

JOURNAL OF THE SENATE

Fifty-ninth Legislative Assembly

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Bismarck, February 4, 2005

The Senate convened at 8:00 a.m., with President Dalrymple presiding.

The prayer was offered by Reverend Michael Bommarito, Salvation Army, Bismarck.

The roll was called and all members were present except Senators Bowman, Fairfield, Grindberg, Hacker, and Robinson.

A quorum was declared by the President.

MOTION

SEN. CHRISTMANN MOVED that Senate Rule 601 be suspended so that standing committee reports received today may be placed on the calendar for today, which motion prevailed.

MOTION

SEN. CHRISTMANN MOVED that Senate Rule 329-4 be amended to read "twenty-fourth legislative day" in place of "twenty-third legislative day", thereby extending the deadline for referring bills to the **Appropriations Committee**, which motion prevailed.

MOTION

SEN. CHRISTMANN MOVED that SB 2187 be returned to the Senate floor from the **Appropriations Committee** and placed at the bottom of the Eleventh order, which motion prevailed.

MOTION

SEN. CHRISTMANN MOVED that SB 2406 be returned to the Senate floor from the **Judiciary Committee** for the purpose of withdrawal, which motion prevailed.

REQUEST

SEN. O'CONNELL REQUESTED the unanimous consent of the Senate to withdraw SB 2406. There being no objection, it was so ordered by the President.

REPORT OF STANDING COMMITTEE

SB 2236: Agriculture Committee (Sen. Flakoll, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2236 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2256: Natural Resources Committee (Sen. Lyson, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (5 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2256 was rereferred to the **Appropriations Committee**.

REPORT OF STANDING COMMITTEE

SB 2279: Agriculture Committee (Sen. Flakoll, Chairman) recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2279 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2314: Finance and Taxation Committee (Sen. Urlacher, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2314 was placed on the Sixth order on the calendar.

Page 1, line 11, replace "is two and one-half percent on" with "does not apply to"

Page 1, line 12, replace "eligible for registration" with "registered"

Page 1, line 14, replace "is one percent on" with "does not apply to"

Page 1, line 15, replace "eligible for licensing" with "registered"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2367: Natural Resources Committee (Sen. Lyson, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2367 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2379: Finance and Taxation Committee (Sen. Urlacher, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2379 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2392: Finance and Taxation Committee (Sen. Urlacher, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2392 was placed on the Sixth order on the calendar.

Page 1, line 17, replace "fifty or more years old" with "as defined in sections 2-05-11.1, 2-05-11.2, and 2-05-11.3"

Renumber accordingly

CONSIDERATION OF AMENDMENTS

SB 2054: SEN. WARDNER (Finance and Taxation Committee) **MOVED** that the amendments on SJ page 254 be adopted and then be placed on the Eleventh order with **DO NOT PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2055: SEN. COOK (Finance and Taxation Committee) **MOVED** that the amendments on SJ page 254 be adopted and then be placed on the Eleventh order with **DO NOT PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2085: SEN. KLEIN (Industry, Business and Labor Committee) **MOVED** that the amendments on SJ pages 254-255 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2232: SEN. TRAYNOR (Judiciary Committee) **MOVED** that the amendments on SJ pages 255-256 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2251: SEN. SYVERSON (Judiciary Committee) **MOVED** that the amendments on SJ page 256 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2392: SEN. TOLLEFSON (Finance and Taxation Committee) **MOVED** that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2314: SEN. EVERY (Finance and Taxation Committee) **MOVED** that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2026: A BILL for an Act to amend and reenact sections 43-07-02, 43-07-04, 43-07-10, 43-07-14, and 43-07-18 of the North Dakota Century Code, relating to licensure and regulation of contractors; and to provide a penalty.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 42 YEAS, 0 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Brown; 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; O'Connell; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Triplett; Urlacher; Wardner; Warner

ABSENT AND NOT VOTING: Bowman; Fairfield; Grindberg; Hacker; Robinson

Engrossed SB 2026 passed and the title was agreed to.

VOTING INTENTION

THE PRESIDENT ANNOUNCED that the record will reflect that Sen. Hacker was present and intended to vote "YEA" on Engrossed SB 2026.

SECOND READING OF SENATE BILL

SB 2042: A BILL for an Act to amend and reenact section 15.1-20-03 of the North Dakota Century Code, relating to compulsory school attendance; and to provide a penalty.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 39 YEAS, 4 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Brown; Christmann; Cook; Dever; Erbele; Every; Fischer; Freborg; Hacker; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; O'Connell; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Traynor; Triplett; Urlacher; Wardner; Warner

NAYS: Espegard; Flakoll; Schobinger; Trenbeath

ABSENT AND NOT VOTING: Bowman; Fairfield; Grindberg; Robinson

Engrossed SB 2042 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2215: A BILL for an Act to provide for a legislative council study relating to the expansion of the uniform group insurance program.

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 36 YEAS, 7 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Cook; Dever; Espegard; Every; Fischer; Flakoll; Freborg; Hacker; Heitkamp; Holmberg; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Mathern; Mutch; Nelson; Nething; O'Connell; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Triplett; Urlacher; Wardner; Warner

NAYS: Brown; Christmann; Erbele; Kilzer; Klein; Kringstad; Lyson

ABSENT AND NOT VOTING: Bowman; Fairfield; Grindberg; Robinson

Engrossed SB 2215 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2246: A BILL for an Act to amend and reenact section 39-18-03.2 of the North Dakota Century Code, relating to park model trailers.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 43 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Brown; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Hacker; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach;

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

ABSENT AND NOT VOTING: Bowman; Fairfield; Grindberg; Robinson

Engrossed SB 2246 passed and the title was agreed to.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4019: A concurrent resolution urging all educators to ensure that the schoolchildren of North Dakota are taught the history of the United States flag, that they are taught to respect the flag, to exercise proper flag etiquette, and to understand that the flag is the most visible and enduring symbol of the American spirit.

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

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

SECOND READING OF SENATE BILL

SB 2094: A BILL for an Act to amend and reenact section 26.1-39-06 of the North Dakota Century Code, relating to excluding commercial insurance coverage for loss by fire or other perils caused directly or indirectly by terrorism.

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

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

ABSENT AND NOT VOTING: Bowman; Fairfield; Grindberg; Robinson

SB 2094 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2169: A BILL for an Act to create and enact a new section to chapter 54-52.1 of the North Dakota Century Code, relating to public employees retirement system health insurance coverage of colorectal cancer screening; and to provide an expiration 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 4 YEAS, 39 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Krauter; Mathern; Nelson; Seymour

NAYS: Andrist; Bercier; Brown; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Hacker; Heitkamp; Holmberg; Kilzer; Klein; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mutch; Nething; O'Connell; Schobinger; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Triplett; Urlacher; Wardner; Warner

ABSENT AND NOT VOTING: Bowman; Fairfield; Grindberg; Robinson

SB 2169 lost.

MOTION

SEN. CHRISTMANN MOVED that SB 2231 and SB 2337, which are on the Eleventh order, be laid over one legislative day, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2192: A BILL for an Act to amend and reenact section 50-24.1-16 of the North Dakota Century Code, relating to medical assistance reimbursement of ambulance services.

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

YEAS: Krauter; Nelson

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

ABSENT AND NOT VOTING: Bowman; Fairfield; Grindberg; Robinson

SB 2192 lost.

SECOND READING OF SENATE BILL

SB 2233: A BILL for an Act to create and enact a new section to chapter 26.1-36 and a new section to chapter 54-52.1 of the North Dakota Century Code, relating to health insurance coverage and public employee health insurance coverage for diabetes.

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 12 YEAS, 31 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Bercier; Espegard; Every; Heitkamp; Krauter; Mathern; Nelson; O'Connell; Seymour; Taylor; Triplett; Warner

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

ABSENT AND NOT VOTING: Bowman; Fairfield; Grindberg; Robinson

SB 2233 lost.

SECOND READING OF SENATE BILL

SB 2261: A BILL for an Act to create and enact a new section to chapter 23-12 of the North Dakota Century Code, relating to breastfeeding; and to amend and reenact subsection 4 of section 12.1-20-02 and sections 12.1-20-12.1, 12.1-27.1-11, and 42-01-01 of the North Dakota Century Code, relating to exempting the act of breastfeeding from certain offenses.

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

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

ABSENT AND NOT VOTING: Bowman; Fairfield; Grindberg; Robinson

SB 2261 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2284: A BILL for an Act to create and enact a new section to chapter 50-24.6 of the North Dakota Century Code, relating to a medical assistance preferred drug list; to amend and reenact section 50-24.6-01, subsection 2 of section 50-24.6-02, and sections 50-24.6-03, 50-24.6-05, and 50-24.6-07 of the North Dakota Century Code, relating to medical assistance drug use review; and to repeal section 50-24.6-04 of the North Dakota Century Code, relating to the medical assistance prior authorization program.

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

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

ABSENT AND NOT VOTING: Bowman; Fairfield; Grindberg; Robinson

SB 2284 lost.

SECOND READING OF SENATE BILL

SB 2289: A BILL for an Act to create and enact a new subdivision to subsection 1 of section 14-09-09.7 of the North Dakota Century Code, relating to child support guidelines; to amend and reenact sections 14-08.1-06 and 14-08.1-07, subsection 2 of section 14-09-08.5, section 14-09-08.6, subsection 2 of section 14-09-08.8, subsections 1 and 2 of section 14-09-08.16, and subsections 8 and 9 of section 14-09-09.10 of the North Dakota Century Code, relating to child support reviews; 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 6 YEAS, 37 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Every; Heitkamp; Nelson; O'Connell; Triplett; Warner

NAYS: Andrist; Bercier; Brown; Christmann; Cook; Dever; Erbele; Espegard; Fischer; Flakoll; Freborg; Hacker; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nething; Schobinger; Seymour; Stenehjerm; Syverson; Tallackson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Urlacher; Wardner

ABSENT AND NOT VOTING: Bowman; Fairfield; Grindberg; Robinson

SB 2289 lost.

SECOND READING OF SENATE BILL

SB 2347: A BILL for an Act to amend and reenact section 26.1-01-07.4 of the North Dakota Century Code, relating to cooperative agreements for group health care coverage.

