

JOURNAL OF THE SENATE

Sixty-first Legislative Assembly

Bismarck, January 28, 2009

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

The prayer was offered by Chaplain Dan Sweeney, Bismarck Police Department, Bismarck.

The roll was called and all members were present except Senator Fischer.

A quorum was declared by the President.

MOTION

SEN. CHRISTMANN MOVED that SB 2123, which is on the Eleventh order, be rereferred to the **Judiciary Committee**, which motion prevailed. Pursuant to Sen. Christmann's motion, SB 2123 was rereferred.

MOTION

SEN. CHRISTMANN MOVED that SB 2400 be returned to the Senate floor from the **Government and Veterans Affairs Committee** and be rereferred to the **Human Services Committee**, which motion prevailed.

MOTION

SEN. CHRISTMANN MOVED that SB 2273 be returned to the Senate floor from the **Government and Veterans Affairs Committee** for the purpose of withdrawal, which motion prevailed.

REQUEST

SEN. O'CONNELL REQUESTED the unanimous consent of the Senate to withdraw SB 2273. There being no objection, it was so ordered by the President.

CONSIDERATION OF AMENDMENTS

SB 2035: SEN. MILLER (Finance and Taxation Committee) MOVED that the amendments on SJ page 185 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2189: SEN. HOGUE (Natural Resources Committee) MOVED that the amendments on SJ page 186 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2224: SEN. MILLER (Finance and Taxation Committee) MOVED that the amendments on SJ page 187 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2041: A BILL for an Act to amend and reenact section 54-59-21 of the North Dakota Century Code, relating to the criminal justice information sharing board.

ROLL CALL

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

YEAS: Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Dotzenrod; Erbele; Fiebiger; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Miller; Nelson; Nothing; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Schneider; Seymour; Stenehjerm; Taylor; Triplett; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Fischer

SB 2041 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2067: A BILL for an Act to amend and reenact subsection 1 of section 39-06-03.1 and subsection 1 of section 39-06-14 of the North Dakota Century Code, relating to the online registration of donors.

ROLL CALL

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

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

ABSENT AND NOT VOTING: Fischer

Engrossed SB 2067 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2084: A BILL for an Act to amend and reenact sections 15.1-13-08 and 15.1-13-14 of the North Dakota Century Code, relating to licensing student teachers.

ROLL CALL

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

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

ABSENT AND NOT VOTING: Fischer

SB 2084 lost.

SECOND READING OF SENATE BILL

SB 2085: A BILL for an Act to amend and reenact sections 15-01-02.1, 15-02-08, 15-03-01.1, 15-03-02, 15-03-04, 15-03-05.1, and 15-06-40 of the North Dakota Century Code, relating to the management of the trust funds under the control of the board of university and school lands; to repeal sections 15-03-05.2 and 15-08-01 of the North Dakota Century Code, relating to distributions from trust funds under the control of the board of university and school lands; 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 45 YEAS, 1 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

NAYS: Holmberg

ABSENT AND NOT VOTING: Fischer

SB 2085 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2089: A BILL for an Act to create and enact a new subdivision to subsection 1 of section 57-38-01.3 of the North Dakota Century Code, relating to the add-back of dividends paid by captive real estate investment trusts for income tax purposes; 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 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Dotzenrod; Erbele; Fiebiger; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Miller; Nelson; Nothing; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Schneider; Seymour; Stenehjem; Taylor; Triplett; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Fischer

SB 2089 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2090: A BILL for an Act to amend and reenact subsection 12 of section 57-39.2-04 of the North Dakota Century Code, relating to sales and use tax imposed on purchases made in North Dakota by persons from an adjoining state.

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 45 YEAS, 1 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Dotzenrod; Erbele; Fiebiger; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Miller; Nelson; Nothing; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Schneider; Seymour; Stenehjem; Taylor; Triplett; Wanzek; Wardner; Warner

NAYS: Flakoll

ABSENT AND NOT VOTING: Fischer

SB 2090 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2116: A BILL for an Act to create and enact a new subsection to section 12-47-21 and a new subsection to section 12-47-36 of the North Dakota Century Code, relating to wireless electronic communications devices on or within premises under the control of the department of corrections and rehabilitation and records of offenders; to amend and reenact subsection 7 of section 12-47-21 of the North Dakota Century Code, relating to the definition of contraband; to repeal section 12-47-38 of the North Dakota Century Code, relating to contracting with county jails to house female prisoners; to provide a penalty; and to declare an emergency.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 44 YEAS, 2 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Dotzenrod; Erbele; Fiebiger; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Miller; Nelson; Nothing; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Schneider; Seymour; Stenehjem; Taylor; Wanzek; Wardner

NAYS: Triplett; Warner

ABSENT AND NOT VOTING: Fischer

SB 2116 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2138: A BILL for an Act to amend and reenact section 49-07-05.1 of the North Dakota Century Code, relating to assessing the costs of investigating a potential violation of pipeline safety standards; and to provide a continuing appropriation.

