

JOURNAL OF THE SENATE

Sixty-second Legislative Assembly

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Bismarck, February 21, 2011

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

The prayer was offered by Pastor Rebecca Aardahl, Missouri Slope Lutheran Care Center, Bismarck.

The roll was called and all members were present except Senator Nothing.

A quorum was declared by the President.

POINT OF PERSONAL PRIVILEGE

SEN. MURPHY rose on a point of personal privilege.

REMARKS OF SENATOR MURPHY

MR. PRESIDENT: It is a privilege to briefly address you and this body on this day of national pride in our leaders. I rise today to relate to you the beauty of what happened to most of our ancestors, and not so long ago. Last Friday I was in attendance at the Federal Courthouse when thirty-eight people from twenty-four countries were sworn in as new citizens.

Last week you may have noticed a statistic- that in 1940, forty percent of North Dakotans were foreign-born. I sat with four Air Force men who had traveled down to support two of their fellow servicemen joining our numbers- one from South Korea and one from Mexico. My friend, an auto mechanic from Sweden, was among them, as was an Argentine wheat researcher employed at one of our universities with his wife from Spain. Both of them were becoming naturalized as their children played in the back row. Both people from Africa came because they wanted to, from war-torn Bosnia and Yugoslavia, from China and Ukraine.

Frankly, Mr. President, I was moved as I watched them wait patiently through the ceremony. At that time, my appreciation for my country was refreshed and I wished that all of us in this room would have been there to experience the excitement of all in that room. We know that it is too often true that we don't know what we have 'til it's gone- that we take so much for granted.

As they were asked to be active citizens, Mr. President, I was proud of all our legislators for taking advantage of their rights and maximizing their participation. You and everyone here deserve to remind ourselves that we are in a special position to help these new citizens. I want to thank you and this body for being examples for our established and new citizens on this Presidents' Day.

CONSIDERATION OF AMENDMENTS

SB 2248: SEN. OEHLKE (Finance and Taxation Committee) MOVED that the amendments on SJ pages 472-473 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

SB 2248: A BILL for an Act to amend and reenact section 57-38-01.26 of the North Dakota Century Code, relating to the angel fund investment tax credit; to provide for a legislative management study; to provide an effective date; and to provide an expiration 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; Nodland; O'Connell; Oehlke; Olafson; Robinson; Schaible; Schneider; Sitte; Sorvaag; Stenehjerm; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Nothing

Engrossed SB 2248 passed.

MOTION

SEN. CHRISTMANN MOVED that SB 2362, which is on the Sixth order, be laid over one legislative day, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2019: SEN. O'CONNELL (Appropriations Committee) MOVED that the amendments on SJ pages 470-471 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

SB 2019: A BILL for an Act to provide an appropriation for defraying the expenses of the parks and recreation department and the International Peace Garden; to provide for a transfer; and to declare an emergency.

ROLL CALL

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

YEAS: 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; Nodland; O'Connell; Oehlke; Olafson; Robinson; Schaible; Schneider; Sitte; Sorvaag; Stenehjerm; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Nothing

Engrossed SB 2019 passed and the emergency clause was declared carried.

CONSIDERATION OF AMENDMENTS

SB 2234: SEN. TRIPLETT (Natural Resources Committee) MOVED that the amendments on SJ pages 471-472 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

SB 2234: A BILL for an Act to provide for a legislative management study relating to mechanisms for improving coordination and consultation regarding federal designation over land or water resources in North Dakota.

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; Nodland; O'Connell; Oehlke; Olafson; Robinson; Schaible; Schneider; Sitte; Sorvaag; Stenehjerm; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Nothing

Engrossed SB 2234 passed.

CONSIDERATION OF AMENDMENTS

SB 2172: SEN. OEHLKE (Appropriations Committee) MOVED that the amendments on SJ page 471 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

SB 2172: A BILL for an Act to create and enact a new subsection to section 57-39.2-04 of the North Dakota Century Code, relating to a sales tax exemption for receipts from coin-operated amusement or entertainment machines; to amend and reenact subsections 21, 22, and 23 of section 57-39.2-01 and subsection 1 of section 57-39.2-02.1 of the North Dakota Century Code, relating to a sales tax exemption for receipts from coin-operated amusement or entertainment machines; 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; Nodland; O'Connell; Oehlke; Olafson; Robinson; Schaible; Schneider; Sitte; Sorvaag; Stenehjerm; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Nothing

Engrossed SB 2172 passed.

