

## JOURNAL OF THE SENATE

## Sixty-first Legislative Assembly

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Bismarck, January 20, 2009

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

The prayer was offered by Pastor Joel Winckler, Calvary United Methodist Church, Bismarck.

The roll was called and all members were present except Senators Fischer, Grindberg, Holmberg, Krauter, Taylor, and Warner.

A quorum was declared by the President.

## CORRECTION AND REVISION OF THE JOURNAL

**MR. PRESIDENT:** Your **Committee on Correction and Revision of the Journal (Sen. Andrist, Chairman)** has carefully examined the Journal of the Fifth, Sixth, Seventh, Eighth, and Ninth Days and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 58, line 31, replace ", **as amended,**" with ": "

Page 58, line 33, after "2136", remove ", "

Page 58, line 34, remove "as amended,"

Page 59, line 6, replace ", **as amended,**" with ": "

Page 59, line 8, remove ", as amended,"

Page 66, line 14, remove ", as amended,"

Page 66, line 30, remove ", as amended,"

Page 67, line 5, remove ", as amended,"

Page 67, line 23, remove ", as amended,"

Page 67, line 39, remove ", as amended,"

Page 69, line 27, replace ", **as amended,**" with ": "

Page 69, line 29, remove ", as amended,"

Page 69, line 36, replace ", **as amended,**" with ": "

Page 69, line 38, remove ", as amended,"

Page 78, after line 40, insert:

**"MESSAGE TO THE HOUSE FROM THE SENATE (FRAN A. GRONBERG, SECRETARY)**

**MR. SPEAKER:** The Senate wishes to inform the House that Senator Christmann moved that Joint Rule 208 be suspended for the purpose of introducing SB 2225, SB 2226, SB 2227, SB 2228, and SB 2229 and that the House be notified of the suspension of Joint Rule 208 for this purpose."

Page 79, line 15, replace ", **as amended,**" with ": "

Page 79, line 17, remove ", as amended,"

Page 79, line 35, replace ", **as amended,**" with ": "

Page 79, line 37, remove ", as amended,"

Page 79, line 54, replace ", **as amended,**" with ": "

Page 80, line 2, remove ", as amended,"

Page 86, line 11, replace ", as amended," with ": "

Page 86, line 13, remove ", as amended,"

Page 89, line 42, replace ", as amended," with ": "

Page 89, line 44, remove ", as amended,"

Page 90, line 35, replace ", as amended," with ": "

Page 90, line 38, remove ", as amended,"

Page 91, line 6, replace ", as amended," with ": "

Page 91, line 9, remove ", as amended,":

Page 91, line 23, replace ", as amended," with ": "

Page 91, line 25, remove ", as amended,"

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

#### POINT OF PERSONAL PRIVILEGE

**SEN. NELSON REQUESTED** that her remarks be printed in the Journal, which request was granted.

#### REMARKS

Thank you. I just want to take a moment to say a few words about the historic events that took place this afternoon in our nation's capitol. The Inauguration of Barack Obama as our 44th president marks a turning of the page of history that anybody who watched will remember for many years to come. For the 44th time in 220 years, we had the privilege of witnessing a peaceful transition of executive power and leadership. To borrow two symbolic words spoken by our newly sworn in president, today is a symbol of the monumental accomplishments of our "patchwork heritage." We want to welcome our new president and wish him good luck in solving the many problems that confront our great nation. God bless America and may God bless this new day that is dawning across our land.

#### MOTION

**SEN. CHRISTMANN MOVED** that the Senate reconsider its action whereby SB 2090 passed, which motion prevailed.

#### MOTION

**SEN. CHRISTMANN MOVED** that SB 2090 be rereferred to the **Appropriations Committee**, which motion prevailed. Pursuant to Sen. Christmann's motion, SB 2090 was rereferred.

#### MOTION

**SEN. CHRISTMANN MOVED** that the Senate reconsider its action whereby SB 2201 passed, which motion prevailed.

#### MOTION

**SEN. CHRISTMANN MOVED** that SB 2201 be rereferred to the **Appropriations Committee**, which motion prevailed. Pursuant to Sen. Christmann's motion, SB 2201 was rereferred.