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

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

O'Connell; Schobinger; Seymour; Stenehjelm; Syverson; Tallackson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Triplett; Urlacher; Wardner; Warner

ABSENT AND NOT VOTING: Bowman; Fairfield; Grindberg; Robinson

SB 2347 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2394: A BILL for an Act to create and enact a new section to chapter 50-24.1 of the North Dakota Century Code, relating to creation of a medical assistance program for medication therapy management services.

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

YEAS: Mathern; Thane

NAYS: Andrist; Bercier; Brown; Christmann; Cook; Dever; Erbele; Espgaard; Every; Fischer; Flakoll; Freborg; Hacker; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mutch; Nelson; Nething; O'Connell; Schobinger; Seymour; Stenehjelm; Syverson; Tallackson; Taylor; Tollefson; Traynor; Trenbeath; Triplett; Urlacher; Wardner; Warner

ABSENT AND NOT VOTING: Bowman; Fairfield; Grindberg; Robinson

SB 2394 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 2150, SB 2154, SB 2239, SB 2249, SB 2280, SB 2322, SB 2363, SCR 4015.

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 1108, HB 1206, HB 1245, HB 1258, HB 1281, HB 1350, HB 1355, HB 1357, HB 1429, HB 1431.

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 1327, HB 1412.

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 1:00 p.m., Monday, February 7, 2005, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2032: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2032 was placed on the Sixth order on the calendar.

Page 11, line 26, replace "Budget" with "Certification to budget"

Page 11, line 27, remove "approval"

Page 11, line 30, replace "awards funds" with "makes funding award recommendations"

Page 12, replace line 1 with "institutions of higher education under control of the board, tribal colleges located in the state, private baccalaureate-granting institutions of higher education located in the state, and university-related foundations of public or private institutions of higher education"

Page 12, after line 3, insert:

"a. "Board" means the state board of higher education."

Page 12, line 4, replace "a." with "b."

Page 12, line 5, replace "b." with "c."

Page 12, line 6, replace "c." with "d."

Page 12, line 7, replace "d." with "e."

Page 12, line 16, replace "eight" with "six"

Page 12, line 17, replace "two" with "three" and replace the underscored comma with "and"

Page 12, line 18, remove ", and the legislative council shall appoint three"

Page 12, line 19, remove "members of the legislative assembly as nonvoting members of the commission"

Page 12, line 21, replace "two" with "three"

Page 12, line 23, replace "A member of the" with "Initial terms must be staggered"

Page 12, remove lines 24 through 28

Page 12, line 29, remove "officers"

Page 12, line 31, after "review" insert "all" and replace ", make designation" with "; approve, disapprove, or approve conditionally the applications."

Page 13, line 1, remove "determinations." and replace "awards of funds" with "funding award recommendations"

Page 13, line 4, replace "establish" with "provide"

Page 13, line 5, after "completeness" insert "and compliance with board policy"

Page 13, line 6, after the first "commission" insert "according to guidelines established by the commission", overstrike "The", and remove "commission and the legislative assembly each may"

Page 13, line 7, overstrike "designate", remove "a center", and overstrike the period

Page 13, line 10, overstrike "Centers of excellence relating to economic"

Page 13, overstrike lines 11 and 12

Page 13, line 23, replace "designation as a center" with "funding to an institution or an affiliated nonprofit foundation"

Page 13, line 24, remove "proposed"

Page 14, remove lines 8 through 11

Page 14, line 12, remove "(1) Strengthen" and overstrike "the leadership and support of the national science"

Page 14, overstrike lines 13 and 14

Page 14, line 15, overstrike "expanded efforts to stimulate economic growth in" and overstrike "industry"

Page 14, line 16, overstrike "clusters" and remove the underscored period

Page 14, line 17, remove "(2) Provide" and overstrike "leadership in science and technology policy at a regional, a"

Page 14, line 18, overstrike "national, and an international level" and remove the underscored period

Page 14, line 19, remove "(3) Create" and overstrike "employment opportunities for North Dakota university system"

Page 14, line 20, overstrike "graduates."

Page 14, after line 22, insert:

- "6. In considering an application, the commission shall:
- a. Make a determination that the requirements of subsection 5 have been established by the applicant.
 - b. Consider whether the center will:
 - (1) Promote job growth and expansion of knowledge-based industries or the development of new products, high-tech companies, or skilled jobs in this state;
 - (2) Create high-value private sector employment opportunities in this state;
 - (3) Provide for public-private sector involvement and partnerships;
 - (4) Leverage other funding;
 - (5) Foster and practice entrepreneurship;
 - (6) Link to targeted industry clusters; and
 - (7) Include provisions for becoming self-sustaining."

Page 14, line 23, replace "In partnership with the board and the foundation, present" with "Following approval by the board, foundation, and commission, the board and commission shall report"

Page 14, line 24, remove "for approval"

Page 14, line 27, remove "In accordance with commission award determinations approved by the"

Page 14, line 28, remove "budget section, the", overstrike "board", and overstrike "shall allocate funds from"

Page 14, line 29, overstrike "appropriations for" and overstrike "centers"

Page 14, line 30, remove "for the purpose of funding"

Page 14, line 31, remove "centers."

Page 15, line 1, after "section" insert "annually", remove "the status of", and overstrike "such" and insert immediately thereafter "the status of"

Page 15, line 15, after "university-related" insert "or college-related"

Page 15, line 19, after the underscored period insert "However, the commission may reduce the matching funds requirement for applications from institutions other than research universities and the recipient shall provide the board with detailed documentation of the likely availability of the matching funds."

Page 15, line 21, after "university-related" insert "or college-related"

Page 15, after line 24, insert:

- "10. The Bank of North Dakota may loan up to fifty million dollars to the department of commerce to provide matching funds to recipients of funds awarded under this section. The debt service due under the loan may not exceed five million dollars per biennium. The loan may be entered into

upon terms, conditions, and payment provisions as the parties deem in the best interests of the state. Repayment of each loan by the department of commerce must be secured by a pledge of interest income from the student loan trust fund and repaid from that source and is contingent upon receipt of sufficient biennial appropriations by the legislative assembly for that purpose."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2062: Education Committee (Sen. Freborg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2062 was placed on the Sixth order on the calendar.

Page 1, line 10, remove the overstrike over "~~and, in the case of the~~"

Page 1, line 11, remove the overstrike over "~~board of education of the city of Fargo,~~" and remove the overstrike over "~~have custody and control of all public~~"

Page 1, line 12, remove the overstrike over "~~school property~~", after "city" insert "within the boundaries of the Fargo public school district", and remove the overstrike over "~~and to manage and control all school matters~~"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2067: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2067 was placed on the Sixth order on the calendar.

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

Page 3, after line 13, insert:

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

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2106: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends **DO PASS** (5 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). SB 2106 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2122: Judiciary Committee (Sen. Traynor, Chairman) recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2122 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2134: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends **DO NOT PASS** (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2134 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2143: Judiciary Committee (Sen. Traynor, Chairman) recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2143 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2171: Human Services Committee (Sen. J. Lee, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2171 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 the licensing of acupuncturists."

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. STATE LICENSING OF ACUPUNCTURISTS - LEGISLATIVE COUNCIL STUDY. The legislative council shall consider studying, during the 2005-06 interim, the licensure and regulation of acupuncturists practicing in the state, as well as the possibility of multistate joint licensure and regulation programs. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixtieth legislative assembly."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2176: Finance and Taxation Committee (Sen. Urlacher, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2176 was placed on the Sixth order on the calendar.

Page 1, line 9, after "hundred" insert "ninety-nine"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2229: Finance and Taxation Committee (Sen. Urlacher, Chairman) recommends **DO NOT PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2229 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2241: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman) recommends **DO NOT PASS** (3 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2241 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2245: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2245 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2248: Judiciary Committee (Sen. Traynor, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2248 was placed on the Sixth order on the calendar.

Page 1, line 4, after "checks" insert "; and to declare an emergency"

Page 3, line 19, replace "or" with an underscored comma and after "employee" insert ", or petitioner for adoption"

Page 5, after line 22, insert:

"n. The department of health for employees assigned duties related to bioterrorism and homeland security issues as designated by the state health officer; a nurse aide seeking to have a finding of neglect removed from the nurse aide registry; or an applicant for a license, certificate, or registration in a health-related field or other individual being investigated by the department of health who holds a license, certificate, or registration in a health-related field."

Page 10, after line 2, insert:

"SECTION 12. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2250: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). SB 2250 was placed on the Sixth order on the calendar.

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

Page 1, after line 19, insert:

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

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2257: Judiciary Committee (Sen. Traynor, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2257 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 the feasibility and desirability of creating a diversion program for people who have written bad checks.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. LEGISLATIVE COUNCIL STUDY - BAD CHECK DIVERSION PROGRAM. During the 2005-06 interim, the legislative council shall consider studying the feasibility and desirability of creating a diversion program for people who have written bad checks as an alternative to prosecution. In performing the study, the legislative council shall seek input from interested persons, including the judicial branch, state's attorneys, and the North Dakota trial lawyers association. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixtieth legislative assembly."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2264: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2264 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 including payments for overtime and bonuses earned by employees for purposes of determining public employees retirement system contributions and benefits.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. LEGISLATIVE COUNCIL STUDY - OVERTIME PAYMENTS FOR PURPOSES OF PUBLIC EMPLOYEES RETIREMENT SYSTEM CONTRIBUTIONS AND BENEFITS. The legislative council shall consider studying, during the 2005-06 interim, including payments for overtime and bonuses earned by employees for purposes of determining public employees retirement system contributions and benefits. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixtieth legislative assembly."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2268: Natural Resources Committee (Sen. Lyson, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2268 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 waste rubber recycling, abatement and remediation of waste rubber tire stockpiles, and to recover the components of petroleum-based products.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. Definitions. As used in this Act, unless the context or subject matter otherwise requires:

