

## JOURNAL OF THE SENATE

## Sixty-second Legislative Assembly

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Bismarck, February 2, 2011

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

The prayer was offered by Pastor Muriel Lippert, Good Shepherd and West Prairie Lutheran Churches, Williston.

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

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 Twentieth Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 229, after line 8, insert:

**"MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)**

**MR. SPEAKER:** The President has signed: SCR 4009."

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

## CONSIDERATION OF AMENDMENTS

**SB 2134: SEN. LARSEN (Agriculture Committee) MOVED** that the amendments on SJ pages 229-230 be adopted and then be **REREFERRED** to the **Appropriations Committee** with **DO PASS**.

## REQUEST

**SEN. ERBELE REQUESTED** a verification vote, which request was granted.

The question being on the motion to adopt the amendments to SB 2134, the motion prevailed on a verification vote.

## CONSIDERATION OF AMENDMENTS

**SB 2167: SEN. MARCELLAIS (Education Committee) MOVED** that the amendments on SJ pages 230-233 be adopted and then be **REREFERRED** to the **Appropriations Committee** with **DO PASS**, which motion prevailed on a voice vote.

## CONSIDERATION OF AMENDMENTS

**SB 2189: SEN. DOTZENROD (Finance and Taxation Committee) MOVED** that the amendments on SJ pages 233-234 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

## CONSIDERATION OF AMENDMENTS

**SB 2093: SEN. KLEIN (Industry, Business and Labor Committee) MOVED** that the amendments on SJ page 229 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

## MOTION

**SEN. CHRISTMANN MOVED** that SB 2093 be placed at the top of the Eleventh order, which motion prevailed.

## SECOND READING OF SENATE BILL

**SB 2093:** A BILL for an Act to provide for a legislative management study of workers' compensation coverage for mental injuries arising from mental stimulus.

**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 44 YEAS, 2 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Berry; Bowman; Burckhard; Christmann; Cook; Dever; Dotzenrod; Erbele; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Miller; Murphy; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Schaible; Sitte; Sorvaag; Stenehjerm; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

**NAYS:** Mathern; Schneider

**ABSENT AND NOT VOTING:** Robinson

SB 2093 passed.

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**MOTION**

**SEN. G. LEE MOVED** that the Senate reconsider its action whereby SB 2225 passed.

**REQUEST**

**SEN. ANDRIST REQUESTED** a verification vote, which request was granted.

The question being on the motion to reconsider the action whereby SB 2225 passed, the motion prevailed on a verification vote.

**SECOND READING OF SENATE BILL**

**SB 2225:** A BILL for an Act to create and enact a new section to chapter 20.1-03 and a new subsection to section 20.1-03-12 of the North Dakota Century Code, relating to a nonresident combination small game and waterfowl hunting license and fee; and to amend and reenact sections 20.1-03-07 and 20.1-03-07.1 of the North Dakota Century Code, relating to nonresident hunting licenses.

**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 17 YEAS, 29 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bowman; Christmann; Dotzenrod; Erbele; Freborg; Heckaman; Klein; Krebsbach; Larsen; Marcellais; Nodland; O'Connell; Schaible; Uglem; Wardner; Warner

**NAYS:** Berry; Burckhard; Cook; Dever; Fischer; Flakoll; Grindberg; Hogue; Holmberg; Kilzer; Laffen; Lee, G.; Lee, J.; Luick; Lyson; Mathern; Miller; Murphy; Nelson; Nething; Oehlke; Olafson; Schneider; Sitte; Sorvaag; Stenehjerm; Taylor; Triplett; Wanzek

**ABSENT AND NOT VOTING:** Robinson

SB 2225 lost.

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**SECOND READING OF SENATE BILL**

**SB 2182:** A BILL for an Act to create and enact a new section to chapter 51-12 of the North Dakota Century Code, relating to false advertisements regarding location of business; 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 PASS, the roll was called and there were 38 YEAS, 8 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Berry; Bowman; Burckhard; Christmann; Cook; Dever; Dotzenrod; Erbele; Fischer; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Laffen; Larsen; Lee, G.; Luick; Lyson; Mathern; Murphy; Nelson; Nething; Nodland; O'Connell; Olafson; Schaible; Schneider; Sitte; Sorvaag; Stenehjerm; Taylor; Uglem; Wanzek; Wardner

**NAYS:** Flakoll; Krebsbach; Lee, J.; Marcellais; Miller; Oehlke; Triplett; Warner

**ABSENT AND NOT VOTING:** Robinson

SB 2182 passed.

