

## JOURNAL OF THE SENATE

## Sixty-first Legislative Assembly

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Bismarck, February 27, 2009

The Senate convened at 12:30 p.m., with President Dalrymple presiding.

The prayer was offered by Chaplain Colleen Ressler, St. Vincent's Care Center, Bismarck.

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

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 Thirty-third and Thirty-fourth Days and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 561, line 48, after "SB 2014," insert "SB 2015,"

Page 561, line 54, remove "SB 2015,"

Page 572, line 13, replace "**Human Services**" with "**Industry, Business and Labor**"

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

## CONSIDERATION OF AMENDMENTS

**HB 1155: SEN. NODLAND (Industry, Business and Labor Committee) MOVED** that the amendments on SJ page 596 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

## CONSIDERATION OF AMENDMENTS

**HB 1158, as engrossed: SEN. OLAFSON (Judiciary Committee) MOVED** that the amendments on SJ pages 596-597 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

## SECOND READING OF SENATE CONCURRENT RESOLUTION

**SCR 4025:** A concurrent resolution directing the Legislative Council to study the feasibility and desirability of transferring the facilities and property of the State Hospital from the Department of Human Services to the Department of Corrections and Rehabilitation and the Department of Human Services contracting with community hospitals for treatment services.

## REQUEST

**SEN. MATHERN REQUESTED** a verification vote on the final adoption of SCR 4025, which request was granted.

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

SCR 4025 was declared lost on a verification vote.

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## SECOND READING OF SENATE CONCURRENT RESOLUTION

**SCR 4026:** A concurrent resolution commemorating the 100th anniversary of the Boy Scouts of America.

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

SCR 4026 was declared adopted on a voice vote.

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**SECOND READING OF SENATE CONCURRENT RESOLUTION**

**SCR 4017:** A concurrent resolution directing the Legislative Council to study space and facility needs of state agencies to determine if efficiencies can be realized by constructing additional state-owned facilities.

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

SCR 4017 was declared lost on a voice vote.

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**SECOND READING OF HOUSE BILL**

**HB 1031:** A BILL for an Act to amend and reenact section 54-06-31 of the North Dakota Century Code, relating to state recruitment and retention bonus programs.

**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; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Miller; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Schneider; Seymour; Stenehjem; Taylor; Triplett; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Marcellais

HB 1031 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1089:** A BILL for an Act to create and enact a new subsection to section 27-21-02 and two new subsections to section 27-21-12 of the North Dakota Century Code, relating to the powers and duties and files and records of the division of juvenile services; to amend and reenact sections 12-46-04, 12-46-09, 12-46-10, 12-46-10.1, 12-46-18, and 12-46-19 of the North Dakota Century Code, relating to the North Dakota youth correctional center; and to repeal sections 12-46-03, 12-46-05, 12-46-06, 12-46-11, 12-46-20, and 12-46-22 of the North Dakota Century Code, relating to the North Dakota youth correctional center.

**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; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Miller; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Schneider; Seymour; Stenehjem; Taylor; Triplett; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Marcellais

Engrossed HB 1089 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1095:** A BILL for an Act to amend and reenact sections 50-11.3-02, 50-12-02, 50-12-03, and 50-12-03.1 and subsection 1 of section 50-12-03.2 of the North Dakota Century Code, relating to criminal history record investigations for foster care licensure or licensure as a child-placing agency.

**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; Fiebigier; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Miller; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Schneider; Seymour; Stenehjem; Taylor; Triplett; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Marcellais

HB 1095 passed and the title was agreed to.

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#### **SECOND READING OF HOUSE BILL**

**HB 1096:** A BILL for an Act to amend and reenact section 6-03-13.1 of the North Dakota Century Code, relating to separate banking facilities.

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

**YEAS:** Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Dotzenrod; Erbele; Fiebigier; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; 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; Marcellais

HB 1096 passed and the title was agreed to.

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#### **REQUEST**

**SEN. FISCHER REQUESTED** that the record show that he intended to vote "YEA" on HB 1096, which request was granted.

#### **SECOND READING OF HOUSE BILL**

**HB 1102:** A BILL for an Act to amend and reenact section 43-30-11 of the North Dakota Century Code, relating to the renewal period for private investigative or security licenses.

#### **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; Fiebigier; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Miller; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Robinson; Schneider; Seymour; Stenehjem; Taylor; Triplett; Wanzek; Wardner; Warner

**NAYS:** Potter

**ABSENT AND NOT VOTING:** Marcellais

HB 1102 passed and the title was agreed to.

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#### **SECOND READING OF HOUSE BILL**

**HB 1103:** A BILL for an Act to amend and reenact subsection 8 of section 43-30-16 of the North Dakota Century Code, relating to the initial and renewal registration fees for private investigative services and private security services.