1. "Abate and abatement" means:
 - a. To remove waste rubber tires from a waste rubber tire dump or waste rubber tire stockpile by processing or properly disposing of the tires on an enforceable schedule ensuring compliance with the prohibitions of this Act; or
 - b. Action taken pursuant to authority under a state program to process or properly dispose of waste tires.
2. "Added value processing" means the use of technologies or processes that processes waste rubber into the highest and best use.
3. "Beneficial use" means the use of solid waste material, which would otherwise need to be placed in a landfill or disposed of through alternative means, in such a manner that the nature of the use constitutes a reuse of the solid waste material or its constituent components rather than disposal in a landfill. Beneficial uses include:
 - a. Incorporation of a solid waste material which is a legitimate substitute for a raw material into a product marketable to an end user.
 - b. Recovery of the constituent components in a manner that allows for the reuse of the constituent components by industry.
 - c. Recovery of the oil embedded in solid waste material for the generation of electricity with an emphasis on the use of oil for distributed generation.
 - d. Waste rubber that is reformed into another rubber-based product may be considered to be beneficially used only if there is no viable technology to recover the energy or material embedded in waste rubber for reuse in industry.
 - e. Waste rubber that is burned as tire-derived fuel for the purposes of recovering usable energy may be considered to be beneficially used only if there is no viable technology to recover the energy or material embedded in waste rubber for reuse in industry or in distributed generation.
 - f. Waste rubber that is used in civil engineering projects may be considered to be beneficially used only if there is no viable technology to recover the energy or material embedded in waste rubber for reuse in industry.
4. "Best available technology" means the use of technologies that are economical, environmentally friendly, and state-of-the-art currently in use for processing petroleum-based products, including waste rubber.
5. "Collection site" means a facility, installation, building, or site, including all of the contiguous area under the control of a person controlled by the same person used for the storage or disposal of more than four hundred waste rubber tires but not including shredded rubber tire material that has been properly disposed.
6. "Commerce" means the department of commerce.
7. "Constituent components" means the raw materials used to manufacture the original rubber product.
8. "Department of health" means the state department of health.

9. "Emergency response services" means those fire and ambulance services provided by state, county, and city governments and by volunteer rural ambulance and fire departments to the public in the commerce of life.
10. "End use" means that a product requires no further processing or manufacturing and is suitable for reuse in industry or use by a consumer for the rubber-based product's intended application and is not merely a means of inappropriate disposal.
11. "End user" means the ultimate customer of the recovered constituent components of a rubber-based finished product.
12. "Energy cost-savings" means the estimate of dollar savings resulting from the fuel-related cost reductions that are due to the use of resource recovery technology.
13. "Environmental resource" means air and water used in the manufacture of petroleum-based products.
14. "Highest and best use" means those technologies or processes that produce products whose value either as energy or as an industrial material is greater than the value of competing technologies or processes.
15. "Industrial material" means the use of the recovered constituent components from rubber-based products which is suitable for use in the manufacturing industry.
16. "Life cycle outcomes" means the outcome over the lifetime of the technology for recovery of the resources from waste petroleum-based products.
17. "Material" means the physical products embedded in waste petroleum-based products.
18. "Monofill" means a place designed solely to receive and store waste rubber, including tires.
19. "New tires" means tires that have never been placed on a motor vehicle wheel rim or tires placed on a motor vehicle before its original retail sale.
20. "Net economic benefit" means the summation of energy cost-savings, nonenergy cost-savings, consumer investment, consumer expenditures, and other governmental expenditures for a particular year due to the use of the resource recovery technology.
21. "Noncompliant waste rubber stockpile" means a facility, including a waste rubber tire storage facility, parcel of property, or site designated by the department of health in accordance with this Act, where four hundred or more waste rubber tires or mechanically processed waste rubber tires have been accumulated, stored, or buried in a manner that the state department of health or a court of competent jurisdiction has determined violates any judicial administrative order, decree, law, regulation, permit, or stipulation relating to waste rubber tires, waste rubber tire storage facilities, or solid waste.
22. "Nonenergy cost-savings" means those dollar savings or costs related to nonfuel-related operations that are due to the use of the resource recovery technology. The term includes items such as extension of proven reserves of natural resources and reduction in costs of pollution.
23. "Other environmental benefits" means an estimate, based upon known science, of the amount of nonemission pollutants displaced annually due to the use of the resource recovery technology to process waste petroleum-based products, including waste rubber.
24. "Other governmental expenditures" means the anticipated expenditures by the state, county, and city governments directly related to the providing of traffic services, landfill operating costs, and emergency response due to fires.

25. "Other greenhouse emissions displaced" means an estimate, based upon known science, of the amount of greenhouse emissions other than sulfur dioxide, nitrogen oxide, carbon monoxide, carbon, particulates, and volatile organic compounds displaced due to the use of the resource recovery technology to process waste petroleum-based products, including waste rubber.
26. "Petroleum-based product" means products that are made out of natural rubber, synthetic rubber, or other natural resources.
27. "Process" means to produce or manufacture usable materials or energy with real economic value from waste petroleum-based products, including waste rubber tires.
28. "Properly disposed" means the conversion of waste rubber into a rubber-based product or into the constituent components for resale in industry. Placing waste rubber, including whole tires, into a landfill, a monofill, or a tire stockpile containing whole tires or shredded rubber tires may not be considered properly disposed.
29. "Public resource" means the traffic services, emergency response services, rural ambulance and fire services, and public works services consumed by the public in the commerce of life.
30. "Real economic value" means the highest and best use of the recovered constituent components from petroleum-based products.
31. "Recyclables" means solid waste materials that exhibit the potential to be used to make marketable products for end users.
32. "Recycle" means to use recyclables in manufacturing a rubber-based product for an end use other than burning the actual waste rubber for recovery of usable energy in a civil engineering application, tire-derived fuels, or shredded tire material.
33. "Recycling fee" means that fee charged consumers for the costs of disposal of waste rubber, including fee collection, transportation, and processing.
34. "Removed from service" means removed within this state from the service for which the tires were intended to be used when the tires and tire casings were separated for retreading.
35. "Resource" means the environmental, natural, and public resources consumed or used in the manufacture of petroleum-based products and in the commerce of life.
36. "Resource conservation" means the use of the recovered energy and material from petroleum-based products by industry so that the need to use natural and environmental resources is decreased.
37. "Resource recovery" means the recovery of the energy and material contained in waste petroleum-based products in a manner that allows for reuse in industry.
38. "Resource recovery funds" means those funds collected by a tire retailer and used to recover the resources embedded in waste rubber and to offset the moneys used by the state, counties, and cities to provide traffic services, emergency response services, and other governmental expenditures.
39. "Resource recovery technology" means the use of a technology or process that allows for the recovery of the constituent components of waste petroleum-based products for beneficial uses in an economical and environmental manner.
40. "Retail sale" means the sale to any person in the state for any purpose other than resale.

41. "Shredded tire material" means tire material resulting from tire shredding that produces pieces four square inches or less in size that do not hold water when stored in piles.
42. "Solid waste material" means solid waste composed of petroleum-based products, including plastic and rubber.
43. "Tire" means any pneumatic or solid tire, including a tire manufactured for use on any type of motor vehicle, construction, farm implement, tractor tires or other offroad equipment, aircraft, or industrial machinery.
44. "Tire collector" means a person that owns or operates a collection site.
45. "Tire dump" means a tire collection site without a collector or processor permit that is maintained, operated, used, or allowed to be used for the disposal, storing, or depositing of waste rubber tires.
46. "Tire hauler" means a person engaged in picking up or transporting waste tires to a storage or disposal facility.
47. "Tire processor" means a person that processes waste tires to produce or manufacture usable materials or to recover energy.
48. "Tire service or tire retailer" means any person or business in this state that either sells or installs new tires, hoses, or belts for use on any vehicle and any person or business that engages in the retail sale of new motor vehicles. A person who is not the end point of sale, any governmental agency, and a political subdivision are excluded from this term.
49. "Tire stockpile" means a waste rubber tire storage facility operating pursuant to a permit issued by the state department of health at which either shredded rubber tire material from fifty or more waste tires or whole rubber tires are stored for future processing or disposal.
50. "Traffic services" means policing, emergency response, planning, courts, street lighting, parking enforcement, and driver training.
51. "Waste rubber" means any solid waste that consists of a petroleum-based product, such as belts, hoses, or tires.
52. "Waste rubber tire" means any solid waste that consists of whole tires or portions of tires. Tire casings separated for retreading and tires with sufficient tread for resale are included under this term; however, crumb rubber is not considered a solid waste.
53. "Waste rubber tire storage facility" means a facility at which waste tires are stored and for which a permit or registration has been issued.

SECTION 2. Purpose. The purpose of this Act is:

1. To further the common good through the responsible stewardship of resources, including environmental, natural, and public resources;
2. To assure that the life cycle of all petroleum-based products, including rubber-based tires, hoses, and belts, used in this state is managed in a manner that is environmentally sound and which maximizes the economic value of recovered energy and material to the citizens of the state and our nation by permitting reuse of the constituent components of petroleum-based products in industry; and
3. To assure that the end users of traffic services, emergency response services, public resources, and rural ambulance and fire departments pay for part of the cost of the unreimbursed traffic and emergency response services so as to reduce the burden on property and income taxpayers.

SECTION 3. Waste management priorities for petroleum-based products.

In the interest of public health, safety, and welfare, to conserve natural resources, to promote recovery of the constituent components of waste petroleum-based products, to encourage recycling and market development for the recovered components of petroleum-based products, and to support the national agenda for reducing our

dependence on foreign oil, the state establishes a policy on the management of waste petroleum-based products, based upon known science, that states:

1. The waste management priorities for petroleum-based products in this state are to:
 - a. Reduce the amount of waste generated in the most beneficial manner, yearly, through the collection of waste products at the time of origination;
 - b. Remediate that waste in the most beneficial manner according to a plan established and published by the state department of health;
 - c. Remediate waste rubber tire stockpiles located in city and county landfills, at illegal or noncompliant waste rubber piles, or located at the location of tire retailers;
 - d. Recycle the waste, including waste rubber into value-added products that provide the maximum environmental, fiscal, and natural resource benefits to the state;
 - e. Encourage the development and use of technologies that beneficially use waste rubber in an environmentally acceptable manner; and
 - f. Encourage the use of technologies that can recover the constituent components required to manufacture petroleum-based products that presently cannot be economically recycled or otherwise beneficially used.
2. State government must make an essential contribution to the development and implementation of environmentally, economically, and technically viable waste rubber management programs and technologies.