#### MOTION

**SEN. CHRISTMANN MOVED** that SB 2038, which is on the Eleventh order, be rereferred to the **Appropriations Committee**, which motion prevailed. Pursuant to Sen. Christmann's motion, SB 2038 was rereferred.

#### CONSIDERATION OF AMENDMENTS

**SB 2134: SEN. OEHLKE (Government and Veterans Affairs Committee) MOVED** that the amendments on SJ page 106 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

#### CONSIDERATION OF AMENDMENTS

**SB 2135: SEN. COOK (Government and Veterans Affairs Committee) MOVED** that the amendments on SJ page 107 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

**SECOND READING OF SENATE BILL**

**SB 2146:** A BILL for an Act to amend and reenact section 20.1-02-16.6 of the North Dakota Century Code, relating to the transfer of motorboat registration fee revenues.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 41 YEAS, 0 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Dotzenrod; Erbele; Fiebiger; Flakoll; Freborg; Heckaman; Hogue; Horne; Kilzer; Klein; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Miller; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Schneider; Seymour; Stenehjem; Triplett; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Fischer; Grindberg; Holmberg; Krauter; Taylor; Warner

SB 2146 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2156:** A BILL for an Act to amend and reenact section 30.1-24-05 of the North Dakota Century Code, relating to appointment of a foreign personal representative.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 41 YEAS, 0 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Dotzenrod; Erbele; Fiebiger; Flakoll; Freborg; Heckaman; Hogue; Horne; Kilzer; Klein; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Miller; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Schneider; Seymour; Stenehjem; Triplett; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Fischer; Grindberg; Holmberg; Krauter; Taylor; Warner

SB 2156 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2159:** A BILL for an Act to amend and reenact subsection 2 of section 27-20-14 of the North Dakota Century Code, relating to the detention of a child participating in a juvenile drug court program.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 41 YEAS, 0 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Dotzenrod; Erbele; Fiebiger; Flakoll; Freborg; Heckaman; Hogue; Horne; Kilzer; Klein; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Miller; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Schneider; Seymour; Stenehjem; Triplett; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Fischer; Grindberg; Holmberg; Krauter; Taylor; Warner

SB 2159 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2026:** A BILL for an Act to amend and reenact section 28-32-15 of the North Dakota Century Code, relating to filing dates for administrative rules; and to provide an effective date.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 41 YEAS, 0 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Dotzenrod; Erbele; Fiebiger; Flakoll; Freborg; Heckaman; Hogue; Horne; Kilzer; Klein; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Miller; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Schneider; Seymour; Stenehjem; Triplett; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Fischer; Grindberg; Holmberg; Krauter; Taylor; Warner

SB 2026 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2079:** A BILL for an Act to amend and reenact sections 15-52-01, 15-52-02, 15-52-05, 15-52-07, 15-52-08, 15-52-09, 15-52-15, and 15-52-29 of the North Dakota Century Code, relating to the university of North Dakota school of medicine and health sciences.

**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 41 YEAS, 0 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Dotzenrod; Erbele; Fiebiger; Flakoll; Freborg; Heckaman; Hogue; Horne; Kilzer; Klein; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Miller; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Schneider; Seymour; Stenehjem; Triplett; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Fischer; Grindberg; Holmberg; Krauter; Taylor; Warner

Engrossed SB 2079 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2081:** A BILL for an Act to amend and reenact sections 15-52-03, 15-52-04, 15-52-30, and 15-52-31 of the North Dakota Century Code, relating to the university of North Dakota school of medicine and health sciences advisory council.

**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 41 YEAS, 0 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Dotzenrod; Erbele; Fiebiger; Flakoll; Freborg; Heckaman; Hogue; Horne; Kilzer; Klein; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Miller; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Schneider; Seymour; Stenehjem; Triplett; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Fischer; Grindberg; Holmberg; Krauter; Taylor; Warner

Engrossed SB 2081 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2104:** A BILL for an Act to create and enact a new subsection to section 26.1-04-03 of the North Dakota Century Code, relating to unfair compensation of insurance company employees.

