansion of residential treatment center for children and residential child care facility or group home bed capacity; to provide an expiration date; and to declare an emergency.

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

HB 1230: A BILL for an Act to amend and reenact section 54-35-02.7 of the North Dakota Century Code, relating to legislative overview of the Garrison diversion project.

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

HB 1233: 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 the powers of nonprofit mutual insurance companies; and to declare an emergency.

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

HB 1235: A BILL for an Act to amend and reenact sections 31-13-03, 31-13-05, and 31-13-07 of the North Dakota Century Code, relating to the law enforcement DNA data base.

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

HB 1237: A BILL for an Act to amend and reenact sections 15.1-19-09 and 15.1-19-10 of the North Dakota Century Code, relating to the suspension and expulsion of students and school district weapons policies.

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

HB 1238: A BILL for an Act to amend and reenact subsection 1 of section 39-08-20 of the North Dakota Century Code, relating to driving without liability insurance.

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

HB 1239: A BILL for an Act to amend and reenact section 53-06.1-01 and subsection 1 of section 53-06.1-06 of the North Dakota Century Code, relating to the selling of prize boards.

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

HB 1243: A BILL for an Act to create and enact a new section to chapter 50-06, chapter 53-12, a new subsection to section 57-38-57, a new subsection to section 57-39.2-04, and a new subsection to section 57-39.2-23 of the North Dakota Century Code, relating to compulsive gambling prevention and treatment, the establishment of the North Dakota lottery, disclosure of confidential income and sales and use tax information, and to an exemption from sales tax; to amend and reenact subsection 2 of section 50-09-14 and subsection 2 of section 54-10-01 of the North Dakota Century Code, relating to setoffs of lottery prize payments for payment of child support and to the powers and duties of the state auditor; to provide a penalty; to provide a continuing appropriation; and to declare an emergency.

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

HB 1246: A BILL for an Act to create and enact a new section to chapter 11-09.1 of the North Dakota Century Code, relating to enforcement of criminal violations by a home rule county; and to amend and reenact subsection 5 of section 11-09.1-05 and section 27-05-06 of the North Dakota Century Code, relating to powers of a home rule county and the jurisdiction of the district court.

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

HB 1249: A BILL for an Act to amend and reenact subsection 2 of section 50-11.1-07 and sections 50-11.1-07.2, 50-11.1-07.8, and 50-11.1-09 of the North Dakota Century Code, relating to early childhood services.

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

HB 1250: A BILL for an Act to create and enact a new subsection to section 16.1-11-18 of the North Dakota Century Code, relating to filling a vacancy in a nomination for a party office; and to amend and reenact section 16.1-13-10 of the North Dakota Century Code, relating to filling a vacancy in a legislative office.

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

HB 1251: A BILL for an Act to amend and reenact section 12.1-06.1-08 of the North Dakota Century Code, relating to computer crimes; and to provide a penalty.

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

HB 1252: A BILL for an Act to create and enact a new section to chapter 54-59 of the North Dakota Century Code, relating to security background checks of certain employees of the information technology department.

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

HB 1254: A BILL for an Act to adopt the interstate compact for juveniles.

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

HB 1255: A BILL for an Act to amend and reenact section 39-21-39 of the North Dakota Century Code, relating to windshield tinting.

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

HB 1258: A BILL for an Act to amend and reenact sections 15.1-12-14 and 15.1-12-15 of the North Dakota Century Code, relating to teachers' contracts in newly reorganized districts; and to declare an emergency.

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

HB 1259: A BILL for an Act to amend and reenact section 15.1-09-06 of the North Dakota Century Code, relating to the salary of school board members.

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

HB 1297: A BILL for an Act to create and enact section 48-05-02.1 of the North Dakota Century Code, relating to the purchasing of coal for heating purposes by the state and political subdivisions.

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

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

WILLIAM R. HORTON, Secretary