ROLL CALL

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

YEAS: Andrist; Behm; Hogue; Nothing

NAYS: Anderson; Bakke; Bowman; Christmann; Cook; Dever; Dotzenrod; Erbele; Fiebiger; Flakoll; Freborg; Grindberg; Heckaman; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Miller; Nelson; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Schneider; Seymour; Stenehjem; Taylor; Triplett; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Fischer

SB 2138 lost.

SECOND READING OF SENATE BILL

SB 2142: A BILL for an Act to amend and reenact sections 54-59-05, 54-59-08, and 54-59-11 of the North Dakota Century Code, relating to powers and duties of the information technology department, required use of wide area network services, and information technology plans.

ROLL CALL

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

YEAS: Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Dotzenrod; Erbele; Fiebiger; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Miller; Nelson; Nothing; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Schneider; Seymour; Stenehjem; Taylor; Triplett; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Fischer

SB 2142 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2170: A BILL for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code, relating to registration of certain sexually oriented businesses; and to provide a penalty.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 1 YEAS, 45 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Lee, J.

NAYS: Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Dotzenrod; Erbele; Fiebiger; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lindaas; Lyson; Marcellais; Mathern; Miller;

Nelson; Nothing; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Schneider; Seymour; Stenehjem; Taylor; Triplett; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Fischer

SB 2170 lost.

SECOND READING OF SENATE BILL

SB 2192: A BILL for an Act to create and enact a new section to chapter 1-03 of the North Dakota Century Code, relating to Vietnam Veterans' Day; and to declare an emergency.

ROLL CALL

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

YEAS: Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Dotzenrod; Erbele; Fiebig; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Miller; Nelson; Nothing; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Schneider; Seymour; Stenehjem; Taylor; Triplett; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Fischer

Engrossed SB 2192 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2325: A BILL for an Act to create and enact three new subsections to section 57-39.2-01, subsection 9 to section 57-39.4-06, sections 57-39.4-11.1 and 57-39.4-14.1, subsection 4 to section 57-39.4-32, and sections 57-39.4-33.1 and 57-39.4-33.2 of the North Dakota Century Code, relating to the streamlined sales tax agreement; to amend and reenact subsection 1 of section 57-39.2-02.1, subsection 2 of section 57-39.2-04, subdivision a of subsection 26 of section 57-39.2-04, subdivision c of subsection 3 of section 57-39.2-04.1, section 57-39.4-05, subdivision d of subsection 2 of section 57-39.4-10, subsection 1 of section 57-39.4-11, subsection 4 of section 57-39.4-22, section 57-39.4-23, subsection 3 of section 57-39.4-28, sections 57-39.4-29 and 57-39.4-35, subsection 1 of section 57-40.2-01, subdivision a of subsection 12 of section 57-40.2-04, and subdivision c of subsection 3 of section 57-40.2-04.1 of the North Dakota Century Code, relating to the streamlined sales and use tax agreement; 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 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Dotzenrod; Erbele; Fiebig; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Miller; Nelson; Nothing; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Schneider; Seymour; Stenehjem; Taylor; Triplett; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Fischer

SB 2325 passed and the title was agreed to.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4005: A concurrent resolution supporting the promotion of responsible dog ownership and encouraging the training and testing of dogs.

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO NOT PASS.

SCR 4005 was declared lost.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4006: A concurrent resolution directing the Legislative Council to study professional development opportunities for teachers and the most effective and efficient methods of providing professional development opportunities.

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

SCR 4006 was declared adopted.

MOTION

SEN. CHRISTMANN MOVED that SB 2419 be returned to the Senate floor from the **Government and Veterans Affairs Committee** and be rereferred to the **Industry, Business and Labor Committee**, which motion prevailed.

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 2050, SB 2086, SB 2129, SB 2161, SB 2288, SCR 4011.

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 2165.