**ROLL CALL**

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

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

**NAYS:** Christmann; Miller; O'Connell; Potter; Stenehjem

**ABSENT AND NOT VOTING:** Marcellais

HB 1103 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1104:** A BILL for an Act to amend and reenact subsection 1 of section 32-12.2-11 of the North Dakota Century Code, relating to exempt records.

**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; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Miller; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Schneider; Seymour; Stenehjem; Taylor; Triplett; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Marcellais

HB 1104 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1105:** A BILL for an Act to amend and reenact subsections 3 and 5 of section 19-03.1-07, subsection 7 of section 19-03.1-09, and subsection 4 of section 19-03.1-11 of the North Dakota Century Code, relating to controlled substances.

**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; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Miller; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Schneider; Seymour; Stenehjem; Taylor; Triplett; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Marcellais

HB 1105 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1107:** A BILL for an Act to create and enact section 11-09.1-14 of the North Dakota Century Code, relating to expenses for indigent defense services in home rule counties; and to amend and reenact subsection 4 of section 12.1-32-08, section 27-20-49, and subsections 1, 2, and 3 of section 29-07-01.1 of the North Dakota Century Code, relating to the payment of and reimbursement for indigent defense attorney's fees and expenses.

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

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

**ABSENT AND NOT VOTING:** Marcellais; Triplett

HB 1107 passed and the title was agreed to.

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**REQUEST**

**SEN. TRIPLETT REQUESTED** that the record show that she intended to vote "YEA" on HB 1107, which request was granted.

**SECOND READING OF HOUSE BILL**

**HB 1108:** A BILL for an Act to amend and reenact section 27-20-26 of the North Dakota Century Code, relating to the right to counsel under the Juvenile Court Act.

**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; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Miller; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Schneider; Seymour; Stenehjem; Taylor; Triplett; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Marcellais

HB 1108 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1138:** A BILL for an Act to amend and reenact sections 37-07.1-02 and 37-07.2-01 of the North Dakota Century Code, relating to tuition waivers and grants for national guard members; and to repeal section 37-07.1-06.1 of the North Dakota Century Code, relating to the national guard tuition fund.

**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; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Miller; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Schneider; Seymour; Stenehjem; Taylor; Triplett; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Marcellais

HB 1138 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1143:** A BILL for an Act to amend and reenact subsection 1 of section 6-06-08 of the North Dakota Century Code, relating to reports of examination and late fees of state-chartered credit unions set by the state credit union 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 33 YEAS, 13 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bowman; Christmann; Cook; Dever; Dotzenrod; Erbele; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Horne; Kilzer; Klein; Krebsbach; Lee, G.; Lee, J.; Lyson; Miller; Nething; Nodland; Oehlke; Olafson; Robinson; Schneider; Seymour; Stenehjem; Taylor; Wanzek; Wardner

**NAYS:** Anderson; Bakke; Behm; Fiebig; Krauter; Lindaas; Mathern; Nelson; O'Connell; Pomeroy; Potter; Triplett; Warner

**ABSENT AND NOT VOTING:** Marcellais

HB 1143 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1144:** A BILL for an Act to amend and reenact section 50-06-15 of the North Dakota Century Code, relating to confidentiality of information contained in records.

**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; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Miller; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Schneider; Seymour; Stenehjem; Taylor; Triplett; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Marcellais

HB 1144 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1146:** A BILL for an Act to amend and reenact subsection 1 of section 54-61-01 and section 54-61-04 of the North Dakota Century Code, relating to the commission on legal counsel for indigents.

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

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

**ABSENT AND NOT VOTING:** Krauter; Marcellais

HB 1146 passed and the title was agreed to.

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**REQUEST**

**SEN. KRAUTER REQUESTED** that the record show that he intended to vote "YEA" on HB 1146, which request was granted.

**MOTION**

**SEN. CHRISTMANN MOVED** that HB 1088 be returned to the Senate floor from the **Judiciary Committee** and be rereferred to the **Finance and Taxation Committee**, which motion prevailed.

**MOTION**

**SEN. CHRISTMANN MOVED** that HB 1017, HB 1019, and HB 1020 be returned to the Senate floor from the **Natural Resources Committee** and be rereferred to the **Appropriations Committee**, which motion prevailed.

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

**MR. PRESIDENT:** The House has passed unchanged: SB 2094.

**DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following bill was delivered to the Governor for approval on February 27, 2009: SB 2025.

**COMMUNICATION FROM GOVERNOR JOHN HOEVEN**

This is to inform you that on February 27, 2009, I have signed the following: SB 2025.

**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, and Thirteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 1:00 p.m., Monday, March 2, 2009, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

**SCR 4015: Natural Resources Committee (Sen. Lyson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4015 was placed on the Sixth order on the calendar.

Page 1, line 1, after "resolution" replace the remainder of the resolution with "directing the Industrial Commission to conduct a study of the economic impacts of proposed federal, regional, and state carbon cap and trade systems, including the Minnesota Next Generation Energy Act of 2007.