**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, 2 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dotzenrod; Erbele; Fiebiger; Flakoll; Freborg; Heckaman; Hogue; Horne; Kilzer; Klein; Krebsbach; Lee, G.; Lee, J.; Lindaas; Marcellais; Mathern; Miller; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Schneider; Seymour; Stenehjerm; Triplett; Wanzek; Wardner

**NAYS:** Dever; Lyson

**ABSENT AND NOT VOTING:** Fischer; Grindberg; Holmberg; Krauter; Taylor; Warner

Engrossed SB 2104 passed and the title was agreed to.

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#### MOTION

**SEN. CHRISTMANN MOVED** that SB 2120 be moved to the top of the calendar, which motion prevailed.

#### SECOND READING OF SENATE BILL

**SB 2120:** A BILL for an Act to amend and reenact subdivision a of subsection 2 of section 27-09.1-08 and section 29-01-06 of the North Dakota Century Code, relating to selection of jurors and defendants' rights.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 41 YEAS, 0 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Dotzenrod; Erbele; Fiebiger; Flakoll; Freborg; Heckaman; Hogue; Horne; Kilzer; Klein; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Miller; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Schneider; Seymour; Stenehjerm; Triplett; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Fischer; Grindberg; Holmberg; Krauter; Taylor; Warner

SB 2120 passed and the title was agreed to.

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#### MESSAGE TO THE HOUSE FROM THE SENATE (FRAN A. GRONBERG, SECRETARY)

**MR. SPEAKER:** The Senate has passed and your favorable consideration is requested on: SB 2037, SB 2052, SB 2061, SB 2077, SB 2080, SB 2088, SB 2094, SB 2096, SB 2100, SB 2102, SB 2103, SB 2105, SB 2106, SB 2108, SB 2109, SB 2111, SB 2113, SB 2117, SB 2119, SB 2125, SB 2128, SB 2147, SB 2157.

#### MESSAGE TO THE HOUSE FROM THE SENATE (FRAN A. GRONBERG, SECRETARY)

**MR. SPEAKER:** The Senate has passed, the emergency clause carried, and your favorable consideration is requested on: SB 2092.

#### MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)

**MR. PRESIDENT:** The House has passed and your favorable consideration is requested on: HB 1035, HB 1114, HB 1122, HB 1123, HB 1133, HB 1137, HB 1138, HB 1139, HB 1146, HB 1155, HB 1162, HB 1164, HB 1167.

#### MOTION

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

#### MOTION

**SEN. CHRISTMANN MOVED** that the Senate be on the Fourth, Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 1:00 p.m., Wednesday, January 21, 2009, which motion prevailed.

#### REPORT OF STANDING COMMITTEE

**SB 2207: Human Services Committee (Sen. J. Lee, Chairman)** recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2207 was placed on the Eleventh order on the calendar.

**FIRST READING OF SENATE BILLS**

Sens. Potter, Andrist, Bakke and Rep. Ekstrom introduced:

**SB 2315:** A BILL for an Act to create and enact a new subsection to section 57-39.2-04 of the North Dakota Century Code, relating to a sales and use tax exemption for sales of books; and to provide an effective date.

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

Sens. Dever, Erbele, Heckaman, J. Lee and Reps. Kreidt, L. Meier introduced:

**SB 2318:** A BILL for an Act to create and enact section 26.1-18.1-03.1 of the North Dakota Century Code, relating to bond requirements for qualified programs of all-inclusive care or the elderly; to amend and reenact section 26.1-18.1-01 of the North Dakota Century Code, relating to the regulation of qualified programs of all-inclusive care for the elderly; and to provide an expiration date.

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

Sens. Wanzek, Heckaman, Klein and Reps. Brandenburg, D. Johnson, Mueller introduced:

**SB 2321:** A BILL for an Act to amend and reenact sections 60-02.1-41 and 60-10-16 of the North Dakota Century Code, relating to roving grain buyers.

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

Sens. Miller, Nelson, Nodland and Reps. Dahl, Kingsbury, Kretschmar introduced:

**SB 2322:** A BILL for an Act to amend and reenact section 1-08-12, subsection 1 of section 44-06-13.1, and subsection 1 of section 44-06-13.2 of the North Dakota Century Code, relating to electronic signatures and discipline of notaries public.