CONSIDERATION OF AMENDMENTS

SB 2267: SEN. KREBSBACH (Appropriations Committee) MOVED that the amendments on SJ page 473 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

SB 2267: A BILL for an Act to provide an appropriation to the parks and recreation department for providing a grant to the International Peace Garden.

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 37 YEAS, 9 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

NAYS: Bowman; Christmann; Holmberg; Laffen; Luick; Oehlke; Schaible; Sitte; Uglem

ABSENT AND NOT VOTING: Nothing

Engrossed SB 2267 passed.

CONSIDERATION OF AMENDMENTS

SB 2004: SEN. GRINDBERG (Appropriations Committee) MOVED that the amendments on SJ pages 468-469 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

SB 2004: A BILL for an Act to provide an appropriation for defraying the expenses of the state auditor; to provide an appropriation to the legislative council; and to amend and reenact section 54-10-10 of the North Dakota Century Code, relating to the salary of the state auditor.

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 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; Miller; Murphy; Nelson; Nodland; O'Connell; Oehlke; Olafson; Robinson; Schaible; Schneider; Sitte; Sorvaag; Stenehjerm; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

NAYS: Mathern

ABSENT AND NOT VOTING: Nothing

Engrossed SB 2004 passed.

CONSIDERATION OF AMENDMENTS

SB 2238: SEN. COOK (Appropriations Committee) MOVED that the amendments on SJ page 472 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

SB 2238: A BILL for an Act to amend and reenact subsection 2 of section 11-09.1-05 and sections 40-05.1-06, 57-39.2-12.1, 57-39.5-04, 57-39.6-04, and 57-40.2-07.1 of the North Dakota Century Code, relating to compensation allowable to retailers for expenses associated with the collection, reporting, and remittance of state and local option sales, use, and gross receipts 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; Nodland; O'Connell; Oehlke; Olafson; Robinson; Schaible; Schneider; Sitte; Sorvaag; Stenehjerm; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Nothing

Engrossed SB 2238 passed.

CONSIDERATION OF AMENDMENTS

SB 2159, as engrossed: SEN. ERBELE (Appropriations Committee) MOVED that the amendments on SJ page 471 be adopted and then be placed on the Eleventh order with **DO**

PASS, which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

SB 2159: A BILL for an Act to create and enact a new section to chapter 57-39.2 of the North Dakota Century Code, relating to a sales and use tax exemption for purchases made by a contractor, subcontractor, or builder on behalf of a nonprofit hospital; to amend and reenact section 57-40.2-03.3 of the North Dakota Century Code, relating to a use tax exemption for untaxed materials used by a contractor under contract with a nonprofit hospital; 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; Nodland; O'Connell; Oehlke; Olafson; Robinson; Schaible; Schneider; Sitte; Sorvaag; Stenehjerm; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Nothing

Reengrossed SB 2159 passed.

CONSIDERATION OF AMENDMENTS

SB 2006: SEN. WANZEK (Appropriations Committee) MOVED that the amendments on SJ pages 469-470 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF SENATE BILL

SB 2006: A BILL for an Act to provide an appropriation for defraying the expenses of the office of the state tax commissioner and for payment of state reimbursement under the homestead tax credit and disabled veterans credit; to provide for a transfer; to amend and reenact section 57-01-04 of the North Dakota Century Code, relating to the tax commissioner's salary; and to provide an exemption.

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; Nodland; O'Connell; Oehlke; Olafson; Robinson; Schaible; Schneider; Sitte; Sorvaag; Stenehjerm; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Nothing

Engrossed SB 2006 passed.

CONSIDERATION OF AMENDMENTS

SCR 4022: SEN. SCHNEIDER (Natural Resources Committee) MOVED that the amendments on SJ page 475 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4022: A concurrent resolution urging Congress to sell federal land to long-term lessees

of the land in this state.

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

Engrossed SCR 4022 was declared adopted on a voice vote.

CONSIDERATION OF AMENDMENTS

SCR 4017: SEN. NELSON (Judiciary Committee) MOVED that the amendments on SJ page 475 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4017: A concurrent resolution directing the Legislative Management to study the feasibility and desirability of allowing school officials, including officials of higher education institutions, access to the otherwise confidential files and records of the juvenile court.