SECTION 4. Acceptance of waste rubber. Any tire service or tire retailer shall:

1. Until December 31, 2020, accept from a customer waste rubber, including waste tires of approximately the same size and in a quantity equal to the number of new tires purchased or installed by the customer; and
2. Until December 31, 2020, post written notice in a prominent location, which must be at least eight and one-half inches by fourteen inches in size and contain the following language:

"The legislative assembly in the interest of national energy security, public health, safety, and welfare and in order to conserve natural resources and prevent pollution has established this Act which requires us to accept and manage waste rubber such as tires, belts, and hoses from vehicles in exchange for an equal number of new rubber-based products such as tires, belts, and hoses that we sell or install.

We are required to charge a separate and distinct waste rubber management and recycling fee for each new tire we sell. This fee is established by the state department of health.

Any additional tire management and recycling costs are included in the advertised price of the new tire."

SECTION 5. Duties of state department of health.

1. Abatement of the daily waste rubber flow.
 - a. By September 1, 2005, the state department of health shall prepare a plan to handle the waste rubber generated daily, including waste rubber tires;
 - b. The state department of health shall notify all tire retailers that they will be required to collect all waste rubber, including waste rubber tires, beginning November 1, 2005;

- c. The state department of health shall notify all registered tire collectors and transporters of the requirements of this Act;
 - d. The state department of health shall establish criteria for collecting, transporting, and disposal of waste rubber;
 - e. The state department of health shall have authority to enter all sites where waste rubber tire stockpiles are located for the purpose of investigation and abatement;
 - f. The state department of health shall establish standards for collecting, storing, transporting, shredding, and added value processing of waste rubber;
 - g. The state department of health shall establish a process for paying fees for collecting, storing, transporting, shredding, and processing of waste rubber; and
 - h. The state department of health shall establish fees for all waste rubber products based upon their weight, category, and the base fees established in section 7 of this Act.
2. Abatement of waste rubber stockpiles.
 - a. Not later than one year after the effective date of this Act, the state department of health shall prepare and submit to the governor and the legislative assembly a comprehensive plan designed to abate all waste tire stockpiles by December 31, 2020.
 - b. The plan must establish a waste rubber tire stockpile abatement priority list and schedule for abatement of each waste rubber tire stockpile based on potential adverse impacts upon public health, safety or welfare, the environment, or natural resources.
 - c. The plan must include a description of how the state department of health intends to manage the abatement funds collected to assure that abatement funds are used to economically and systematically remove aboveground tire piles with the goal of achieving total removal by July 1, 2020.
 - d. The plan should include the state department of health's estimated census of the number of waste rubber tire stockpiles, where they are located in the state, the individual or entity who owns the waste rubber tire stockpile, and the number of waste rubber tires believed to be stored at each site.
 - e. The plan must also include a proposed amnesty period for owners of the waste rubber stockpile to work with the state department of health to develop a plan to remediate the waste rubber tires located on their premises.
 - (1) If the owners of the waste rubber stockpile comply, they must be allowed to be considered a permitted collection site and are entitled to receive financial assistance from the state department of health for the remediation of the waste rubber tire stockpile on their property.
 - (2) If the owner of the waste rubber stockpile fails to comply, then the state department of health may declare the waste rubber tire stockpile to be illegal and shall proceed to remediate the waste rubber tire stockpile under the provisions of subsection 4.
 - f. The owner or operator of a permitted waste rubber tire stockpile shall, at the state department of health's request, submit to and cooperate with any and all remedial measures necessary for the abatement of waste rubber tire stockpiles with funds from the state department of health.
 3. Assist tire service or tire retailers to abate waste rubber located on their premises.

- a. Not later than one year after the effective date of this Act, the state department of health shall prepare and submit to the governor and the legislative assembly a comprehensive plan designed to abate all waste rubber tire stockpiles located on the premises of tire retailers by December 31, 2015.
 - b. This plan must establish a waste rubber tire stockpile abatement priority list and schedule for abatement of each waste rubber tire stockpile based on potential adverse impacts upon public health, safety or welfare, the environment, or natural resources.
 - c. The plan must also include a census of the number of waste rubber tire stockpiles, where they are located in the state, the individual or entity who owns the waste rubber tire stockpile, and the number of waste rubber tires believed to be stored at each site.
 - d. The plan must also include a proposed amnesty period for tire retailers to work with the state department of health to develop a plan to remediate the waste rubber tires located on their premises.
 - (1) If the tire retailer complies, they must be allowed to be considered a permitted collection site and are entitled to receive financial assistance from the state department of health for the remediation of the waste rubber tire stockpiles on their property.
 - (2) If the tire retailer fails to comply, then the state department of health may declare the tire retailer or owner of the waste rubber tire stockpile to be illegal and shall proceed to remediate the waste rubber tire stockpile under the provisions of subsection 4.
 - (3) The tire retailer shall, at the state department of health's request, submit to and cooperate with any and all remedial measures necessary for the abatement of waste rubber tire stockpiles with funds from the state department of health.
4. Prepare requests for proposals. Not later than one year from the effective date of this Act, the state department of health shall publish requests for proposals to seek contractors to prepare whole and mechanically processed waste tires situated at noncompliant waste tire stockpiles for arrangement in accordance with fire safety requirements and for removal for appropriate processing, recycling, or beneficial use. Disposal may be considered only as a last option.
 5. Illegal waste rubber stockpiles.
 - a. In the case of illegal waste tire stockpiles, the expenses of remedial and fire safety activities at a noncompliant waste tire stockpile must be paid by the person who owned, operated, or maintained the noncompliant waste tire stockpile, or from the waste tire management and recycling fund and is a debt recoverable by the state from all persons who owned, operated, or maintained the noncompliant waste tire stockpile, and a lien and charge may be placed on the premises upon which the noncompliant waste tire stockpile is maintained and upon any real or personal property, equipment, vehicles, and inventory controlled by that person.
 - b. Moneys recovered must be paid to the state department of health for use for further abatement.
 - c. If execution upon a judgment for the recovery of the expenses of any such remedial and fire safety activities at a noncompliant waste tire stockpile is returned wholly or partially unsatisfied, such judgment, if docketed in the place and manner required by law to make a judgment of a court of record, a lien upon real property, is a first lien upon the premises, and has preference over all other liens and encumbrances whatever. Notwithstanding the foregoing, the lien does not have preference over any mortgage or other encumbrance for the benefit of the state or a public benefit corporation thereof.

- d. The state department of health shall make all reasonable efforts to recover the full amount of any funds expended from the waste tire management and recycling fund for abatement or remediation of illegal or noncompliant waste rubber tire stockpiles through litigation or cooperative agreements.
- e. All moneys recovered, repaid, or reimbursed pursuant to this section must be deposited with the state treasurer and credited to the fund.

SECTION 6. Prohibition on land burial.

1. A person may not knowingly dispose of waste rubber tires in a landfill except as provided in subsection 2.
2. Moneys from the fund may not be used to dispose of waste tires in a landfill unless the state department of health has determined that it is not feasible to convert the waste tires to a beneficial use. Department-approved beneficial uses of scrap tire-derived material for leachate collection systems or gas collection systems in the construction or operation of a landfill are not considered proper disposal.

SECTION 7. Resource recovery and conservation fee.

1. Until December 31, 2010, a resource recovery and conservation fee of twenty-five cents per pound must be charged on each new rubber-based product sold for automobile, industry, and agricultural use. The fee must be paid by the purchaser to the tire service at the time the new tire is purchased. The resource recovery fee does not apply to:
 - a. Recapped or resold tires;
 - b. Mail-order sales;
 - c. The sale of new motor vehicle tires to a person solely for the purpose of resale provided the subsequent retail sale in this state is subject to the fee; or
 - d. Tires, belts, and hoses on new motor vehicles, pickup trucks, trucks, agricultural machinery, and other industrial equipment.
2. Until December 31, 2020, the retailer of tires, belts, and hoses shall collect on behalf of the state various fees from the purchaser of the new rubber-based products at the time of the sale and shall remit such fees to the tax commissioner with the quarterly report filed pursuant to subsection 3:
 - a. The fees imposed must be stated as an invoice item separate and distinct from the selling price of the tire.
 - b. The fee must be based upon the weight and category of the petroleum-based product sold and in the case of rubber tires must be uniform for the rim size and category of tire.
 - c. Any additional management and recycling costs of the retailer must be included in the published selling price of the new tire.
3. Until March 31, 2020, each tire service maintaining a place of business in this state shall make a return to the tax commissioner on a quarterly basis, with the return for December, January, and February being due on or before the immediately following March thirty-first; the return for March, April, and May being due on or before the immediately following June thirtieth; the return for June, July, and August being due on or before the immediately following September thirtieth; and the return for September, October, and November being due on or before the immediately following December thirty-first.
 - a. Each return must include:
 - (1) The name of the tire service;

- (2) The address of the tire service's principal place of business and the address of the principal place of business, if that is a different address, from which the tire service engages in the business of making retail sales of tires;
 - (3) The name and signature of the person preparing the return;
 - (4) The total number of new tires sold at retail for the preceding quarter and the total number of new tires placed on motor vehicles before original retail sale;
 - (5) The amount of waste tire management and recycling fees due; and
 - (6) Such other reasonable information as the tax commissioner may require.
- b. Copies of each report must be retained by the tire service for three years. If a tire service ceases business, it shall file a final return and remit all fees due under this Act with the tax commissioner not more than one month after discontinuing that business.
4. All waste tire management and recycling fees collected by the tax commissioner must be transferred to the appropriate state agencies as prescribed in section 8 of this Act.