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

Sen. Mathern introduced:

**SB 2323:** A BILL for an Act to provide for medical facilities to give notice to the public of hospitalist programs.

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

Sen. Potter introduced:

**SB 2326:** A BILL for an Act to amend and reenact section 28-26-06 of the North Dakota Century Code, relating to disbursements taxed in judgment when a physician is found negligent in a medical malpractice trial but no autopsy is performed.

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

Sens. Potter, Cook and Reps. Froelich, R. Kelsch introduced:

**SB 2327:** A BILL for an Act to amend and reenact section 18-01-04 of the North Dakota Century Code, relating to exemptions from the state fire code.

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

Sens. Wanzek, Klein, Potter and Reps. N. Johnson, Ruby, Vigesaa introduced:

**SB 2328:** A BILL for an Act to create and enact a new section to chapter 6-08 of the North Dakota Century Code, relating to assessment of automated teller machine access fees for foreign cardholder transactions.

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

Sens. Triplett, Marcellais, Wardner and Reps. Karls, Martinson, Mueller introduced:

**SB 2329:** A BILL for an Act to provide for an appropriation to the industrial commission for creating geographic information system-based maps or overlays; and to provide an appropriation to the state historical society for the purpose of coordinating the mapping project.

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

Sen. Potter and Rep. Wrangham introduced:

**SB 2330:** A BILL for an Act to amend and reenact sections 26.1-25.1-02 and 26.1-25.1-03 of the North Dakota Century Code, relating to the use of credit information to take adverse actions against consumers' personal insurance; to repeal sections 26.1-25.1-04, 26.1-25.1-05, 26.1-25.1-06, 26.1-25.1-07, 26.1-25.1-09, 26.1-25.1-10, and 26.1-25.1-11 of the North Dakota Century Code, relating to the use of credit information to take adverse actions against consumers' personal insurance; and to provide for application.

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

Sen. Nething and Reps. S. Kelsh, Kretschmar introduced:

**SB 2331:** A BILL for an Act to create and enact a new chapter to title 34 of the North Dakota Century Code, relating to limited collective bargaining partnerships for executive branch agencies.

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

Sens. J. Lee, Robinson and Reps. Kaldor, Weisz introduced:

**SB 2332:** A BILL for an Act to create and enact a new section to chapter 23-01 of the North Dakota Century Code, relating to creation of a health information technology office and advisory committee; to repeal section 23-01-31 of the North Dakota Century Code, relating to the North Dakota health information technology steering committee; and to provide an appropriation.

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

Sens. J. Lee, Fischer, Heckaman and Reps. Klein, Pinkerton, Weisz introduced:

**SB 2333:** A BILL for an Act to create and enact a new section to chapter 23-35 of the North Dakota Century Code, relating to immunizations administered by public health units; and to provide for legislative intent.

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

Sens. Kilzer, Christmann, Mathern and Reps. Kaldor, Keiser, Weisz introduced:

**SB 2334:** 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 the reimbursement of families for reasonable expenses in providing medically necessary out-of-state transportation to a recipient of medical assistance.

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

Sens. Dotzenrod, Andrist, Klein, Robinson and Reps. DeKrey, Metcalf introduced:

**SB 2335:** A BILL for an Act to provide an appropriation to the department of commerce for grants to cities for commercial business improvement projects.

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

Sens. Fischer, Erbele and Reps. Hawken, S. Kelsh introduced:

**SB 2336:** A BILL for an Act to create and enact a new section to chapter 61-02 of the North Dakota Century Code, relating to the duties of the state water commission; to amend and reenact subsection 1 of section 21-01-01, sections 54-10-14, 54-52-02, and 54-52.1-03.1, subsection 9 of section 57-02-01, subsection 1 of section 57-39.2-26.1, sections 61-01-26.1 and 61-24.6-02, subsection 1 of section 61-33-09, and sections 61-39-01, 61-39-04, 61-39-05, and 61-39-16 of the North Dakota Century Code, relating to the Garrison Diversion Conservancy District; to repeal section 57-15-26.8 and chapter 61-24 of the North Dakota Century Code, relating to the Garrison Diversion Conservancy District; and to provide an effective date.