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### SECOND READING OF SENATE BILL

**SB 2052:** A BILL for an Act to amend and reenact section 12.1-21-05 of the North Dakota Century Code, relating to an enhanced penalty for conviction of criminal mischief involving a hate crime; and to provide a penalty.

### MOTION

**SEN. NELSON MOVED** that SB 2052 be amended as follows.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new subsection to section 12.1-32-04 of the North Dakota Century Code, relating to factors to be considered in sentencing decisions.

### BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

**SECTION 1.** A new subsection to section 12.1-32-04 of the North Dakota Century Code is created and enacted as follows:

The defendant's conduct showed bias based on race, color, religion, sex, sexual orientation, disability, age, or national origin. For purposes of this subsection, disability means a condition or characteristic that renders an individual a disabled individual. A disabled individual is an individual who has a physical, sensory, or mental impairment that materially limits one or more major life activities, has a record of such an impairment, or is regarded as having such an impairment."

Renumber accordingly

### REQUEST

**SEN. WARNER REQUESTED** a verification vote on the motion to adopt the proposed amendments to SB 2052, which request was granted.

The proposed amendments to SB 2052 failed on a verification vote.

### ROLL CALL

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

**YEAS:** Marcellais; Mathern

**NAYS:** Andrist; Berry; Bowman; Burckhard; Christmann; Cook; Dever; Dotzenrod; Erbele; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Miller; Murphy; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Schaible; Schneider; Sitte; Sorvaag; Stenehjerm; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Robinson

SB 2052 lost.

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**SECOND READING OF SENATE BILL**

**SB 2088:** A BILL for an Act to create and enact a new section to chapter 43-29 of the North Dakota Century Code, relating to dispensing of veterinary prescription drugs; and to amend and reenact subdivision o of subsection 1 of section 43-29-14 of the North Dakota Century Code, relating to dispensing of veterinary prescription drugs.

**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:** Andrist; Berry; Bowman; Burckhard; Christmann; Cook; Dever; Dotzenrod; Erbele; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Schaible; Schneider; Sitte; Sorvaag; Stenehjerm; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Robinson

Engrossed SB 2088 passed.

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**SECOND READING OF SENATE BILL**

**SB 2140:** A BILL for an Act to amend and reenact sections 57-62-01, 57-62-03.1, and 57-62-06 of the North Dakota Century Code, relating to availability of oil and gas impact grant funds to park districts.

**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:** Andrist; Berry; Bowman; Burckhard; Christmann; Cook; Dever; Dotzenrod; Erbele; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Schaible; Schneider; Sitte; Sorvaag; Stenehjerm; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Robinson

Engrossed SB 2140 passed.

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**SECOND READING OF SENATE BILL**

**SB 2263:** A BILL for an Act to amend and reenact sections 57-33.2-06 and 57-33.2-07 and subsection 3 of section 57-33.2-19 of the North Dakota Century Code, relating to reporting dates and allocation for electric generation, distribution, and transmission taxes; and to provide an effective date.

**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:** Andrist; Berry; Bowman; Burckhard; Christmann; Cook; Dever; Dotzenrod; Erbele; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Schaible; Schneider; Sitte; Sorvaag; Stenehjerm; Taylor; Triplett; Uglem; Wanzek; Wardner;

Warner

**ABSENT AND NOT VOTING:** Robinson

Engrossed SB 2263 passed.

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**SECOND READING OF SENATE BILL**

**SB 2193:** A BILL for an Act to amend and reenact sections 40-51.2-05 and 40-51.2-07 of the North Dakota Century Code, relating to notice of proposed annexations.

**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:** Andrist; Berry; Bowman; Burckhard; Christmann; Cook; Dever; Dotzenrod; Erbele; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Schaible; Schneider; Sitte; Sorvaag; Stenehjerm; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Robinson

Engrossed SB 2193 passed.

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**SECOND READING OF SENATE BILL**

**SB 2049:** A BILL for an Act to amend and reenact subsection 8 of section 57-02-08 of the North Dakota Century Code, relating to exclusion of certain subsidized rental property from the property tax exemption for property used for charitable or other public purposes; and to provide an effective date.