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 1030, HB 1031, HB 1068, HB 1301, HB 1344, HB 1383.

MOTION

SEN. CHRISTMANN MOVED that the absent member 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., Thursday, January 29, 2009, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2042: Judiciary Committee (Sen. Nething, 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 2042 was placed on the Sixth order on the calendar.

Page 12, line 25, overstrike "If a prima facie case is established, the" and insert immediately thereafter "The"

Page 12, line 26, after "hearing" insert "only if a prima facie case is established"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2057: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2057 was placed on the Sixth order on the calendar.

Page 2, replace lines 29 through 31 with:

"For the loss of vision of an eye which
equals or exceeds 20/200 corrected

permanent impairment
multiplier of 100"

Page 3, remove lines 1 through 21

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2059: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2059 was placed on the Sixth order on the calendar.

Page 1, line 3, after the semicolon insert "to provide for a report to the legislative assembly;"

Page 1, line 12, after the underscored period insert "The attorney's fees and costs under this section are for the purpose of an initial consultation and review of the claimant's case and are separate from and independent of the attorney's fees and costs provided for under section 65-02-08."

Page 2, after line 29, insert:

"SECTION 2. REPORT TO SIXTY-SECOND LEGISLATIVE ASSEMBLY.
Workforce safety and insurance shall report the number of injured employees per year that were eligible for payment of attorney's fees and costs under section 1 of this Act to the senate and house industry, business and labor standing committees during the sixty-second legislative assembly."

Page 3, line 1, replace "This" with "Section 1 of this"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2087: Education Committee (Sen. Freborg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2087 was placed on the Sixth order on the calendar.

Page 1, replace lines 9 through 23 with:

- "1. Except as otherwise provided in this section, a record that would identify an individual applying for or under consideration for employment or appointment as the commissioner of higher education or president of an institution under the control of the state board of higher education is an exempt record as defined in section 44-04-17.1. The board or a board search committee, upon request, shall disclose information regarding the number of applicants or candidates for a position covered by this section.
2. Once the board or board search committee begins to reduce the number of applicants or candidates under consideration for a position, the board or board search committee shall notify each applicant or candidate remaining under consideration that any record relating to the candidate will become an open record within two weeks unless the applicant or candidate elects to withdraw from consideration for the position. If an applicant or candidate elects to withdraw from consideration for the position, any record relating to that individual remains an exempt record.
3. If the board or board search committee considers a new applicant or candidate after the initial reduction in the number of applicants or candidates, any record relating to the new applicant or candidate is an open record.
4. The board or board search committee may enter an executive session under section 44-04-19.2 to consider or discuss an exempt record or the identity of an applicant or candidate whose records are exempt under this section."

Page 2, remove lines 1 through 18

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2110: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2110 was placed on the Sixth order on the calendar.

Page 1, line 5, after the first comma insert "section 54-60-03,"

Page 1, line 9, after the first comma insert "the commissioner of commerce,"

Page 8, after line 12, insert:

"SECTION 10. AMENDMENT. Section 54-60-03 of the North Dakota Century Code is amended and reenacted as follows:

54-60-03. Commissioner of commerce - Duties. With the advice and counsel of the North Dakota development foundation, the governor shall appoint a commissioner to supervise, control, and administer the department. The commissioner serves at the pleasure of the governor and receives a salary set by the governor within the limits of legislative appropriations. The commissioner:

1. Shall file an oath of office in the usual form before commencing to perform the duties of the commissioner;
2. Shall serve as chairman of the cabinet;
3. ~~Shall prepare the cabinet's list identifying economic development moneys included in budget requests of cabinet agencies;~~
4. Shall appoint personnel as may be determined necessary to carry out the duties of the department;
5. ~~4.~~ Shall manage the operations of the department and oversee each of the divisions;
6. ~~5.~~ Shall assume central responsibilities to develop, implement, and coordinate a working network of commerce service providers;
7. ~~6.~~ Shall coordinate the department's services with commerce-related services of other state agencies;
8. ~~7.~~ Shall advise and cooperate with departments and agencies of the federal government and of other states; private businesses, agricultural organizations, and associations; research institutions; and with any individual or other private or public entity;
9. ~~8.~~ May enter contracts upon terms and conditions as determined by the commissioner to be reasonable and to effectuate the purposes of this chapter;
10. ~~9.~~ Shall report between the first and tenth legislative days of each regular legislative session to a standing committee of each house of the legislative assembly as determined by the legislative council and shall report annually to the foundation:
 - a. On the department's goals and objectives since the last report;
 - b. On the department's goals and objectives for the period until the next report;
 - c. On the department's long-term goals and objectives;
 - d. On the department's activities and measurable results occurring since the last report; and
 - e. On commerce benchmarks, including the average annual wage in the state, the gross state product exclusive of agriculture, and the number of primary sector jobs in the state;
11. ~~10.~~ Shall adopt rules necessary to implement this chapter; and
12. ~~11.~~ May take any actions necessary and proper to implement this chapter."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2112: Judiciary Committee (Sen. Nething, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2112 was placed on the Sixth order on the calendar.