**WHEREAS**, North Dakota has over an 800-year supply of secure and economically recoverable lignite; and

**WHEREAS**, North Dakota receives over \$100 million of annual tax revenue from the lignite industry; and

**WHEREAS**, North Dakota lignite is used to generate electricity for more than two million people in the Northern Great Plains Region and to produce synthetic natural gas from coal that heats 400,000 homes and businesses in Eastern states; and

**WHEREAS**, agriculture is a major industry in North Dakota and is dependent on carbon-based fuels; and

**WHEREAS**, North Dakota's citizens are dependent on fossil fuel-based electricity generation; and

**WHEREAS**, federal, regional, and state initiated cap and trade systems will have a disproportional negative effect on the North Dakota economy; and

**WHEREAS**, Minnesota attempts to regulate greenhouse gas emissions from North Dakota power plants by including emissions from the generation of electricity imported from outside Minnesota and consumed in Minnesota within the definitions of the Minnesota Next Generation Energy Act of 2007; and

**WHEREAS**, should the state of Minnesota not adopt a plan to implement the greenhouse gas emission reduction requirements of the Minnesota Next Generation Energy Act of 2007 by August 1, 2009, the result will be a prohibition against importing fossil fuel-based electricity from new facilities located in North Dakota and entering new long-term power purchase agreements with fossil fuel-based power plants located in North Dakota;

**NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:**

That the Industrial Commission conduct a study of the economic impacts of proposed federal, regional, and state carbon cap and trade systems, including the Minnesota Next Generation Energy Act of 2007; and

**BE IT FURTHER RESOLVED**, that the Industrial Commission report the findings and recommendations of the study to the Legislative Council by September 1, 2010."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1026: Agriculture Committee (Sen. Flakoll, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1026 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1100, as engrossed: 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). Engrossed HB 1100 was placed on the Sixth order on the calendar.

Page 1, line 1, after "to" insert "create and enact a new subdivision to subsection 17 of section 10-04-06 of the North Dakota Century Code, relating to the sale of securities; and to"

Page 2, after line 30, insert:

**"SECTION 3.** A new subdivision to subsection 17 of section 10-04-06 of the North Dakota Century Code is created and enacted as follows:

The security offered or sold under this subsection is offered or sold by a broker-dealer and agent registered in accordance with section 10-04-10, or offered and sold through an officer, director, governor, or partner of the issuer and no commission or other remuneration is paid."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1113: Government and Veterans Affairs Committee (Sen. Dever, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (4 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1113 was placed on the Sixth order on the calendar.

Page 1, line 10, remove "basic"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1114: Industry, Business and Labor Committee (Sen. Klein, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1114 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1124: Natural Resources Committee (Sen. Lyson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1124 was placed on the Sixth order on the calendar.

Page 2, line 19, replace "my" with "may"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1133: Transportation Committee (Sen. G. Lee, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1133 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1134, as engrossed: Transportation Committee (Sen. G. Lee, Chairman)** recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1134 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1148: Judiciary Committee (Sen. Nething, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1148 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1152, as engrossed: Industry, Business and Labor Committee (Sen. Klein, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1152 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1154, as engrossed: Industry, Business and Labor Committee (Sen. Klein, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1154 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1156: Judiciary Committee (Sen. Nething, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1156 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1157: Human Services Committee (Sen. J. Lee, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1157 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1165: Political Subdivisions Committee (Sen. Andrist, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1165 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1167: Natural Resources Committee (Sen. Lyson, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1167 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1173: Industry, Business and Labor Committee (Sen. Klein, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1173 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1178: Political Subdivisions Committee (Sen. Andrist, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1178 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1182: Transportation Committee (Sen. G. Lee, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1182 was placed on the Sixth order on the calendar.

Page 1, line 7, after "and" insert ", in the discretion of the law enforcement officer who issued the citation for the offense, that officer records on the citation that"

Page 1, line 9, after the underscored period insert "An individual does not qualify for a point reduction if the offense for which points are assigned resulted in or is related to an accident or is related to the consumption or possession of an alcoholic beverage. In addition, an individual does not qualify for a point reduction more than once a year."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1214: Political Subdivisions Committee (Sen. Andrist, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1214 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1233: Transportation Committee (Sen. G. Lee, Chairman)** recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1233 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1264: Government and Veterans Affairs Committee (Sen. Dever, Chairman)** recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1264 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1298, as engrossed: 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). Engrossed HB 1298 was placed on the Sixth order on the calendar.