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

Sens. Fischer, G. Lee, Triplett and Rep. Hawken introduced:

**SB 2337:** A BILL for an Act to create and enact a new section to chapter 54-35 of the North Dakota Century Code, relating to creating a legislative council medical assistance committee; to provide a continuing appropriation; to provide an appropriation; and to provide an expiration date.

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

Sens. Nething, Seymour, Wardner and Reps. Gruchalla, Kempenich, Weiler introduced:

**SB 2338:** A BILL for an Act to amend and reenact section 57-43.2-19 of the North Dakota Century Code, relating to deposit of special fuels excise taxes paid by railroads in a special fund; to provide an appropriation; and to provide an effective date.

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

Sens. Heckaman, Erbele and Reps. Hofstad, Nelson, Vig introduced:

**SB 2339:** A BILL for an Act to amend and reenact subsection 5 of section 39-04-19 of the North Dakota Century Code, relating to registration fees for farm trucks; and to provide for application.

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

Sens. Heckaman, Oehlke, Triplett and Reps. Brandenburg, Weiler introduced:

**SB 2340:** A BILL for an Act to create and enact a new subsection to section 57-39.2-04 of the North Dakota Century Code, relating to a sales and use tax exemption for sales by thrift stores owned and operated by nonprofit corporations; and to provide an effective date.

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

Sens. Krebsbach, Seymour and Reps. R. Kelsch, Klein introduced:

**SB 2341:** A BILL for an Act to create and enact a new section to chapter 15.1-07 of the North Dakota Century Code, relating to the provision of educational services by school districts; and to amend and reenact section 15.1-12-26 of the North Dakota Century Code, relating to the dissolution of school districts.

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

Sens. Taylor, Christmann, Klein and Reps. Brandenburg, Froelich, Onstad introduced:

**SB 2342:** A BILL for an Act providing an appropriation for defraying the expenses associated with the control of John's disease

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

Sens. Marcellais, Mathern, Oehlke, Olafson and Reps. Boucher, Conrad, Froelich introduced:

**SB 2343:** A BILL for an Act to amend and reenact section 54-03.1-03 of the North Dakota Century Code, relating to requiring the presentation of information during the organizational session of the legislative assembly which relates to native Americans.

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

Sens. Marcellais, Bakke, Mathern, Oehlke, Taylor and Reps. Conrad, Potter introduced:

**SB 2344:** A BILL for an Act to create and enact a new section to chapter 14-02.4 and a new section to chapter 23-12 of the North Dakota Century Code, relating to breastfeeding; and to amend and reenact sections 12.1-20-02(4), 12.1-20-12.1, 12.1-27.1-11, 14-02.4-02(18), and 42-01-01 of the North Dakota Century Code, relating to discriminatory practices and exempting the act of breastfeeding from certain offenses.

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

Sens. Marcellais, Nething, Oehlke and Reps. Boucher, Conrad, Froelich introduced:

**SB 2345:** A BILL for an Act to provide for an investigation of development and access to trust and fee lands in Montana owned by North Dakota Indian tribes and tribal members.

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

Sens. Marcellais, Mathern and Reps. Conrad, Froelich introduced:

**SB 2346:** A BILL for an Act to provide for studies of the implementation of Indian treaty rights relating to education, health, and welfare.

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

Sen. Cook and Reps. Drovdal, Weiler introduced:

**SB 2347:** A BILL for an Act to create and enact a new subsection to section 57-39.2-04 and a new subsection to section 57-40.2-04 of the North Dakota Century Code, relating to gross receipts from the sale of items delivered electronically; and to provide an effective date.

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

Sens. Cook, Hogue, Wardner and Reps. Grande, Svedjan, Weiler introduced:

**SB 2348:** A BILL for an Act to amend and reenact subsection 4 of section 57-02-27.2 of the North Dakota Century Code, relating to the capitalization rate used for the agricultural property valuation formula for property tax purposes; and to provide an effective date.