SECTION 8. Use of resource recovery fees. Funds from the resource recovery fund established in section 7 of this Act must be made available to the following departments for the following purposes:

1. The state department of health must receive seventeen cents per pound for collection, transportation, shredding, and added value processing and abatement.
 - a. Tire retailers must receive five cents per pound for collecting the waste rubber, including waste rubber tires and the resource recovery and conservation fee.
 - b. Transporters must receive three cents per pound for transportation.
 - c. Shredders must receive four cents per pound for shredding.
 - d. Three cents per pound must be collected for financial incentives for added value processing the waste rubber into the highest and best use, including avoidance of pollution, savings of natural resources, potential for reducing governmental expenditures and benefit to the state's economy.
 - (1) The state department of health may pay up to three cents per pound for the added value processing that rubber into the highest and best use, including avoidance of pollution, savings of natural resources, potential for reducing governmental expenditures, and benefit to the state's economy.
 - (2) Those companies or persons seeking to receive the financial incentive for added value processing shall have the burden of demonstrating to the state department of health how their process converts waste rubber into the highest and best use, including avoidance of pollution, savings of natural resources, potential for reducing governmental expenditures, and benefit to the state's economy.
 - e. The state department of health must receive three cents per pound for abatement. This fee shall expire upon completion of the abatement of waste rubber stockpiles as prescribed in section 5 of this Act.
2. The North Dakota peace officer standards and training board must receive two cents per pound for training purposes. The tax commissioner shall disburse the money to the North Dakota peace officer standards and training board.

3. The North Dakota emergency services association trust must receive two cents per pound for training purposes. The tax commissioner shall disburse the money to the North Dakota emergency services association trust.
4. There is an administrative fee of four cents per pound for state administrative expenses. The agencies affected by this Act must devise a formula for sharing the administrative expenses based upon the requirements of the agency."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2272: Finance and Taxation Committee (Sen. Urlacher, Chairman) recommends **DO NOT PASS** (5 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2272 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2276: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (4 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). SB 2276 was placed on the Sixth order on the calendar.

Page 1, line 21, after "marketable" insert "municipal"

Page 2, line 15, overstrike "nonpoint source pollution control" and insert immediately thereafter "solid waste disposal"

Page 2, line 19, overstrike "and" and insert immediately thereafter "or"

Page 2, line 21, after "purchase" insert "or holding"

Page 2, line 24, overstrike "and" and insert immediately thereafter "or"

Page 2, line 26, overstrike "and" and insert immediately thereafter "or"

Page 6, line 22, remove "which are exempt from taxation under"

Page 6, line 23, remove "the Internal Revenue Code"

Page 6, line 25, after "applicable" insert "or practicable but it need not comply with the notice and hearing provisions contained in sections 40-57-04 and 40-57-04.1 or the provisions of section 40-57-10"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2285: Finance and Taxation Committee (Sen. Urlacher, Chairman) recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2285 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2301: Human Services Committee (Sen. J. Lee, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2301 was placed on the Sixth order on the calendar.

Page 1, line 8, after the first semicolon insert "to provide an appropriation;"

Page 4, line 9, remove "The term does not include the expense of preparing an annual countywide"

Page 4, remove lines 10 through 13

Page 10, line 22, replace "2007" with "2009"

Page 10, line 23, replace "2009" with "2011" and after the underscored semicolon insert "and"

Page 10, line 24, replace "2011;" with "2013, and every year thereafter."

Page 10, remove lines 25 through 27

Page 13, after line 6, insert:

"SECTION 16. APPROPRIATION. The county funds paid to the department of human services under section 11 of this Act, and any child support incentive payments and other federal or state child support enforcement reimbursements that are credited against the amount due from counties under section 11 of this Act, are appropriated to the department of human services for the purposes of defraying the expenses of administering the child support enforcement program for the biennium beginning July 1, 2005, and ending June 30, 2007."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2329: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman) recommends **DO NOT PASS** (4 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2329 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2330: Finance and Taxation Committee (Sen. Urlacher, Chairman) recommends **DO NOT PASS** (5 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2330 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2332: Finance and Taxation Committee (Sen. Urlacher, Chairman) recommends **DO PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2332 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2338: Natural Resources Committee (Sen. Lyson, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2338 was placed on the Sixth order on the calendar.

Page 1, line 20, replace "within a" with "while on a specific"

Page 3, line 10, replace ", for a total of not more than seven days during the open water season" with a semicolon

Page 3, remove line 11

Page 3, line 18, replace "as" with "before", after "equipment" insert "enter or", and remove "or are removed from"

Page 4, line 20, remove "willfully"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2341: Human Services Committee (Sen. J. Lee, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2341 was placed on the Sixth order on the calendar.

Page 1, line 17, replace "that" with "than"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2342: Human Services Committee (Sen. J. Lee, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2342 was placed on the Sixth order on the calendar.

Page 1, replace lines 6 through 23 with:

"Operating costs for developmental disabilities service providers. The department of human services shall determine the historical costs for private, licensed

developmental disability providers by using the annual percentage developed for long-term care facilities."

Page 2, remove lines 1 through 8

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2369: Natural Resources Committee (Sen. Lyson, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2369 was placed on the Sixth order on the calendar.

Page 1, line 19, overstrike "seven" and insert immediately thereafter "ten" and remove "or ten days"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2371: Agriculture Committee (Sen. Flakoll, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2371 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new section to chapter 19-18 of the North Dakota Century Code, relating to minimum-risk pesticides.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 19-18 of the North Dakota Century Code is created and enacted as follows:

Minimum-risk pesticide - Certificate of exemption.

1. Section 19-18-03 does not apply to any person who distributes, sells, or offers for sale within this state or delivers for transportation or transports in intrastate commerce or between points within this state through any point outside this state a minimum-risk pesticide exempt from registration under the Insecticide, Fungicide, and Rodenticide Act [Pub. L. 100-532; 102 Stat. 2654; 7 U.S.C. 136 et seq.], provided the person has obtained a certificate of exemption from the commissioner.
2. To obtain a certificate of exemption for a minimum-risk pesticide, a person shall file an application with the commissioner. The application must include:
 - a. The name and address of the product's manufacturer or distributor;
 - b. The name and brand name of the product;
 - c. A current label for the product; and
 - d. A twenty-five dollar fee.
3. The commissioner shall remit any fees collected under this section to the state treasurer for deposit in the environment and rangeland protection fund.
4. A certificate of exemption issued under this section is effective on the date of its issuance and expires on December thirty-first of an odd-numbered year."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2373: Judiciary Committee (Sen. Traynor, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to

the **Appropriations Committee** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2373 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new section to chapter 25-03.1 of the North Dakota Century Code, relating to the assessment, detoxification, commitment, treatment, and rehabilitation of individuals who are chemically dependent on methamphetamine or other controlled substances; and to provide a penalty.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 25-03.1 of the North Dakota Century Code is created and enacted as follows:

Commitment of individuals who are chemically dependent on methamphetamine or other controlled substances - Penalty.

1. Subject to the commitment procedures provided for in this chapter, upon petition to the court by the individual who is the subject of the petition, a state's attorney, a law enforcement officer, or any interested party over the age of eighteen, the court may order an individual who is chemically dependent on methamphetamine or other controlled substances to participate in and complete an assessment, detoxification, and inpatient chemical dependency treatment and rehabilitation program in an appropriate treatment facility. The petition to the court must be supported by an affidavit or the report of a mental health professional. The court may order any individual who is reasonably able to do so to contribute to the cost of the individual's assessment, detoxification, and chemical dependency treatment and rehabilitation.
2. Upon receipt of a petition under this section, the court may issue an order for an assessment to determine whether the individual is chemically dependent on methamphetamine or other controlled substances. The court may order the individual to be taken into custody pending a preliminary hearing on the petition. The court shall hold the preliminary hearing no later than three days after the individual has been taken into custody, excluding holidays and weekends. The individual may waive the preliminary hearing.
3. If the court determines at the preliminary hearing that there is probable cause that the individual is chemically dependent on methamphetamine or other controlled substances, the court shall order the individual to undergo an assessment and detoxification, if necessary, at an appropriate treatment facility.
4. Within sixty days after the court has issued an order for assessment, the treatment facility shall provide the court with a report of the assessment and recommendations for treatment and rehabilitation. The court shall hold a hearing within fourteen days of receipt of the report to determine whether to commit the individual to an appropriate treatment facility for inpatient treatment and rehabilitation as an individual who is chemically dependent on methamphetamine or other controlled substances. The individual may waive the commitment hearing. The court may extend the time for hearing for good cause. If the court determines by clear and convincing evidence that the individual is chemically dependent on methamphetamine or other controlled substances, the court shall commit the individual to an appropriate treatment facility for treatment and rehabilitation. The inpatient chemical dependency treatment and rehabilitation program ordered under this section must be at least ninety days.
5. Section 25-03.1-04 is not applicable to a commitment proceeding under this section.
6. An individual is guilty of a class C felony if the court finds that the individual willfully violated the conditions of the order issued under this section."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2376: Natural Resources Committee (Sen. Lyson, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2376 was placed on the Sixth order on the calendar.

Page 1, line 10, remove the overstrike over "~~or if~~"

Page 1, remove the overstrike over line 11

Page 1, line 12, remove the overstrike over "~~big game license,~~"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2387: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). SB 2387 was placed on the Sixth order on the calendar.

Page 1, line 4, after "electric" insert "distribution"

Page 1, line 9, after "cooperative" insert "that has two thousand five hundred or more members served"

Page 1, line 22, after "Electric" insert "distribution" and after "cooperatives" insert "that have two thousand five hundred or more members served and are"

Page 2, line 12, remove "telecommunications"

Page 2, line 13, after "cooperative" insert "except an electric distribution cooperative having two thousand five hundred or more members served"

Page 3, line 2, remove the overstrike over "~~or~~"

Page 3, line 3, after "any" insert "a rural" and remove the overstrike over "~~electric cooperative~~"

Page 3, line 4, remove the overstrike over "~~or~~", after "~~the~~" insert "rural", and remove the overstrike over "~~electric cooperative~~"

Page 3, line 15, remove the overstrike over "~~a rural electric cooperative or another~~" and remove "an"

Page 4, line 3, remove the overstrike over "~~or rural~~"

Page 4, line 4, remove the overstrike over "~~electric cooperative~~"

Page 4, line 11, remove the overstrike over "~~or~~" and insert immediately thereafter "rural" and remove the overstrike over "~~electric~~"

Page 4, line 12, remove the overstrike over "~~cooperative~~"

Page 4, line 18, after "public" insert "and an electric distribution cooperative that has two thousand five hundred or more members served"

Page 4, remove the overstrike over line 21

Page 4, line 22, remove the overstrike over "~~chapter 10-13~~" and insert immediately thereafter "which has fewer than two thousand five hundred members served", remove the overstrike over the overstruck period, after "~~An~~" insert "A rural", remove the overstrike over "~~electric cooperative~~" and insert immediately thereafter "that has two thousand five hundred or fewer members served", and remove the overstrike over "~~; composed of members as prescribed by~~"

Page 4, remove the overstrike over line 23

Page 5, line 15, remove the overstrike over "~~; including~~", after "~~local~~" insert "an", remove the overstrike over "~~electric~~" and insert immediately thereafter "distribution", remove the overstrike over "~~cooperative~~" and insert immediately thereafter "that has fewer than two"

thousand five hundred members served", and remove the overstrike over the second overstruck comma

Page 5, line 24, remove the overstrike over "electric" and insert immediately thereafter "distribution", remove the overstrike over "~~cooperative corporation~~" and insert immediately thereafter "that has fewer than two thousand five hundred members served", and remove the overstrike over the overstruck comma

Page 6, line 8, remove the overstrike over "er" and insert immediately thereafter "electric distribution" and remove the overstrike over "~~cooperative corporation~~" and insert immediately thereafter "that has fewer than two thousand five hundred members served"

Page 6, line 11, remove the overstrike over "er" and insert immediately thereafter "electric distribution" and remove the overstrike over "~~cooperative corporation~~" and insert immediately thereafter "that has fewer than two thousand five hundred members served"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2403: Agriculture Committee (Sen. Flakoll, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2403 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2404: Education Committee (Sen. Freborg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2404 was placed on the Sixth order on the calendar.