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

Engrossed SCR 4017 was declared adopted on a voice vote.

SECOND READING OF SENATE BILL

SB 2339: A BILL for an Act to amend and reenact section 15-68.1-01 of the North Dakota Century Code, relating to the preservation of American Indian languages; and to provide an appropriation.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 13 YEAS, 33 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Dotzenrod; Heckaman; Marcellais; Mathern; Murphy; Nelson; O'Connell; Oehlke; Robinson; Schneider; Taylor; Triplett; Warner

NAYS: Andrist; Berry; Bowman; Burckhard; Christmann; Cook; Dever; Erbele; Fischer; Flakoll; Freborg; Grindberg; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Miller; Nodland; Olafson; Schaible; Sitte; Sorvaag; Stenehjem; Uglem; Wanzek; Wardner

ABSENT AND NOT VOTING: Nothing

SB 2339 lost.

SECOND READING OF SENATE BILL

SB 2291: A BILL for an Act to provide an appropriation to the state historical society for a grant for operating costs relating to the Lawrence Welk homestead.

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: Flakoll; Mathern

NAYS: Andrist; Berry; Bowman; Burckhard; Christmann; Cook; Dever; Dotzenrod; Erbele; Fischer; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Miller; Murphy;

Nelson; Nodland; O'Connell; Oehlke; Olafson; Robinson; Schaible; Schneider; Sitte; Sorvaag; Stenehjerm; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Nothing

SB 2291 lost.

SECOND READING OF SENATE BILL

SB 2130: A BILL for an Act to provide an appropriation for funding a director of Indian education; and to provide for a report to the legislative management.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 16 YEAS, 30 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Berry; Dotzenrod; Fischer; Flakoll; Freborg; Heckaman; Marcellais; Mathern; Murphy; Nelson; O'Connell; Robinson; Schneider; Taylor; Triplett; Warner

NAYS: Andrist; Bowman; Burckhard; Christmann; Cook; Dever; Erbele; Grindberg; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Miller; Nodland; Oehlke; Olafson; Schaible; Sitte; Sorvaag; Stenehjerm; Uglem; Wanzek; Wardner

ABSENT AND NOT VOTING: Nothing

Engrossed SB 2130 lost.

SECOND READING OF SENATE BILL

SB 2353: A BILL for an Act to provide for state and political subdivision consultation and coordination with Indian tribal governments.

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 12 YEAS, 34 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Dotzenrod; Heckaman; Marcellais; Mathern; Murphy; Nelson; O'Connell; Robinson; Schneider; Taylor; Triplett; Warner

NAYS: Andrist; Berry; Bowman; Burckhard; Christmann; Cook; Dever; Erbele; Fischer; Flakoll; Freborg; Grindberg; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Miller; Nodland; Oehlke; Olafson; Schaible; Sitte; Sorvaag; Stenehjerm; Uglem; Wanzek; Wardner

ABSENT AND NOT VOTING: Nothing

SB 2353 lost.

SECOND READING OF SENATE BILL

SB 2211: A BILL for an Act to amend and reenact subsection 5 of section 37-19.1-02 of the North Dakota Century Code, relating to exemptions to veterans' preference and public employees.

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 42 YEAS, 4 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; Miller; Murphy; Nelson; Nodland; O'Connell; Oehlke; Olafson; Robinson; Schaible; Schneider; Sitte; Sorvaag; Stenehjerm; Taylor; Uglem; Wanzek; Wardner; Warner

NAYS: Lyson; Marcellais; Mathern; Triplett

ABSENT AND NOT VOTING: Nothing

SB 2211 passed.