Page 1, line 5, after "reenact" insert "subsection 2 of section 10-01.1-03,", after the second comma insert "subsection 5 of section 10-15-38,", after "sections" insert "10-15-52.3,", and after "10-19.1-01" insert a comma

Page 1, line 6, remove "and" and after the first comma insert "and 10-19.1-23,"

Page 1, line 8, after the third comma insert "subsection 3 of section 10-19.1-104.4,"

Page 1, line 9, replace the first comma with "and", replace "and" with "subsection 2 of section 10-19.1-137, section", and after the third comma insert "subsection 26 of section 10-19.1-147,"

Page 1, line 10, replace the second "section" with "sections" and replace the fifth comma with "and 10-32-20,"

Page 1, line 13, after the second comma insert "subsection 3 of section 10-32-108.4,"

Page 1, line 14, after the first comma insert "subsection 3 of section 10-32-140," and after the second comma insert "section 10-32-150,"

Page 1, line 15, replace the first "section" with "sections" and replace the second comma with "and 10-33-18,"

Page 1, line 16, after the third comma insert "section 10-33-130,"

Page 1, line 17, after the first comma insert "subsection 2 of section 10-33-140,"

Page 1, line 18, after the second comma insert "subsection 8 of section 45-10.2-24,"

Page 1, line 19, after the first comma insert "subsection 2 of section 45-10.2-81, subsection 3 of section 45-10.2-97, subsection 26 of section 45-10.2-109,"

Page 1, line 20, after the second comma insert "subsection 2 of section 45-22-22,"

Page 1, line 21, remove the first "and" and after "45-23-01" insert ", and subsection 26 of section 45-23-08"

Page 2, after line 1, insert:

**"SECTION 1. AMENDMENT.** Subsection 2 of section 10-01.1-03 of the North Dakota Century Code is amended and reenacted as follows:

2. The secretary of state shall collect the following fees for copying and certifying a copy of any document filed under this chapter:
  - a. ~~One dollar for every four pages, or fraction thereof, The fee provided in section 54-09-04~~ for copying a record;
  - b. Fifteen dollars for furnishing a certificate; and
  - c. Five dollars for a search of records when supplying copies, certification, or written verification of facts."

Page 3, after line 16, insert:

**"SECTION 4. AMENDMENT.** Subsection 5 of section 10-15-38 of the North Dakota Century Code is amended and reenacted as follows:

5. A cooperative that amends its name and is the owner of a service mark, trademark, or trade name, is a general partner named in a fictitious name certificate, or is a general partner in a limited partnership which is on file with the secretary of state, must change or amend its name in each registration when it files an amendment.

**SECTION 5. AMENDMENT.** Section 10-15-52.3 of the North Dakota Century Code is amended and reenacted as follows:

**10-15-52.3. Amended certificate of authority.** A foreign cooperative authorized to transact business in this state must procure an amended certificate of authority if it changes its cooperative name or desires to pursue in this state purposes other than those set forth in its prior application for a certificate of authority by making application to the secretary of state.

The requirements in respect to the application and the issuance of an amended certificate of authority and the effect thereof are the same as an original application for a certificate of authority.

In addition, an application must be accompanied by a certificate of fact of amendment duly authenticated by the proper officer of the state or country where the cooperative is incorporated.

A foreign cooperative which amends its name and applies for an amended certificate of authority, and is the owner of a service mark, trademark, or trade name, is a general partner named in a fictitious name certificate, or is a general partner in a limited partnership which is on file with the secretary of state, must change or amend its name in each registration when it files an application for an amended certificate of authority."

Page 20, after line 26, insert:

**"SECTION 8. AMENDMENT.** Section 10-19.1-23 of the North Dakota Century Code is amended and reenacted as follows:

**10-19.1-23. Filing articles of amendment.** An original of the articles of amendment must be filed with the secretary of state. If the secretary of state finds that the articles of amendment conform to law and all fees have been paid as provided under section 10-19.1-147, the articles of amendment must be recorded in the office of the secretary of state. A corporation that amends the corporate name and is the owner of a service mark, trademark, or trade name, is a general partner named in a fictitious name certificate, or is a general partner in a limited partnership or a limited liability limited partnership, or is a managing partner of a limited liability partnership that is on file with the secretary of state must change or amend the corporation's name in each registration when the corporation files an amendment."

Page 28, after line 15, insert:

**"SECTION 17. AMENDMENT.** Subsection 3 of section 10-19.1-104.4 of the North Dakota Century Code is amended and reenacted as follows:

3. A converting organization that is the owner of a service mark, trademark, or trade name, is a general partner named in a fictitious name certificate, is a general partner in a limited partnership or a limited liability limited partnership, or is a managing partner in a limited liability partnership that is on file with the secretary of state must change or amend the name of the converting organization to the name of the converted organization in each registration when filing the articles of conversion."