Page 1, line 5, after "methods" insert ", including sales tax, income tax, and tax exemptions,"

Page 1, line 7, remove "prepare legislation that enhances funding for"

Page 1, remove line 8

Page 1, line 9, remove "property taxes and" and replace "the" with "any"

Page 1, line 10, replace "by this section" with "to implement the recommendations"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SCR 4031: Judiciary Committee (Sen. Traynor, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4031 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4032: Judiciary Committee (Sen. Traynor, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4032 was placed on the Eleventh order on the calendar.

FIRST READING OF HOUSE BILLS

HB 1027: A BILL for an Act to amend and reenact section 52-04-05 of the North Dakota Century Code, relating to the determination of unemployment insurance tax rates. Was read the first time and referred to the **Industry, Business and Labor Committee**.

HB 1028: A BILL for an Act to amend and reenact section 52-02-07 of the North Dakota Century Code, relating to the establishment of an unemployment insurance advisory council. Was read the first time and referred to the **Industry, Business and Labor Committee**.

HB 1034: A BILL for an Act to create and enact a new section to chapter 54-12 of the North Dakota Century Code, relating to authorizing the attorney general to provide legal counsel to boards of health. Was read the first time and referred to the **Government and Veterans Affairs Committee**.

HB 1036: A BILL for an Act to amend and reenact sections 4-18.1-14, 14-07.1-18, and 23-20.1-10, subsection 5 of section 26.1-10-11, section 31-13-09, subsection 4 of

section 43-15-42.2, and sections 47-30.1-30.1, 50-06-15, 50-19-15, and 50-25.1-14 of the North Dakota Century Code, relating to the release of confidential information; and to provide a penalty.

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

HB 1037: A BILL for an Act to amend and reenact subsection 1 of section 14-09-08.5, subsection 3 of section 14-09-08.7, subsection 1 of section 14-09-08.8, and sections 14-09-08.9, 15.1-16-05, and 40-57.3-03 of the North Dakota Century Code, relating to technical corrections and improper, inaccurate, redundant, missing, or obsolete references; and to repeal section 23-29-07.7 of the North Dakota Century Code, relating to obsolete provisions.

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

HB 1038: A BILL for an Act to establish an advisory commission on the No Child Left Behind Act; to amend and reenact section 54-35-21 of the North Dakota Century Code, relating to the interim no child left behind committee; and to declare an emergency.

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

HB 1041: A BILL for an Act to create and enact a new subdivision to subsection 1 of section 57-38-40 of the North Dakota Century Code, relating to the filing period for a claim for credit or refund attributable to the Servicemembers Civil Relief Act by a nonresident member of the United States armed services; to provide an effective date; and to provide an expiration date.

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

HB 1042: A BILL for an Act to create and enact a new section to chapter 57-39.4 of the North Dakota Century Code, relating to North Dakota representation on the streamlined sales tax governing board.

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

HB 1044: A BILL for an Act to amend and reenact sections 39-05-05, 39-05-16.1, 39-05-17, and 39-05-33 of the North Dakota Century Code, relating to the filing of liens on a motor vehicle; to repeal section 39-05-17.1 of the North Dakota Century Code, relating to the delivery of a certificate of title; and to provide a penalty.

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

HB 1046: A BILL for an Act to create and enact a new subsection to section 54-11-01 of the North Dakota Century Code, relating to the correction of erroneous distributions by the state treasurer; and to declare an emergency.

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

HB 1048: A BILL for an Act to amend and reenact section 15.1-21-02 of the North Dakota Century Code, relating to required high school units; and to declare an emergency.

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

HB 1051: A BILL for an Act to create and enact a new section to chapter 12.1-11 and a new section to chapter 19-04 of the North Dakota Century Code, relating to fraudulent practices in urine testing; to amend and reenact subsection 3 of section 12.1-32-07 of the North Dakota Century Code, relating to conditions of probation; and to provide a penalty.

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

HB 1053: A BILL for an Act to create and enact a new section to chapter 54-44.1 of the North Dakota Century Code, relating to contingent Bank of North Dakota transfers to the general fund.

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

HB 1054: A BILL for an Act to amend and reenact section 39-06.1-11 of the North Dakota Century Code, relating to temporary restricted driver's licenses.

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

HB 1055: A BILL for an Act to amend and reenact sections 57-39.2-01, 57-39.5-03, and 57-40.2-01 and subsection 5 of section 57-40.3-01 of the North Dakota Century Code, relating to farm machinery gross receipts tax and sales, use, and motor vehicle excise tax exemptions for purchase of replacement property using the amount of insurance compensation for a motor vehicle or farm machinery that has been stolen or totally destroyed; and to provide an effective date.

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

HB 1057: A BILL for an Act to create and enact a new section to chapter 25-03.3 of the North Dakota Century Code, relating to commitment of sexually dangerous individuals; and to provide a penalty.

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

HB 1059: A BILL for an Act to amend and reenact sections 52-08.1-01, 52-08.1-02, 52-08.1-03, 52-08.1-04, 52-08.1-05, and 52-08.1-06 of the North Dakota Century Code, relating to changing the name of work force 2000 to workforce 20/20 and eligibility for workforce 20/20 funds.

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

HB 1060: A BILL for an Act to amend and reenact sections 10-30.6-01 and 10-30.6-05 of the North Dakota Century Code, relating to community development corporation formation requirements and board of director requirements; and to declare an emergency.

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

HB 1062: A BILL for an Act to amend and reenact section 20.1-02-28 of the North Dakota Century Code, relating to eligibility to participate in the deerproof hay yard program.

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

HB 1064: A BILL for an Act to amend and reenact section 27-08.1-04 of North Dakota Century Code, relating to the awarding of attorney's fees in cases removed from small claims court to district court.

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

HB 1065: A BILL for an Act to provide for adoption of the midwest interstate passenger rail compact.

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

HB 1066: A BILL for an Act to amend and reenact section 26.1-21-09.1 of the North Dakota Century Code, relating to premiums for and coverage of bonds of agents appointed to distribute hunting and fishing licenses or stamps.

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

HB 1067: A BILL for an Act to create and enact a new section to chapter 15-39.1 and a new subsection to section 15-39.1-24 of the North Dakota Century Code, relating to participation by short-term summer school contract teachers in the teachers' fund for retirement; to provide an effective date; and to declare an emergency.

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 15-39.1 of the North Dakota Century Code, relating to teachers' fund for retirement compliance with the Internal Revenue Code; and to amend and reenact subsection 9 of section 15-39.1-04, subsection 4 of section 15-39.1-10, and sections 15-39.1-10.6, 15-39.1-19.2, and 15-39.1-20 of the North Dakota Century Code, relating to incorporation of Internal Revenue Code changes since the last enactment of those provisions into state law, retired teachers returning to work, and teachers' fund for retirement compliance with the Internal Revenue Code.

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

HB 1074: A BILL for an Act to create and enact a new section to chapter 54-10 of the North Dakota Century Code, relating to audits of computer systems by the state auditor; and to provide a penalty.

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

HB 1075: A BILL for an Act to amend and reenact section 54-10-14 of the North Dakota Century Code, relating to payment of audit fees by political subdivisions.

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

HB 1076: A BILL for an Act to amend and reenact sections 15.1-06-06, 15.1-13-13, 15.1-18-07, 15.1-18-10, and 15.1-18.1-02 of the North Dakota Century Code, relating to licensing, qualifications, and national certification of teachers.

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

HB 1077: A BILL for an Act to amend and reenact section 15.1-27-24 of the North Dakota Century Code, relating to distribution of Taylor Grazing Act funds to school districts.

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

HB 1078: A BILL for an Act to create and enact a new subsection to section 57-51-05 of the North Dakota Century Code, relating to calculation of the oil and gas gross production tax.

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

HB 1079: A BILL for an Act to amend and reenact section 54-24.2-06 of the North Dakota Century Code, relating to state aid to public libraries.

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

HB 1080: A BILL for an Act to amend and reenact sections 54-24.4-01 and 54-24.4-05 of the North Dakota Century Code, relating to the North Dakota library coordinating council.

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

HB 1081: A BILL for an Act to amend and reenact sections 54-40.2-02, 54-40.2-03.1, and 54-40.2-03.2 of the North Dakota Century Code, relating to notification to the superintendent of public instruction regarding agreements contemplated between school districts and Indian tribes.

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

HB 1082: A BILL for an Act to amend and reenact section 52-04-10, subsection 3 of section 52-04-11.1, and section 52-04-17 of the North Dakota Century Code, relating to appeals from employer tax rate notices, administrative hearings concerning corporate officer personal liability, and questions of employer status for unemployment compensation insurance purposes.

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 subdivision m of subsection 17 and subdivision a of subsection 18 of section 52-01-01 of the North Dakota Century Code, relating to unemployment insurance taxation exemption for wages paid to an alien employee pursuant to federal law.