Page 2, line 24, after "stopped" insert "on the interstate system or"

Page 2, line 25, overstrike "unless the highway is part of the"

Page 2, line 26, overstrike "interstate system"

Page 3, line 4, after "stopped" insert "on the interstate system or"

Page 3, line 5, remove "unless the highway is part of the interstate system."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2122: Judiciary Committee (Sen. Nething, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2122 was placed on the Sixth order on the calendar.

Page 1, line 9, after "rehabilitation" insert "or the director's designee"

Page 2, line 12, after the overstruck comma insert "department of corrections and rehabilitation" and remove the overstrike over "~~or the director's~~"

Page 2, line 13, remove the overstrike over "~~designee~~" and remove "department of corrections and rehabilitation"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2152: Judiciary Committee (Sen. Nething, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2152 was placed on the Sixth order on the calendar.

Page 6, line 25, after "its" insert "reasonable" and after "and" insert "reasonable"

Page 6, line 26, after "matter" insert "resulting in disciplinary action"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2158: Human Services Committee (Sen. J. Lee, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2158 was placed on the Sixth order on the calendar.

Page 1, line 9, replace ". The department shall seek any federal waiver" with "with the same rights and responsibilities given primary care physicians under the medical assistance program. Any care provided by the advanced registered nurse practitioner as a primary care provider under the medical assistance program must be within the scope of the advanced registered nurse practitioner's license."

Page 1, remove lines 10 and 11

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2176: Judiciary Committee (Sen. Nething, 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, replace the second "of" with "in the month following" and replace ", the last day of the following month, or under" with an underscored period

Page 1, remove lines 10 through 12

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2182: Judiciary Committee (Sen. Nething, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2182 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2195: Human Services Committee (Sen. J. Lee, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2195 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2210: Judiciary Committee (Sen. Nething, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2210 was placed on the Sixth order on the calendar.

Page 1, line 8, overstrike "A misdemeanor" and insert immediately thereafter "C felony"

Page 1, line 12, replace "B" with "A"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2219: Judiciary Committee (Sen. Nething, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2219 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2227: Education Committee (Sen. Freborg, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2227 was rereferred to the **Appropriations Committee**.

REPORT OF STANDING COMMITTEE

SB 2233: Judiciary Committee (Sen. Nething, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2233 was placed on the Sixth order on the calendar.

Page 1, line 22, after the second underscored comma insert "or" and remove ", or power of attorney to foreclose"

Page 1, line 23, after the second underscored comma insert "or"

Page 1, line 24, remove ", or authorize the foreclosure of"

Page 2, line 3, after the second underscored comma insert "or" and remove ", or power of"

Page 2, line 4, remove "attorney to foreclose the mortgage"

Page 2, line 6, after the second underscored comma insert "or" and remove ", or power of attorney to foreclose"

Page 2, line 8, remove "and registrar of titles"

Page 2, line 9, after the first underscored comma insert "or" and remove ", or power of attorney to foreclose"

Page 2, line 10, after the first underscored comma insert "or" and remove ", or foreclose"

Page 2, line 11, remove the first underscored comma, after the third underscored comma insert "or", and remove ", or power"

Page 2, line 12, remove "of attorney to foreclose"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2234: Judiciary Committee (Sen. Nething, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2234 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2236: Judiciary Committee (Sen. Nething, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2236 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2240: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2240 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2282: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2282 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2290: Education Committee (Sen. Freborg, Chairman) recommends **DO NOT PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2290 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2322: Judiciary Committee (Sen. Nething, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2322 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2328: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2328 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2334: Human Services Committee (Sen. J. Lee, Chairman) recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2334 was placed on the Eleventh order on the calendar.

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

Fran A. Gronberg, Secretary