Page 29, after line 16, insert:

**"SECTION 21. AMENDMENT.** Subsection 2 of section 10-19.1-137 of the North Dakota Century Code is amended and reenacted as follows:

2. A foreign corporation that changes the foreign corporation's name and applies for an amended certificate of authority, and is the owner of a service mark, trademark, or trade name, is a general partner named in a fictitious name certificate, is a general partner in a limited partnership or limited liability limited partnership, or is a managing partner in a limited liability partnership that is on file with the secretary of state, shall change

the foreign corporation's name in each of the foregoing registrations that is applicable when the foreign corporation files an application for an amended certificate of authority."

Page 32, after line 25, insert:

**"SECTION 23. AMENDMENT.** Subsection 26 of section 10-19.1-147 of the North Dakota Century Code is amended and reenacted as follows:

26. Furnishing a certified copy of any record, instrument, or paper relating to a corporation, ~~one dollar for every four pages or fraction~~ the fee provided in section 54-09-04 for copying a record and fifteen dollars for the certificate and affixing the seal thereto."

Page 47, after line 10, insert:

**"SECTION 30. AMENDMENT.** Section 10-32-20 of the North Dakota Century Code is amended and reenacted as follows:

**10-32-20. Filing of articles of amendment.** An original of the articles of amendment must be filed with the secretary of state. If the secretary of state finds that the articles of amendment conform to law, and that all fees have been paid as provided in section 10-32-150, then the articles of amendment must be recorded in the office of the secretary of state. A limited liability company that amends its name and which is the owner of a service mark, trademark, or trade name, is a general partner named in a fictitious name certificate, is a general partner in a limited partnership or a limited liability limited partnership, or is a managing partner of a limited liability partnership that is on file with the secretary of state must change or amend the limited liability company's name in each registration when the limited liability company files an amendment."

Page 53, after line 30, insert:

**"SECTION 38. AMENDMENT.** Subsection 3 of section 10-32-108.4 of the North Dakota Century Code is amended and reenacted as follows:

3. A converting organization that is the owner of a service mark, trademark, or trade name, is a general partner named in a fictitious name certificate, is a general partner in a limited partnership or a limited liability limited partnership, or is a managing partner of a limited liability partnership that is on file with the secretary of state must change or amend the name of the converting organization to the name of the converted organization in each registration when filing the articles of conversion."

Page 56, after line 28, insert:

**"SECTION 43. AMENDMENT.** Subsection 3 of section 10-32-140 of the North Dakota Century Code is amended and reenacted as follows:

3. A foreign limited liability company that changes the foreign limited liability company's name and applies for an amended certificate of authority and that is the owner of a service mark, trademark, or trade name, a general partner named in a fictitious name certificate, a general partner in a limited partnership or a limited liability limited partnership, or a managing partner in a limited liability partnership that is on file with the secretary of state shall change the foreign limited liability company's name in each of the foregoing registrations which is applicable when the foreign limited liability company files an application for an amended certificate of authority."

Page 57, after line 24, insert:

**"SECTION 45. AMENDMENT.** Section 10-32-150 of the North Dakota Century Code is amended and reenacted as follows:

**10-32-150. Secretary of state - Fees and charges.** The secretary of state shall charge and collect for:

1. Filing articles of organization and issuing a certificate of organization, one hundred thirty-five dollars.
2. Filing articles of amendment, fifty dollars.

3. Filing articles of correction, fifty dollars.
4. Filing restated articles of organization, one hundred twenty-five dollars.
5. Filing articles of conversion of a limited liability company, fifty dollars and:
  - a. If the organization resulting from the conversion will be a domestic organization governed by the laws of this state, then the fees provided by the governing laws to establish or register a new organization like the organization resulting from the conversion; or
  - b. If the organization resulting from the conversion will be a foreign organization that will transact business in this state, then the fees provided by the governing laws to obtain a certificate of authority or register an organization like the organization resulting from the conversion.
6. Filing abandonment of conversion, fifty dollars.
7. Filing articles of merger and issuing a certificate of merger, fifty dollars.
8. Filing abandonment of merger or exchange, fifty dollars.
9. Filing an application to reserve a name, ten dollars.
10. Filing a notice of transfer of a reserved name, ten dollars.
11. Filing a cancellation of reserved name, ten dollars.
12. Filing a consent to use of name, ten dollars.
13. Filing a statement of change of address of registered office or change of registered agent or both, or a statement of change of address of registered office by registered agent, the fee provided in section 10-01.1-03.
14. Filing a resolution for the establishment of a class or series of membership interests, fifty dollars.
15. Filing a notice of dissolution, ten dollars.
16. Filing a statement of revocation of voluntary dissolution proceedings, ten dollars.
17. Filing articles of dissolution and termination, twenty dollars.
18. Filing an application of a foreign limited liability company for a certificate of authority to transact business in this state and issuing a certificate of authority, one hundred thirty-five dollars.
19. Filing an amendment to the certificate of authority by a foreign limited liability company, fifty dollars.
20. Filing a certificate of fact stating a merger of a foreign limited liability company holding a certificate of authority to transact business in this state, fifty dollars.
21. Filing a certified statement of conversion of a foreign limited liability company, fifty dollars.
22. Filing an application for withdrawal of a foreign limited liability company and issuing a certificate of withdrawal, twenty dollars.
23. Filing an annual report of a limited liability company or foreign limited liability company, fifty dollars.
  - a. The secretary of state shall charge and collect additional fees for late filing of the annual report as follows:

- (1) After the date provided in subsection 3 of section 10-32-149, fifty dollars; and
  - (2) After the termination of the limited liability company, or the revocation of the certificate of authority of a foreign limited liability company, the reinstatement fee of one hundred twenty-five dollars.
- b. Fees paid to the secretary of state according to this subsection are not refundable if an annual report submitted to the secretary of state cannot be filed because it lacks information required by section 10-32-149, or the annual report lacks sufficient payment as required by this subsection.
24. Filing any process, notice, or demand for service, the fee provided in section 10-01.1-03.
25. Submitting any record for approval before the actual time of submission for filing, one-half of the fee provided in this section for filing the record.
26. Filing any other statement or report of a limited liability company or foreign limited liability company, ten dollars.
27. Furnishing a copy of any record, or paper relating to a limited liability company or a foreign limited liability company:
- a. ~~One dollar for every four pages, or fraction thereof~~ The fee provided in section 54-09-04 for copying a record; and
  - b. Five dollars for a search of records.
28. Furnishing a certificate of good standing, existence, or authorization:
- a. Fifteen dollars; and
  - b. Five dollars for a search of records.
29. ~~Each page of any record or form sent by electronic transmission, one dollar."~~

Page 65, after line 14, insert:

**"SECTION 48. AMENDMENT.** Section 10-33-18 of the North Dakota Century Code is amended and reenacted as follows:

**10-33-18. Filing articles of amendment.** An original of the articles of amendment must be filed with the secretary of state. If the secretary of state finds that the articles of amendment conform to the filing requirements of this chapter and that all fees have been paid as provided in section 10-33-140, then the articles of amendment must be recorded in the office of the secretary of state. A corporation that amends the corporate name and which is the owner of a service mark, trademark, or trade name, is a general partner named in a fictitious name certificate, is a general partner in a limited partnership or a limited liability limited partnership, or is a managing partner of a limited liability partnership that is on file with the secretary of state must change or amend the corporation's name in each registration when the corporation files an amendment."

Page 68, after line 3, insert:

**"SECTION 54. AMENDMENT.** Section 10-33-130 of the North Dakota Century Code is amended and reenacted as follows:

**10-33-130. Foreign corporation - Amendments to the certificate of authority.** If any statement in the application for a certificate of authority by a foreign corporation is false when made or any arrangements or other facts described change, making the application inaccurate in any respect, the foreign corporation shall promptly file with the secretary of state an application for an amended certificate of authority executed by an authorized person correcting the statement and, in the case of a change in the foreign corporation's name, a certificate to that effect authenticated by the proper officer of the jurisdiction under the laws of which the foreign corporation is incorporated. In the case of a dissolution or merger, a foreign corporation that is not the surviving

organization need not file an application for an amended certificate of authority but shall promptly file with the secretary of state a certificate to that effect authenticated by the proper officer of the jurisdiction under the laws of which the foreign corporation is incorporated. A foreign nonprofit corporation that changes the foreign nonprofit corporation's name and applies for an amended certificate of authority and that is the owner of a service mark, trademark, or trade name, a general partner named in a fictitious name certificate, a general partner in a limited partnership or a limited liability limited partnership, or a managing partner in a limited liability partnership that is on file with the secretary of state shall change the foreign nonprofit corporation's name in each of the foregoing registrations that apply if the foreign nonprofit corporation files an application for an amended certificate of authority."

Page 68, after line 28, insert:

**"SECTION 56. AMENDMENT.** Subsection 2 of section 10-33-140 of the North Dakota Century Code is amended and reenacted as follows:

2. The secretary of state shall charge and collect:
  - a. For furnishing a certified copy of any record, instrument, or paper relating to a corporation, ~~one dollar for every four pages or fraction thereof~~ the fee provided in section 54-09-04 for copying a record and fifteen dollars for the certificate and affixing the seal to the certificate.
  - b. At the time of any service of process on the secretary of state as resident agent of a corporation, twenty-five dollars, which may be recovered as taxable costs by the party to the claim for relief causing the service to be made if that party prevails in the suit or action."