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

HB 1084: A BILL for an Act to amend and reenact subsection 6 of section 32-12.2-01 and subsection 2 of section 32-12.2-04 of the North Dakota Century Code, relating to the definition of scope of employment for purposes and payment of claims against the state.

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

HB 1085: A BILL for an Act to amend and reenact section 54-27-04 of the North Dakota Century Code, relating to transmission of state taxes by county treasurers.

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

HB 1087: A BILL for an Act to amend and reenact subsections 2, 3, and 4 of section 53-06.1-15.1 of the North Dakota Century Code, relating to regulation of games of chance operations.

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

HB 1088: A BILL for an Act to amend and reenact subsections 4 and 5 of section 19-03.1-37, sections 20.1-13.1-01 and 20.1-13.1-03, subsection 2 of section 20.1-13.1-05, subsections 2 and 4 of section 20.1-13.1-08, subsections 3, 4, and 6 of section 20.1-13.1-10, sections 20.1-15-01 and 20.1-15-03, subsection 2 of section 20.1-15-05, subsections 2 and 4 of section 20.1-15-08, subsections 5, 6, and 8 of section 20.1-15-11, section 20.1-15-15, subsection 2 of section 28-32-01, subsection 2 of section 39-06.2-10.3, subsections 2 and 4 of section 39-06.2-10.6, sections 39-20-01 and 39-20-02, subsection 2 of section 39-20-03.1, subsections 2 and 4 of section 39-20-05, subsections 5, 6, and 8 of section 39-20-07, sections 39-20-13, 39-20-14, 39-24.1-01 and 39-24.1-03, and subsections 3, 4, and 6 of section 39-24.1-08 of the North Dakota Century Code, relating to the state toxicologist and the state crime laboratory.

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

HB 1089: A BILL for an Act to amend and reenact subsection 2 of section 53-06.1-03 of the North Dakota Century Code, relating to games of chance license fees.

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

HB 1090: A BILL for an Act to amend and reenact sections 38-08-13 and 38-08-14 of the North Dakota Century Code, relating to the right to ask for reconsideration of and to appeal from industrial commission decisions dealing with oil and gas resources.

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

HB 1091: A BILL for an Act to amend and reenact section 44-08-01.1 and subsection 4 of section 54-44.4-09 of the North Dakota Century Code, relating to bid opening and preference for tie bids.

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

HB 1092: A BILL for an Act to amend and reenact section 54-44.4-08 of the North Dakota Century Code, relating to the purchase of recycled paper products by state agencies and institutions.

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

HB 1093: A BILL for an Act to amend and reenact subsections 1 and 3 of section 19-13.1-03 and section 19-13.1-06 of the North Dakota Century Code, relating to the registration and licensing of pet food and commercial feed and inspection of commercial feed; and to provide a penalty.

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

HB 1094: A BILL for an Act to amend and reenact section 4-01-17.3 of the North Dakota Century Code, relating to the disposition of furs taken by the United States department of agriculture wildlife services.

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

HB 1095: A BILL for an Act to amend and reenact subsection 2 of section 39-09-02 and section 39-09-07.1 of the North Dakota Century Code, relating to highway construction zone speed limits and speed limit reductions.

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

HB 1096: A BILL for an Act to amend and reenact section 39-10-07.3 of the North Dakota Century Code, relating to interference with official traffic control devices.

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

HB 1098: A BILL for an Act to amend and reenact section 39-08-13 of the North Dakota Century Code, relating to providing copies of accident reports.

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

HB 1099: A BILL for an Act to amend and reenact sections 39-18-01, 39-18-02, 39-22-05, 39-22-14, 39-22-18, 39-22.1-02, 39-22.1-03, 39-22.3-03, and 39-22.3-05 of the North Dakota Century Code, relating to penalties assessed against vehicle dealers, bond requirements for vehicle dealers, renewal of a dealer license, and unlicensed vehicle dealers; to provide a penalty; and to provide an effective date.

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

HB 1100: A BILL for an Act to provide for protection of game and fish department records of personal information obtained from the public and records of sensitive biological data.

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

HB 1102: A BILL for an Act to amend and reenact section 20.1-07-04 of the North Dakota Century Code, relating to the destruction and disposition of depredating fur-bearing animals; and to provide for a report.

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

HB 1103: A BILL for an Act to amend and reenact subdivision a of subsection 2 of section 16.1-11-06, subdivision a of subsection 2 of section 16.1-11-11, and subsection 1 of section 16.1-13-17 of the North Dakota Century Code, relating to nominating petitions and certificates of nomination filed by candidates and political parties.

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

HB 1104: A BILL for an Act to amend and reenact section 1-08-09 of the North Dakota Century Code, relating to service of civil process on election day.

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

HB 1105: A BILL for an Act to amend and reenact section 49-21-25 of the North Dakota Century Code, relating to unauthorized telecommunications services.

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

HB 1106: A BILL for an Act to amend and reenact section 49-21-31 of the North Dakota Century Code, relating to the maximum balance of the public service commission performance assurance fund.

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

HB 1107: A BILL for an Act to create and enact a new subsection to section 57-01-02 of the North Dakota Century Code, relating to participation by the tax commissioner in the treasury offset program; and to provide a continuing appropriation.

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

HB 1108: A BILL for an Act to create and enact two new subdivisions to subsection 1 of section 57-38-01.3 of the North Dakota Century Code, relating to adjustments to federal taxable income for corporate income tax purposes; and to provide an effective date.

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

HB 1109: A BILL for an Act to create and enact section 27-20-38.1 of the North Dakota Century Code, relating to notice to custodians of minor children under the Uniform Juvenile Court Act.

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

HB 1111: A BILL for an Act to amend and reenact section 18-04-05 of the North Dakota Century Code, relating to fire district payments by the insurance commissioner to cities, rural fire protection districts, and rural fire departments.

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

HB 1112: A BILL for an Act to amend and reenact section 26.1-26-36 of the North Dakota Century Code, relating to a surplus lines insurance producer's authority to accept business from a nonadmitted company.

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

HB 1113: A BILL for an Act to amend and reenact subsection 1 of section 26.1-26-31.1 of the North Dakota Century Code, relating to continuing education requirements for insurance producers and consultants.

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

HB 1114: A BILL for an Act to amend and reenact section 26.1-18.1-08 of the North Dakota Century Code, relating to annual reports filed by health maintenance organizations.

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

HB 1116: A BILL for an Act to amend and reenact sections 26.1-22.1-08 and 26.1-22.1-10 of the North Dakota Century Code, relating to qualifications of inspectors and the time period for which certificates of inspection of the boiler inspection program are effective for steam traction engines.

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

HB 1117: A BILL for an Act to amend and reenact section 23-07-01 of the North Dakota Century Code, relating to authority of the state department of health to maintain a cancer registry.

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

HB 1120: A BILL for an Act to create and enact a new subsection to section 65-05-32 of the North Dakota Century Code, relating to use of social security numbers by workforce safety and insurance; to amend and reenact sections 65-01-02, 65-01-17, and 65-05-20.1, subsection 1 of section 65-05-25, and section 65-05-30 of the North Dakota Century Code, relating to workforce safety and insurance definitions of child and grandchild, the agricultural employment exemption, scholarship fund distribution rules, lump sum settlements, and communications regarding medical treatment; and to provide for application.

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

HB 1124: A BILL for an Act to create and enact a new section to chapter 43-23.3 of the North Dakota Century Code, relating to the issuance of real estate appraiser permits to applicants licensed or certified by another state; to amend and reenact sections 43-23.3-04, 43-23.3-10, 43-23.3-11, 43-23.3-19, and 43-23.3-23 of the North Dakota Century Code, relating to real estate appraisers and the practice of real estate appraisal.

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

HB 1127: A BILL for an Act to amend and reenact subsection 2 of section 13-03.1-06, subsection 2 of section 13-03.1-07, sections 13-03.1-07.1, 13-04.1-03, 13-04.1-04, and 13-04.1-05, subsection 3 of section 13-05-03, sections 13-05-05, 13-08-03, and 13-08-09, and subsection 12 of section 13-08-12 of the North Dakota Century Code, relating to consumer finance, money broker and collection agency licensee requirements and fees, and deferred presentment service provider licensee requirements, fees, and renewal applications.

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

HB 1128: A BILL for an Act to amend and reenact section 37-14-18 of the North Dakota Century Code, relating to appointment of a county veterans' service officer.
Was read the first time and referred to the **Government and Veterans Affairs Committee**.

HB 1129: A BILL for an Act to amend and reenact subsections 4 and 5 of section 44-08-04 of the North Dakota Century Code, relating to the allowance for state officers and employees for meals outside the continental United States.
Was read the first time and referred to the **Political Subdivisions Committee**.

HB 1130: A BILL for an Act to amend and reenact section 14-02.4-18 of the North Dakota Century Code, relating to prohibiting retaliatory acts against participants in discriminatory practices actions.
Was read the first time and referred to the **Judiciary Committee**.

HB 1131: A BILL for an Act to amend and reenact subsection 2 of section 6-09.11-03 and subsection 4 of section 6-09.11-05 of the North Dakota Century Code, relating to participation interest purchased by the Bank of North Dakota and the maximum net worth of an applicant for a Financial Assistance for Family Farmers Act loan.
Was read the first time and referred to the **Industry, Business and Labor Committee**.

HB 1132: A BILL for an Act to amend and reenact subsection 2 of section 6-09.9-03 of the North Dakota Century Code, relating to participation interest purchased by the Bank of North Dakota in Family Farm Survival Act operating loans to farmers.
Was read the first time and referred to the **Industry, Business and Labor Committee**.

HB 1133: A BILL for an Act to amend and reenact subsection 1 of section 6-09.14-01 of the North Dakota Century Code, relating to the definition of qualified businesses to which Partnership in Assisting Community Expansion Act loans may be made.
Was read the first time and referred to the **Industry, Business and Labor Committee**.

HB 1136: A BILL for an Act to amend and reenact sections 39-06-08, 39-06-24, 39-06-37, and 39-06.1-14 of the North Dakota Century Code, relating to an application of a minor for an instruction permit or operator's license and failure to surrender a suspended license.
Was read the first time and referred to the **Transportation Committee**.