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

Sens. G. Lee, Fiebiger, Miller and Reps. R. Kelsch, Pietsch, Vig introduced:

**SB 2349:** A BILL for an Act to amend and reenact section 39-10.1-05 of the North Dakota Century Code, relating to the operation of bicycles.

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

Sens. Wanzek, Miller, Triplett and Reps. Brandenburg, Mueller, Vigesaa introduced:

**SB 2350:** A BILL for an Act to provide for the creation of an ethanol council; to provide a penalty; and to provide a continuing appropriation.

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

Sens. Olafson, Triplett and Reps. Belter, Kaldor introduced:

**SB 2351:** A BILL for an Act to create and enact a new section to chapter 20.1-05 of the North Dakota Century Code, relating to the feeding of big game and hunting big game over bait; and to provide a penalty.

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

Sens. Wardner, Holmberg, Horne and Reps. Carlson, Klein, S. Meyer introduced:

**SB 2352:** A BILL for an Act to amend and reenact section 54-21.2-03 of the North Dakota Century Code, relating to energy conservation standards for new buildings.

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

Sens. Krebsbach, Wardner and Reps. Boehning, D. Johnson, S. Kelsch introduced:

**SB 2353:** A BILL for an Act to amend and reenact subdivision d of subsection 2 of section 44-08-04 of the North Dakota Century Code, relating to state officer and employee lodging reimbursement; and to provide an effective date.

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

Sens. Krebsbach, Bakke, Fischer and Reps. Conrad, Hawken, Martinson introduced:



**SB 2354:** A BILL for an Act to amend and reenact section 54-21.3-03 of the North Dakota Century Code, relating to the state and local building codes.

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

Sens. Dever, Heckaman and Rep. L. Meier introduced:

**SB 2355:** A BILL for an Act to provide a short-term care shelter and assessment pilot program for at-risk youth; to provide a report to the sixty-second legislative assembly; and to provide an appropriation.

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

Sen. Dever and Rep. Nathe introduced:

**SB 2356:** A BILL for an Act to create and enact a new section to chapter 23-38 of the North Dakota Century Code, relating to a community dental health grant program for dental clinics; to provide an appropriation; and to provide an expiration date.

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

Sens. Flakoll, Freborg, J. Lee and Reps. Clark, R. Kelsch, Thoreson introduced:

**SB 2357:** A BILL for an Act to amend and reenact section 15.1-15-08 of the North Dakota Century Code, relating to discharge for cause.

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

Sen. Dever and Reps. L. Meier, Nathe introduced:

**SB 2358:** A BILL for an Act to create and enact a new section to chapter 43-28.1 of the North Dakota Century Code, relating to a dental loan repayment program; and to provide an appropriation.

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

Sens. Cook, Nodland and Reps. R. Kelsch, J. Kelsh introduced:

**SB 2359:** A BILL for an Act to amend and reenact section 11-11-05 of the North Dakota Century Code, relating to the time and place of county commission meetings.

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

Sens. Bakke, Flakoll, Potter and Reps. Schneider, S. Kelsh, Klemin introduced:

**SB 2360:** A BILL for an Act to create and enact a new section to chapter 54-06 of the North Dakota Century Code, relating to authorizing a state agency to grant a temporary release from employment for an employee providing service on behalf of a public employee organization.

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

#### **FIRST READING OF SENATE CONCURRENT RESOLUTIONS**

Sens. Marcellais, Mathern, Oehlke and Reps. Conrad, Froelich introduced:

**SCR 4007:** A concurrent resolution urging Congress to adopt a resolution of apology for the poor treatment of Native Americans by the United States.

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

Sens. Dever, Flakoll, Marcellais, Oehlke and Reps. L. Meier, Nathe introduced:

**SCR 4008:** A concurrent resolution urging Congress and the President to adopt a veterans remembered flag.

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

Sens. Krebsbach, Nelson, Wardner and Reps. DeKrey, Klein, Kretschmar introduced:

**SCR 4009:** A concurrent resolution directing the Legislative Council to study the impact in this state of a significant increase in the elderly population and the adequacy of governmental services, including judicial services, to respond to issues related to an aging population and to study the efficacy of statutes governing guardianship and public administrator services.

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

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

**Fran A. Gronberg, Secretary**