Page 75, line 2, replace "one dollar for every four pages or fraction" with "the fee provided in section 54-09-04 for copying a record"

Page 75, line 3, remove "thereof"

Page 83, after line 30, insert:

**"SECTION 62. AMENDMENT.** Subsection 8 of section 45-10.2-24 of the North Dakota Century Code is amended and reenacted as follows:

8. A limited partnership that files an amendment to change its name and which is the owner of a service mark, trademark, or trade name, is a general partner named in a fictitious name certificate, is a general partner in another limited partnership or limited liability limited partnership, or is a managing partner in a limited liability partnership that is on file with the secretary of state shall change the name of the limited partnership in each of the foregoing registrations that is applicable when the limited partnership files an amendment to the certificate of limited partnership."

Page 85, after line 20, insert:

**"SECTION 65. AMENDMENT.** Subsection 2 of section 45-10.2-81 of the North Dakota Century Code is amended and reenacted as follows:

2. A foreign limited partnership that changes its name and applies for an amended certificate of authority and which is the owner of a service mark, trademark, or trade name, is a general partner named in a fictitious name certificate, is a general partner in another limited partnership or limited liability limited partnership, or is a managing partner in a limited liability partnership that is on file with the secretary of state, shall change the name of the foreign limited partnership in each of the foregoing registrations that is applicable when the foreign limited partnership files an application for an amended certificate of authority.

**SECTION 66. AMENDMENT.** Subsection 3 of section 45-10.2-97 of the North Dakota Century Code is amended and reenacted as follows:

3. A converting organization that is the owner of a service mark, trademark, or trade name, is a general partner named in a fictitious name certificate, or is a general partner in a limited partnership that is on file with the secretary of state must change or amend the name of the converting organization to the

name of the converted organization in each registration when filing the articles of conversion.

**SECTION 67. AMENDMENT.** Subsection 26 of section 45-10.2-109 of the North Dakota Century Code is amended and reenacted as follows:

26. Furnishing a certified copy of any record, or paper relating to a limited partnership or foreign limited partnership:
  - a. ~~One dollar for every four pages or fraction~~ The fee provided in section 54-09-04 for copying a record;
  - b. Fifteen dollars for the certificate and affixing the seal thereto; and
  - c. Five dollars for a search of records."

Page 93, after line 31, insert:

**"SECTION 73. AMENDMENT.** Subsection 2 of section 45-22-22 of the North Dakota Century Code is amended and reenacted as follows:

2. The secretary of state shall charge and collect for:
  - a. Furnishing a copy of any record or paper relating to a domestic limited liability partnership or foreign limited liability partnership, ~~one dollar for every four pages, or fraction of pages~~ the fee provided in section 54-09-04 for copying a record.
  - b. A certificate certifying a copy or reciting facts related to a domestic limited liability partnership or foreign limited liability partnership, fifteen dollars.
  - c. ~~Each page of any record or form sent by electronic transmission, one dollar."~~

Page 97, after line 17, insert:

**"SECTION 76. AMENDMENT.** Subsection 26 of section 45-23-08 of the North Dakota Century Code is amended and reenacted as follows:

26. Furnishing a certified copy of any record or paper relating to a limited partnership or foreign limited partnership:
  - a. ~~One dollar for every four pages or fraction~~ The fee provided in section 54-09-04 for copying a record;
  - b. Fifteen dollars for the certificate and affixing the seal thereto; and
  - c. Five dollars for a search of records."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1309, as engrossed: Education Committee (Sen. Freborg, Chairman)** recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1309 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1311: Judiciary Committee (Sen. Nething, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1311 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1334: Judiciary Committee (Sen. Nething, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1334 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1336, as engrossed: Judiciary Committee (Sen. Nething, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1336 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1343: Political Subdivisions Committee (Sen. Andrist, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1343 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1402, as engrossed: Agriculture Committee (Sen. Flakoll, Chairman)** recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1402 was rereferred to the **Appropriations Committee**.

**REPORT OF STANDING COMMITTEE**

**HB 1448: Finance and Taxation Committee (Sen. Cook, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1448 was placed on the Fourteenth order on the calendar.

**FIRST READING OF HOUSE BILLS**

**HB 1032:** A BILL for an Act to amend and reenact subsections 3 and 12 of section 49-22-03 of the North Dakota Century Code, relating to the energy conversion and transmission facility siting definitions.

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

**HB 1045:** A BILL for an Act to amend and reenact section 47-05-01, subsection 1 of section 47-05-02, and section 47-05-17 of the North Dakota Century Code, relating to severance of the right of access for hunting access from the surface estate.

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

**HB 1059:** A BILL for an Act to amend and reenact sections 54-36-01 and 54-36-03 of the North Dakota Century Code, relating to the members and the powers and duties of the Indian affairs commission.

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

**HB 1067:** A BILL for an Act to amend and reenact section 54-44.3-20 of the North Dakota Century Code, relating to exempting engineers and geologists employed by the director of mineral resources from classified service; and to declare an emergency.

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

**HB 1071:** A BILL for an Act to amend and reenact subsection 1 of section 38-08-08 and section 47-16-39.1 of the North Dakota Century Code, relating to the provisions of pooling orders and the failure to pay royalties to unleased mineral interest owners.