HB 1137: A BILL for an Act to amend and reenact section 20.1-06-14 of the North Dakota Century Code, relating to live bait wholesalers and retailers.
Was read the first time and referred to the **Natural Resources Committee**.

HB 1138: A BILL for an Act to amend and reenact sections 20.1-01-07, 20.1-02-05, 20.1-02-16.1, 20.1-02-16.5, 20.1-03-12, 20.1-06-13, and 20.1-07-02 of the North Dakota Century Code, relating to agreements with the bureau of reclamation for management of the Heart Butte area and deposit of interest income in the game and fish department private land habitat and access improvement fund.
Was read the first time and referred to the **Natural Resources Committee**.

HB 1139: A BILL for an Act to amend and reenact subsection 17 of section 12.1-34-02 of the North Dakota Century Code, relating to confidentiality of victim's statements in parole and pardon review; and to declare an emergency.
Was read the first time and referred to the **Judiciary Committee**.

HB 1140: A BILL for an Act to amend and reenact subsection 1 of section 6-02-01 and section 6-05-02 of the North Dakota Century Code, relating to use of terms for bank, annuity, safe deposit, surety, and trust company regulation purposes.
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 section 13-05-02 of the North Dakota Century Code, relating to licensing of collection agencies.
Was read the first time and referred to the **Industry, Business and Labor Committee**.

HB 1142: A BILL for an Act to amend and reenact sections 60-10-06 and 60-10-08 of the North Dakota Century Code, relating to the reimbursement limit and order of payment from the credit-sale contract indemnity fund.
Was read the first time and referred to the **Industry, Business and Labor Committee**.

HB 1144: A BILL for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code, relating to income tax withholding on lottery winnings; and to declare an emergency.

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

HB 1145: A BILL for an Act to amend and reenact subsection 1 of section 57-38-30.3 and subsection 2 of section 57-38-31 of the North Dakota Century Code, relating to the filing of separate income tax returns by married individuals; and to provide an effective date.

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

HB 1146: A BILL for an Act to create and enact two new sections to chapter 25-18 of the North Dakota Century Code, relating to treatment or care centers for individuals with developmental disabilities; to amend and reenact sections 25-18-01 and 25-18-05 of the North Dakota Century Code, relating to payment to treatment or care centers for individuals with developmental disabilities; to repeal sections 25-18-02, 25-18-04, 25-18-06, 25-18-07, 25-18-08, 25-18-11, and 25-18-12 of the North Dakota Century Code, relating to a fee-for-service ratesetting system for treatment or care centers for individuals with developmental disabilities; to provide an effective date; and to declare an emergency.

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

HB 1147: A BILL for an Act to create and enact a new subsection to section 50-32-02 and a new section to chapter 50-32 of the North Dakota Century Code, relating to assisted living facilities; and to amend and reenact subsection 1 of section 23-09-01 and subsections 1 and 5 of section 50-32-01 of the North Dakota Century Code, relating to assisted living facilities.

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

HB 1149: A BILL for an Act to amend and reenact section 47-30.1-19.1 of the North Dakota Century Code, relating to preparation of property lists by the unclaimed property administrator.

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

HB 1150: A BILL for an Act to create and enact a new subdivision to subsection 7 of section 6-08.1-02 of the North Dakota Century Code, relating to confidentiality of Bank of North Dakota customer records.

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 chapter 41-07 and subsection 7 of section 41-08-03 of the North Dakota Century Code, relating to Uniform Commercial Code Article 7 - Documents of Title; to amend and reenact subsections 5, 6, 10, 14, 15, 20, 25, 26, 27, 38, and 45 of section 41-01-11, subsection 3 of section 41-02-03, subsection 2 of section 41-02-04, subsection 3 of section 41-02-27, subsection 2 of section 41-02-40, subsection 3 of section 41-02-46, subsections 4 and 5 of section 41-02-51, section 41-02-53, subsection 2 of section 41-02-54, subsection 2 of section 41-02-57, subsection 2 of section 41-02-68, section 41-02-84, subdivisions a and o of subsection 1 of section 41-02.1-03, subsection 2 of section 41-02.1-62, subdivision c of subsection 2 of section 41-02.1-74, subsection 3 of section 41-04-04, subsection 3 of section 41-04-22, subsection 2 of section 41-09-02, paragraph 4 of subdivision c of subsection 2 of section 41-09-13, subsection 3 of section 41-09-17, subsection 2 of section 41-09-18, subsection 3 of section 41-09-21, subdivisions e and h of subsection 2 of section 41-09-30, subsection 5 of section 41-09-32, subsection 1 of section 41-09-33, subsections 1 and 2 of section 41-09-34, subsections 2 and 4 of section 41-09-37, subsection 2 of section 41-09-58, and subsection 2 of section 41-09-98 of the North Dakota Century Code, relating to the Uniform Commercial Code; to repeal chapter 41-07 of the North Dakota Century Code, relating to Uniform Commercial Code Article 7 - Documents of Title; and to provide for an application.

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

HB 1156: A BILL for an Act to create and enact a new section to chapter 49-03.1 of the North Dakota Century Code, relating to registration of telecommunications companies that are not incumbent telecommunications companies; to amend and reenact subsection 2 of section 49-03.1-02 of the North Dakota Century Code, relating to the definition of a public utility and certificates of public convenience and necessity; and to provide a penalty.

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

HB 1158: A BILL for an Act to amend and reenact sections 14-02.5-31 and 14-02.5-36 of the North Dakota Century Code, relating to labor department administrative hearings and representation in enforcement actions.

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

HB 1159: A BILL for an Act to create and enact a new section to chapter 5-03 of the North Dakota Century Code, relating to alcoholic beverage supplier licensing requirements; to amend and reenact sections 5-01-01, 5-01-11, and 5-03-06 of the North Dakota Century Code, relating to definitions, goods and services provided by alcohol wholesalers to retailers, and the authority of the tax commissioner to audit records of alcoholic beverage entities; to repeal section 5-03-01.2 of the North Dakota Century Code, relating to brand registration of alcoholic beverages; and to provide a penalty.

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

HB 1160: A BILL for an Act to create and enact sections 15.1-12-18.1 and 15.1-12-26.1, a new subsection to section 15.1-12-27, and section 15.1-12-28.1 of the North Dakota Century Code, relating to the reimbursement by reorganized and dissolving school districts of unemployment compensation benefits paid by job service North Dakota; and to amend and reenact sections 15.1-12-11 and 15.1-12-28 and subsection 1 of section 15.1-12-29 of the North Dakota Century Code, relating to notification of job service North Dakota, the distribution of a fund of the dissolved school district, and the credit to taxpayers of the dissolved school district.

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

HB 1161: A BILL for an Act to create and enact a new section to chapter 43-30 of the North Dakota Century Code, relating to citations for unlicensed provision of private investigative services or unlicensed private security services; to amend and reenact sections 43-30-10 and 43-30-12 of the North Dakota Century Code, relating to disciplinary measures for persons engaged in private investigative service or private security service; and to provide a penalty.

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

HB 1162: 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 restitution for nonpayment of child support; to amend and reenact sections 14-09-09.30 and 50-09-08.6 of the North Dakota Century Code, relating to collection of child support arrears; and to provide a penalty.

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

HB 1179: A BILL for an Act to amend and reenact subsection 24 of section 57-39.2-04 of the North Dakota Century Code, relating to a sales tax exemption for assisted living facilities; and to provide an effective date.

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

HB 1190: A BILL for an Act to amend and reenact section 23-09.3-01.1 of the North Dakota Century Code, relating to a moratorium on the expansion of basic care bed capacity.

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

HB 1191: A BILL for an Act to amend and reenact section 23-16-01.1 of the North Dakota Century Code, relating to a moratorium on long-term care bed capacity.

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

HB 1200: A BILL for an Act to amend and reenact section 43-28-25 of the North Dakota Century Code, relating to dental services offered through a nonprofit organization; and to provide a penalty.

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

HB 1204: A BILL for an Act to amend and reenact section 50-30-02 of the North Dakota Century Code, relating to the North Dakota health care trust fund; and to repeal section 50-24.4-30 of the North Dakota Century Code, relating to the government nursing facility funding pool.

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

HB 1206: A BILL for an Act to create and enact a new section to chapter 50-24.1 of the North Dakota Century Code, relating to provider appeals of medical assistance reimbursement denials.

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

HB 1208: A BILL for an Act to amend and reenact subdivision d of subsection 2 of section 26.1-36-08 and paragraph 4 of subdivision f of subsection 2 of section 26.1-36-09 of the North Dakota Century Code, relating to excluding high-deductible health plans from mental health and substance abuse mandates in order to meet federal requirements for tax qualification of health savings accounts.

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

HB 1226: A BILL for an Act to amend and reenact section 32-03.1-02.3 of the North Dakota Century Code, relating to notification to the state department of health of acquisition of an automated external defibrillator.

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

HB 1243: A BILL for an Act to amend and reenact section 23-27-04.3 of the North Dakota Century Code, relating to emergency medical services personnel training.

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

HB 1267: A BILL for an Act to create and enact a new section to chapter 50-25.1 of the North Dakota Century Code, relating to the duties of the department of human services with respect to child protective services.

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

HB 1280: A BILL for an Act to amend and reenact section 43-42-05 of the North Dakota Century Code, relating to the exemption of the practice of sleep therapy from the regulation of respiratory therapy.

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

HB 1281: A BILL for an Act to create and enact two new sections to chapter 50-24.1 of the North Dakota Century Code, relating to medical assistance eligibility and long-term care facilities.

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

HB 1359: A BILL for an Act to amend and reenact section 13-01-14 of the North Dakota Century Code, relating to the amount of late payment charges on medical bills.

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

HB 1376: A BILL for an Act to create and enact chapter 26.1-53 of the North Dakota Century Code, relating to duties of providers and marketers of discount medical plans and cards.

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

HB 1436: A BILL for an Act to amend and reenact section 50-24.1-07 of the North Dakota Century Code, relating to the accrual of interest on medical assistance of a deceased recipient.

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

HB 1442: A BILL for an Act to amend and reenact subsection 3 of section 50-06-05.3 and section 50-06-05.4 of the North Dakota Century Code, relating to the human service council of a human service center.

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

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

William R. Horton, Secretary