SECOND READING OF SENATE BILL

SB 2254: A BILL for an Act to amend and reenact sections 4-22-21, 15.1-09-13, 16.1-01-01, 16.1-02-03, 16.1-02-04, 16.1-02-09, 16.1-02-10, 16.1-02-12, 16.1-02-13, 16.1-02-15, and 16.1-03-11, subsection 1 of section 16.1-06-15, sections 16.1-07-08, 16.1-07-09, 16.1-07-10, 16.1-07-11, 16.1-07-12, and 16.1-07-12.1, subsection 1 of section 16.1-09-03, sections 16.1-10-03, 16.1-11-05, 16.1-11-20, 16.1-11-22, 16.1-11.1-03, and 16.1-11.1-06, subsection 1 of section 16.1-11.1-07, subsection 1 of section 16.1-12-04, and sections 16.1-13-03, 16.1-15-04, 16.1-15-08, 16.1-15-21, 16.1-15-22, 16.1-15-25, 16.1-15-26, 16.1-15-27, 16.1-15-33, 16.1-15-37, 16.1-15-39, 16.1-15-40, 16.1-15-41, 16.1-15-44, 16.1-15-48, and 61-04.1-30 of the North Dakota Century Code, relating to election administration.

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: 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; Nodland; O'Connell; Oehlke; Olafson; Robinson; Schaible; Schneider; Sitte; Sorvaag; Stenehjerm; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Nothing

SB 2254 passed.

SECOND READING OF SENATE BILL

SB 2063: A BILL for an Act to amend and reenact section 26.1-26.6-08 of the North Dakota Century Code, relating to fees charged by bail bond agents.

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 3 YEAS, 43 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Burckhard; Hogue; Miller

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

ABSENT AND NOT VOTING: Nothing

SB 2063 lost.

SECOND READING OF SENATE BILL

SB 2188: A BILL for an Act to amend and reenact sections 39-05-02.2 and 39-05-03 of the North Dakota Century Code, relating to exclusions from the certificate of title requirement for vehicles regularly engaged in interstate transportation of persons or property.

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; Nodland; O'Connell; Oehlke; Olafson; Robinson; Schaible; Schneider; Sitte; Sorvaag; Stenehjerm; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Nothing

Engrossed SB 2188 passed.

SECOND READING OF SENATE BILL

SB 2275: A BILL for an Act to provide an appropriation to the office of management and budget for community service supervision grants.

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 26 YEAS, 20 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Bowman; Burckhard; Dever; Dotzenrod; Erbele; Fischer; Heckaman; Hogue; Klein; Krebsbach; Lee, J.; Lyson; Marcellais; Mathern; Murphy; Nelson; Nodland; O'Connell; Oehlke; Robinson; Schneider; Taylor; Triplett; Wanzek; Wardner; Warner

NAYS: Andrist; Berry; Christmann; Cook; Flakoll; Freborg; Grindberg; Holmberg; Kilzer; Laffen; Larsen; Lee, G.; Luick; Miller; Olafson; Schaible; Sitte; Sorvaag; Stenehjerm; Uglem

ABSENT AND NOT VOTING: Nothing

SB 2275 passed.

SECOND READING OF SENATE BILL

SB 2240: A BILL for an Act to provide for a study by the department of human services of the human services delivery system in the state.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 11 YEAS, 35 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Dotzenrod; Heckaman; Marcellais; Mathern; Murphy; Nelson; O'Connell; Robinson; Schneider; Taylor; Triplett

NAYS: Andrist; Berry; Bowman; Burckhard; Christmann; Cook; Dever; Erbele; Fischer; Flakoll; Freborg; Grindberg; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Miller; Nodland; Oehlke; Olafson; Schaible; Sitte; Sorvaag; Stenehjerm; Uglem; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Nothing

Engrossed SB 2240 lost.

SECOND READING OF SENATE BILL

SB 2200: A BILL for an Act to provide an appropriation to the department of transportation for a grant for the Cattail Bay road improvement project.

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: Erbele; Heckaman

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

ABSENT AND NOT VOTING: Nothing

SB 2200 lost.

SECOND READING OF SENATE BILL

SB 2137: A BILL for an Act to create and enact a new subsection to section 57-39.2-04 of the North Dakota Century Code, relating to a sales and use tax exemption for sales by thrift stores owned and operated by nonprofit corporations; and to provide an effective date.

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 26 YEAS, 20 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Berry; Burckhard; Dotzenrod; Fischer; Heckaman; Hogue; Laffen; Larsen; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; Nodland; O'Connell; Oehlke; Olafson; Robinson; Schneider; Sitte; Taylor; Triplett; Warner

NAYS: Andrist; Bowman; Christmann; Cook; Dever; Erbele; Flakoll; Freborg; Grindberg; Holmberg; Kilzer; Klein; Krebsbach; Lee, G.; Schaible; Sorvaag; Stenehjerm; Uglem; Wanzek; Wardner

ABSENT AND NOT VOTING: Nothing

SB 2137 passed.