**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 33 YEAS, 13 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Berry; Bowman; Burckhard; Christmann; Cook; Dever; Dotzenrod; Erbele; Fischer; Flakoll; Freborg; Grindberg; Kilzer; Klein; Krebsbach; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Miller; Nething; Nodland; O'Connell; Oehlke; Olafson; Schaible; Sitte; Sorvaag; Stenehjerm; Uglem; Wanzek

**NAYS:** Heckaman; Hogue; Holmberg; Laffen; Marcellais; Mathern; Murphy; Nelson; Schneider; Taylor; Triplett; Wardner; Warner

**ABSENT AND NOT VOTING:** Robinson

Engrossed SB 2049 passed.

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**SECOND READING OF SENATE BILL**

**SB 2138:** A BILL for an Act to create and enact a new section to chapter 34-14 of the North Dakota Century Code, relating to employer's payment of accrued paid time off.

**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 31 YEAS, 15 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Berry; Bowman; Burckhard; Cook; Dever; Erbele; Fischer; Freborg;

Grindberg; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Luick; Lyson; Miller; Nodland; Oehlke; Olafson; Schaible; Sitte; Sorvaag; Stenehjerm; Uglem; Wanzek; Wardner

**NAYS:** Christmann; Dotzenrod; Flakoll; Heckaman; Lee, J.; Marcellais; Mathern; Murphy; Nelson; Nething; O'Connell; Schneider; Taylor; Triplett; Warner

**ABSENT AND NOT VOTING:** Robinson

Engrossed SB 2138 passed.

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### **SECOND READING OF SENATE BILL**

**SB 2306:** A BILL for an Act to amend and reenact sections 6-09.7-02 and 6-09.7-03 of the North Dakota Century Code, relating to the fuel production facility loan guarantee program; and to repeal section 6-09.7-08 of the North Dakota Century Code, relating to state funding limitations for recipients of fuel production facility loan guarantees.

### **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 NAY, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Berry; Bowman; Burckhard; Christmann; Cook; Dever; Dotzenrod; Erbele; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Schaible; Schneider; Sorvaag; Stenehjerm; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

**NAYS:** Sitte

**ABSENT AND NOT VOTING:** Robinson

SB 2306 passed.

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### **MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)**

**MR. SPEAKER:** The Senate has passed, and your favorable consideration is requested on: SB 2082, SB 2090, SB 2133, SB 2196, SB 2223, SB 2281, SB 2283, SB 2293.

### **MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)**

**MR. SPEAKER:** The Senate has passed, the emergency clause carried, and your favorable consideration is requested on: SB 2190.

### **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 1106, HB 1140, HB 1171, HB 1340, HB 1388, HB 1430, HB 1453.

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

**MR. PRESIDENT:** The House has passed, the emergency clause carried, and your favorable consideration is requested on: HB 1141.

### **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 Ninth orders of business and at the conclusion of those orders, the Senate stand adjourned until 1:00 p.m., Thursday, February 3, 2011, which motion prevailed.

### **REPORT OF STANDING COMMITTEE**

**SB 2042: Finance and Taxation Committee (Sen. Cook, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS**

and **BE REREFERRED** to the **Appropriations Committee** (6 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). SB 2042 was placed on the Sixth order on the calendar.

Page 1, line 8, after the second overstruck comma insert "gaming tax."

Renumber accordingly

#### **REPORT OF STANDING COMMITTEE**

**SB 2080: Agriculture Committee (Sen. Flakoll, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2080 was placed on the Sixth order on the calendar.

Page 1, line 14, after the underscored comma insert "to provide for suspension or revocation of a veterinary retail facility's license, to regulate and control veterinary retail facilities."

Page 3, line 1, after "pharmacist" insert "or a pharmacy"

Page 3, line 2, remove "supplying the veterinarian's own patients with such remedies"

Page 3, line 3, replace "as the veterinarian may desire" with "or a veterinarian's practice"

Page 3, line 16, after "on" insert "equidae."

Page 3, line 16, after "food-animals" insert an underscored comma

Page 3, line 31, after the first "on" insert "equidae."

Page 3, line 31, after "food-animals" insert an underscored comma

Page 4, line 12, after "7." insert "Records of receipt and dispensing of legend drugs must be kept for three years and may be audited by the state board of pharmacy."

8."

Page 4, line 26, replace "8." with "9."

