

JOURNAL OF THE SENATE

Sixty-second Legislative Assembly

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Bismarck, January 6, 2011

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

The prayer was offered by Minister Walter Clark, Bismarck Church of Christ, Bismarck.

The roll was called and all members were present except Senators Kilzer and J. Lee.

A quorum was declared by the President.

REQUEST

SEN. J. LEE REQUESTED to be counted as present, which request was granted.

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: HCR 3006.

MOTION

SEN. CHRISTMANN MOVED that the Senate be on the Ninth order of business and at the conclusion of that order, the Senate stand in recess until 1:15 p.m., at which time it will meet in the House Chamber for a Joint Session, and after the Joint Session the Senate stand adjourned until 12:30 p.m., Friday, January 7, 2011, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2029: Human Services Committee (Sen. J. Lee, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2029 was rereferred to the **Appropriations Committee**.

FIRST READING OF SENATE BILLS

Sens. Lyson, Grindberg and Reps. Kasper, Kempenich, Ruby introduced:

SB 2139: A BILL for an Act to amend and reenact section 11-15-14 of the North Dakota Century Code, relating to sheriff's fees.

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

Sens. Lyson, Nodland, Wardner and Reps. Sukut, Hatlestad, N. Johnson introduced:

SB 2140: A BILL for an Act to amend and reenact sections 57-62-03.1 and 57-62-06 of the of the North Dakota Century Code, relating to availability of oil and gas impact grant funds to park districts.

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

Sens. Lyson, Cook, Wardner and Reps. Kreidt, Ruby, Sukut introduced:

SB 2141: A BILL for an Act to create and enact a new section to chapter 12-44.1 of the North Dakota Century Code, relating to the granting of performance-based sentence reduction to offenders in a correctional facility; and to amend and reenact section 12-54.1-01 of the North Dakota Century Code, relating to performance-based sentence reduction.

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

Sens. J. Lee, Mathern, Berry and Reps. Delmore, Hawken, Weisz introduced:

SB 2142: A BILL for an Act to amend and reenact sections 15.1-02-16, 15.1-18-05, and 15.1-18-06, subsection 4 of section 15.1-32-01, subsection 4 of section 20.1-03-04, subsection 11 of section 25-03.1-02, subsections 3, 4, and 8 of section 25-03.3-01, section 25-03.3-07, subsection 2 of section 25-03.3-08, subsection 2 of section 25-03.3-09, sections 25-03.3-10, 25-03.3-11, and 25-03.3-12, subsection 1 of section 25-03.3-18, sections 25-03.3-19, 25-16.1-02, 25-18-01, and 25-18-15, subsection 4 of section 26.1-36-22, subsection 1 of section 27-20-34, subsection 2 of section 50-06-05.3, subsection 1 of section 50-24.1-07, subsection 9 of section

50-25.1-02, subsection 7 of section 57-38-01, and sections 57-63-01, 57-63-02, 57-63-03, and 57-63-13 of the North Dakota Century Code, relating to changing mental retardation to intellectual disability and mentally retarded to intellectually disabled; and to provide for reconciliation by the legislative council of these terms in statutory provisions.

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

Sens. J. Lee, Uglem, Warner and Reps. Delmore, Kreidt, Trottier introduced:

SB 2143: A BILL for an Act to amend and reenact section 39-06-07.2 of the North Dakota Century Code, relating to use of medical advice by the director of the department of transportation.

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

Sens. Grindberg, Wardner, O'Connell and Reps. Onstad, Rust, Wieland introduced:

SB 2144: A BILL for an Act to create and enact a new section to chapter 54-17 of the North Dakota Century Code, relating to authority of the industrial commission to provide matching grants for applied research at North Dakota higher education institutions to increase the recovery rate or percentage share of oil recovered from geologic formations in North Dakota; and to provide an appropriation.

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

Sens. J. Lee, Laffen, Uglem and Reps. Delmore, Devlin, Kreidt introduced:

SB 2145: A BILL for an Act to amend and reenact section 5-02-01 of the North Dakota Century Code, relating to alcoholic beverage license exception for nonprofit organizations.

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

Sens. J. Lee, Uglem, Heckaman and Reps. Devlin, Weisz, Trottier introduced:

SB 2146: A BILL for an Act to amend and reenact section 43-28.1-10 of the North Dakota Century Code, relating to the new dental practice grant program.

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

Sens. Erbele, Olafson and Reps. Hofstad, J. Nelson introduced:

SB 2147: A BILL for an Act to amend and reenact section 63-05-01 of the North Dakota Century Code, relating to cutting weeds and grass along county and township roads.

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

Sens. J. Lee, Bowman, Heckaman and Reps. Devlin, Kreidt, Vigasaa introduced:

SB 2148: A BILL for an Act to amend and reenact section 43-12.1-18 of the North Dakota Century Code, relating to prescriptive practice standards for advanced practice registered nurses.

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

Sens. Grindberg, J. Lee, Robinson and Reps. Gruchalla, Klemin, Louser introduced:

SB 2149: A BILL for an Act to create and enact chapter 47-33 of the North Dakota Century Code, relating to a prohibition on private transfer fee obligations.

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

Sens. J. Lee, Mathern, Uglem and Reps. Delmore, Weisz introduced:

SB 2151: A BILL for an Act to amend and reenact subsection 3 of section 19-03.5-03 of the North Dakota Century Code, relating to access to the prescription drug monitoring program.

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

Sens. J. Lee, O'Connell, Heckaman and Reps. Devlin, N. Johnson, S. Meyer introduced:

SB 2152: A BILL for an Act to provide an appropriation to the department of emergency services for a grant for administering 211 services.

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

Sens. J. Lee, Dever, Warner, Uglem and Reps. Weisz, Kilichowski introduced:

SB 2153: A BILL for an Act to create and enact a new section to chapter 25-17 of the North Dakota Century Code, relating to the state department of health's food program for individuals with metabolic diseases; and to amend and reenact sections 23-41-03, 25-17-03, and 26.1-36-09.7 of the North Dakota Century Code, relating to the food program for individuals with metabolic diseases.

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

Sens. J. Lee, Hogue, Warner and Reps. Hogan, Porter, Weisz introduced:

SB 2154: A BILL for an Act to amend and reenact section 43-17-03 of the North Dakota Century Code, relating to membership of the state board of medical examiners; and to provide for application.

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

Sen. J. Lee introduced:

SB 2155: A BILL for an Act to create and enact two new sections to chapter 43-32 of the North Dakota Century Code, relating to certification of applied behavior analysts; and to amend and reenact section 43-32-01 of the North Dakota Century Code, relating to definitions related to the state board of psychologist examiners.

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

Sens. G. Lee, Nodland, Mathern and Reps. R. Kelsch, Onstad, Vigesaa introduced:

SB 2156: A BILL for an Act to amend and reenact sections 24-02-26 and 24-02-27 of the North Dakota Century Code, relating to arbitration on construction claims.

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

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Sen. J. Lee and Rep. N. Johnson introduced:

SCR 4005: A concurrent resolution directing the Legislative Management to study the impact of the Patient Protection and Affordable Care Act on the Comprehensive Health Association of North Dakota and the statutes governing the Comprehensive Health Association of North Dakota.

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

Sens. Dever, Lyson, Mathern and Reps. L. Meier, Koppelman introduced:

SCR 4006: A concurrent resolution for the repeal of section 6 of article X of the Constitution of North Dakota, relating to elimination of the authority for the legislative assembly to levy an annual poll tax.

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

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

William R. Horton, Secretary