REQUEST

SEN. WARNER REQUESTED that the remarks of Sen. Murphy be printed in the Journal, which request was granted.

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 2050, SB 2129, SB 2150, SB 2218, SB 2258, SB 2294, SB 2309, SB 2314, SB 2329, SB 2332, SB 2351, SB 2356, SCR 4020.

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 2013, SB 2300.

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 1075, HB 1109, HB 1133, HB 1134, HB 1152, HB 1181, HB 1191, HB 1259, HB 1316, HCR 3007, HCR 3019, HCR 3020, HCR 3027, HCR 3028, HCR 3030, HCR 3031, HCR 3033, HCR 3036, HCR 3037, HCR 3038.

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 1206, HB 1251.

MOTION

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

MOTION

SEN. CHRISTMANN MOVED that the Senate be on the Fourth, Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 1:00 p.m., Tuesday, February 22, 2011, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2042, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (11 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2042 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2043, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (11 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2043 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2046: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO NOT PASS** (12 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). SB 2046 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2056, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (11 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2056 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2058: Education Committee (Sen. Freborg, Chairman) recommends **DO NOT PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2058 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2108, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2108 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2120: Government and Veterans Affairs Committee (Sen. Dever, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2120 was placed on the Sixth order on the calendar.

Page 1, line 10, overstrike "1."

Page 1, line 16, overstrike "2."

Page 1, line 16, remove "a."

Page 1, line 16, overstrike "A citizen of the United States who is eighteen years of age or older, has never"

Page 1, overstrike line 17

Page 1, line 18, overstrike "may vote absentee in this state"

Page 1, line 18, overstrike "if the individual:"

Page 1, line 19, remove "(1)"

Page 1, line 19, overstrike "Does not maintain a domicile;"

Page 1, line 20, remove "(2)"

Page 1, line 20, overstrike "Is not registered to vote in any other state, territory, or possession of the"

Page 1, overstrike line 21

Page 1, line 22, remove "(3)"

Page 1, line 22, overstrike "Is not voting in any other state, territory, or possession of the United States;"

Page 1, remove line 23

Page 2, line 1, remove "(4)"

Page 2, line 1, overstrike "Possesses a valid passport or card of identity and registration issued under"

Page 2, overstrike line 2

Page 2, line 4, remove "b. ____ An"

Page 2, line 4, overstrike "elector"

Page 2, line 4, remove "described under subdivision a"

Page 2, line 4, overstrike "may vote only in federal elections,"

Page 2, overstrike lines 5 through 8

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2152: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO NOT PASS** (8 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). SB 2152 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2171, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2171 was placed on the Sixth order on the calendar.

Page 1, line 7, overstrike "**June 30,** "

Page 1, line 7, replace "**2013**" with "**December 31, 2012**"

Page 1, line 23, replace "July" with "January"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2187: Government and Veterans Affairs Committee (Sen. Dever, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2187 was placed on the Sixth order on the calendar.

Page 1, line 9, remove "be a"

Page 1, line 9, overstrike "public"

Page 1, line 9, replace "member" with "be a representative of the appraisal management company industry"

Page 1, line 11, replace "; one member" with "or"

Page 1, line 11, overstrike "three" and insert immediately thereafter "four"

Page 1, line 13, remove "and at least one of which resides in a rural area not included within the"

Page 1, remove line 14

Page 1, line 15, remove "time of the member's appointment"

Page 1, line 21, replace "has" with "must have"

Page 1, line 22, after "in" insert "the"

Page 1, line 22, remove "and the"

Page 2, remove lines 3 through 6

Page 2, line 7, remove "e."

Page 2, line 7, overstrike "The public member of the board may not be engaged in the practice of real"

Page 2, overstrike line 8

Page 2, line 12, replace "ten years" with "two consecutive five-year terms, after which at least two years must pass before the governor may reappoint that former member to the board"

Page 2, remove lines 22 and 23

Page 3, line 17, after "of" insert "quarterly"

Page 3, line 18, remove ", hearing notices."

Page 4, line 2, replace "In a timely manner" with "Within thirty days of receipt of a completed application."