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

**HB 1139:** A BILL for an Act to amend and reenact section 15-05-07 of the North Dakota Century Code, relating to the board of university and school lands requesting the state geologist to determine the existence of coal.

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

**HB 1170:** A BILL for an Act to amend and reenact section 38-18.1-06 of the North Dakota Century Code, relating to termination of mineral interest notices.

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

**HB 1181:** A BILL for an Act to create and enact chapter 37-29 of the North Dakota Century Code, relating to job protections for volunteer emergency responders of the adjutant general's office; to amend and reenact section 54-06-27 of the North Dakota Century Code, relating to public service job protections for volunteer emergency responders; and to declare an emergency.

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

**HB 1188:** A BILL for an Act to create and enact a new section to chapter 20.1-01 of the North Dakota Century Code, relating to exploitation of wildlife; to amend and reenact section 20.1-01-26 of the North Dakota Century Code, relating to suspension of hunting, trapping, or fishing privileges; and to provide a penalty.

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

**HB 1217:** A BILL for an Act to amend and reenact section 20.1-01-22 of the North Dakota Century Code, relating to hunting on lands having unharvested oilseed crops; and to provide a penalty.

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

**HB 1239:** A BILL for an Act to amend and reenact section 20.1-01-17 of the North Dakota Century Code, relating to posting of lands to prohibit hunting; and to provide a penalty.

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

**HB 1253:** A BILL for an Act to amend and reenact section 47-16-39.1 of the North Dakota Century Code, relating to payment of oil and gas royalties.

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

**HB 1286:** A BILL for an Act to amend and reenact section 61-04-04.1 of the North Dakota Century Code, relating to water permit application fees.

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

**HB 1305:** A BILL for an Act to provide an appropriation to the state water commission for water project grants; and to declare an emergency.

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

**HB 1322:** A BILL for an Act to create and enact a new chapter to title 17 of the North Dakota Century Code, relating to an energy policy commission; to provide for a water resources study; and to provide for a legislative council study.

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

**HB 1344:** A BILL for an Act to amend and reenact sections 21-04-09 and 21-06-07 of the North Dakota Century Code, relating to public deposits.

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

**HB 1350:** A BILL for an Act to provide an appropriation to the department of commerce for a grant for construction of a great plains applied energy research center; and to provide for a report to the budget section.

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

**HB 1351:** A BILL for an Act to amend and reenact section 62.1-02-05 of the North Dakota Century Code, relating to the carrying of a firearm at a public gathering.

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

**HB 1353:** A BILL for an Act to create and enact a new section to chapter 24-01 of the North Dakota Century Code, relating to relocation of a utility facility; and to amend and reenact sections 24-01-41, 49-21-01.3, and 49-21-04 of the North Dakota Century Code, relating to facility relocation cost recovery.

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

**HB 1368:** A BILL for an Act to create and enact chapter 18-13 of the North Dakota Century Code, relating to reduced ignition propensity standards for cigarettes; to provide a penalty; to provide an appropriation; 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 1370:** A BILL for an Act to amend and reenact sections 38-18.1-03, 38-18.1-04, 38-18.1-05, and 38-18.1-06 of the North Dakota Century Code, relating to termination of mineral interests; and to provide a penalty.

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

**HB 1383:** A BILL for an Act to amend and reenact subsection 6 of section 54-17.7-02 and subsection 3 of section 54-17.7-04 of the North Dakota Century Code, relating to authorization for the North Dakota pipeline authority to participate in and provide for funding of pipeline interconnection facilities.

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

**HB 1430:** A BILL for an Act to create and enact chapter 32-46 of the North Dakota Century Code, relating to successor corporation asbestos-related liabilities.

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

**HB 1449:** A BILL for an Act to amend and reenact section 49-02-27 of the North Dakota Century Code, relating to the decommissioning of wind energy conversion facilities.

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

**HB 1461:** A BILL for an Act to amend and reenact subdivision c of subsection 2 of section 16.1-07-15 of the North Dakota Century Code, relating to restrictions applicable to early voting precincts; and to provide a penalty.

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

**HB 1503:** A BILL for an Act to create and enact a state disaster relief fund; to provide for an appropriation; and to provide a transfer.

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

**HB 1509:** A BILL for an Act to create and enact a new section to chapter 17-04 of the North Dakota Century Code, relating to requirements for wind easement and wind energy leases.

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

**HB 1567:** A BILL for an Act to amend and reenact subsection 4 of section 20.1-03-36.1 of the North Dakota Century Code, relating to licensing of outfitters; to provide an expiration date; and to declare an emergency.

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

#### **FIRST READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 3030:** A concurrent resolution urging Congress to use common sense principles for Congressional action on climate change legislation.

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

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

**Fran A. Gronberg, Secretary**