Page 5, line 3, remove "Be engaged in on-the-job training program directed by a pharmacist, a veterinarian, or"

Page 5, line 4, replace "a licensed veterinary technician and" with "Successful completion of a certification program"

Page 5, line 4, after the underscored semicolon insert "or"

Page 5, line 6, replace the underscored semicolon with an underscored period

Page 5, remove lines 7 and 8

Page 5, line 30, replace "ten" with "eight"

Page 6, remove lines 1 through 3

Page 6, line 4, replace "43-15.4-08" with "43-15.4-07"

Page 6, line 5, replace "ten" with "eight"

Page 6, line 7, replace "ten" with "eight"

Page 6, line 8, replace "six" with "four"

Page 7, line 1, replace "43-15.4-09" with "43-15.4-08"

Page 7, after line 2, insert:

"1."

Page 7, after line 5, insert:

"2. The license of a veterinary retail facility violating drug laws or rules may be revoked by the state board of pharmacy and the veterinary retail facility may be subject to the penalties of section 43-15-42.1."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2143: Transportation Committee (Sen. G. Lee, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2143 was placed on the Sixth order on the calendar.

Page 1, line 6, after "**director**" insert "**- Definition**"

Page 1, line 7, overstrike "any physician"

Page 1, line 7, remove the underscored comma

Page 1, line 8, remove "advanced practice registered nurse."

Page 1, line 8, overstrike "or optometrist authorized to practice in this state" and insert immediately thereafter "a licensed medical care provider"

Page 1, line 15, overstrike "personal physician"

Page 1, line 15, remove ". advanced practice registered nurse."

Page 1, line 15, overstrike "or optometrist" and insert immediately thereafter "licensed medical care provider"

Page 1, line 19, overstrike "physician"

Page 1, line 19, remove ". advanced practice registered nurse."

Page 1, line 19, overstrike "or optometrist" and immediately thereafter insert "licensed medical care provider"

Page 2, after line 7, insert:

"6. As used in this section, "licensed medical care provider" means doctor of medicine, doctor of osteopathy, doctor of chiropractic, optometrist, psychologist, advanced practice registered nurse, or physician assistant, who is licensed, certified, or registered in accordance with laws and regulations in this or another state."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2159: Finance and Taxation Committee (Sen. Cook, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2159 was placed on the Sixth order on the calendar.

Page 2, line 21, remove the overstrike over "medical equipment purchased as"

Page 2, line 22, remove the overstrike over "by a long-term care facility as defined in"

Page 2, line 23, remove the overstrike over "section 50-10.1-01 and subsequently"

Page 2, line 23, remove the overstrike over "such"



Page 2, line 23, remove "a nonprofit"

Page 2, line 24, overstrike "hospital"

Page 2, line 24, remove the overstrike over "facility"

Page 2, line 24, replace the underscored comma with "or to tangible personal property completely consumed or installed by a contractor into a nonprofit hospital"

Page 2, line 25, remove the underscored comma

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2202: Finance and Taxation Committee (Sen. Cook, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2202 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2208: Finance and Taxation Committee (Sen. Cook, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2208 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2252: Finance and Taxation Committee (Sen. Cook, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). SB 2252 was placed on the Sixth order on the calendar.

Page 1, line 3, remove "and"

Page 1, line 3, after "date" insert "; and to provide an expiration date"

Page 1, line 23, after "**DATE**" insert "**- EXPIRATION DATE**"

Page 1, line 23, after "for" insert "the first five"

Page 1, line 24, after "2010" insert ", and is thereafter ineffective"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2288: 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 2288 was placed on the Sixth order on the calendar.

Page 1, line 11, replace the first "court administrator" with "clerk of court"

Page 1, line 11, replace the second "court administrator" with "clerk of court"

Page 2, line 19, replace "court administrator" with "clerk of court"

Page 3, line 15, replace "court administrator" with "clerk of court"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2305: 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 2305 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for a legislative management study relating to the extension of juvenile court jurisdiction and the extent of juvenile court jurisdiction in other states."

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1. LEGISLATIVE MANAGEMENT STUDY - JUVENILE COURT JURISDICTION.** The legislative management shall consider studying, during the 2011-12 interim, the issue of juvenile court jurisdiction and the adult court transfer process and whether any additional juvenile court jurisdictional extensions would serve the best interests of the child and the public in cases in which the child is close to the age of majority. The legislative management shall report its findings and recommendations, together with any legislation necessary to implement the recommendations, to the sixty-third legislative assembly."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2311: Education Committee (Sen. Freborg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2311 was placed on the Sixth order on the calendar.

Page 1, line 20, replace "the North Dakota university system office" with "nonpublic schools in this state"

Page 1, line 22, replace "great" with "memorial"

Renumber accordingly

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

**William R. Horton, Secretary**