Page 4, line 7, remove "Board reciprocity"

Page 4, replace lines 8 through 14 with:

"SECTION 4. APPLICATION. The change of the board composition provided for under section 1 of this Act becomes effective on August 1, 2011, at which time the public member board position terminates. In order to initiate staggered board member terms for the three new board members, the governor shall appoint one new member to serve a term that expires June 30, 2013, one new member to serve a term that expires June 30, 2014, and one new member to serve a term that expires June 30, 2015.

The change in the term limits for board members provided for under section 1 of this Act applies to board member appointments and reappointments made after July 31, 2011; therefore, the new term limit provisions do not disqualify any board member serving on the effective date of this Act, but may prevent the governor from reappointing a board member after the effective date of this Act."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2204: Agriculture Committee (Sen. Flakoll, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2204 was placed on the Sixth order on the calendar.

Page 1, line 6, remove "or quasi-agency"

Page 1, line 7, remove "nonprofit entities"

Page 1, line 7, after "area" insert "or any similar or successor designated areas"

Page 1, line 9, after "area" insert "or any similar or successor designated areas"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2210: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2210 was placed on the Sixth order on the calendar.

Page 1, line 1, replace the second "and" with a comma

Page 1, line 2, after "54-60.1-01" insert ", and a new subsection to section 57-35.3-05"

Page 1, line 2, remove "an"

Page 1, line 3, replace "affordable" with "a"

Page 1, line 3, after "housing" insert "incentive"

Page 1, line 3, after "fund" insert "and a financial institutions tax credit for investments in the fund"

Page 1, line 3, replace "an appropriation" with "a continuing appropriation"

Page 1, line 7, replace "**Affordable housing**" with "**Housing incentive**"

Page 1, line 7, replace "**Appropriation**" with "**Continuing appropriation**"

Page 1, line 8, remove "affordable"

Page 1, line 8, after "housing" insert "incentive"

Page 1, line 8, after "special" insert "revolving"

Page 1, line 8, replace "in the state treasury." with "at the Bank of North Dakota. Loans may be made from the fund as directed by the housing finance agency and a continuing appropriation from the fund is provided for that purpose. Loans from the fund may be made in accordance with this section but a loan may not exceed two hundred thousand dollars for a qualifying housing project in this state. Loans may not bear interest, but the Bank of North Dakota may retain an administrative fee not exceeding one-half of one percent."

2."

Page 1, line 10, replace "seventy-five" with "twenty-five"

Page 1, remove line 11

Page 1, line 12, replace "the area median income" with "assist developing communities with a population of not more than ten thousand individuals to address an unmet housing need or alleviate a housing shortage"

Page 1, remove lines 14 and 15

Page 1, line 16, remove "needs."

Page 1, line 17, replace "2." with "3."

Page 1, line 17, replace "rules" with "guidelines"

Page 1, line 17, remove "affordable"

Page 1, line 18, remove "through loans, forgivable loans, grants, subsidies, guarantees, and"

Page 1, line 19, remove "credit enhancements"

Page 1, line 20, replace "an affordable" with "a"

Page 1, line 20, remove "or a"

Page 1, line 21, replace "single-family residence" with "housing project"

Page 1, line 22, after the underscored semicolon insert "and"

Page 1, line 23, replace "Single-family downpayment or gap" with "Gap financing"

Page 2, line 1, remove "If there is a profit from a sale, either a proportion or"

Page 2, remove lines 2 through 5

Page 2, line 6, replace "3." with "4."

Page 2, line 8, replace "affordable" with "multifamily"

Page 2, line 10, replace "4." with "5."

Page 2, line 10, remove "within the biennium the assistance was paid"

Page 2, line 11, remove "for the biennium in which it was"

Page 2, remove lines 12 and 13

Page 2, line 14, replace "earnings" with "on a continuing basis for the purposes of this section"

Page 2, line 18, replace "The" with "Upon request, the"

Page 2, line 19, after "the" insert "housing incentive"

Page 2, line 22, remove "affordable"

Page 2, line 22, after the second "housing" insert "incentive"

Page 2, replace lines 24 through 28 with:

"SECTION 4. A new subsection to section 57-35.3-05 of the North Dakota Century Code is created and enacted as follows:

There is allowed a credit against the tax imposed by sections 57-35.3-01 through 57-35.3-12 in an amount equal to fifty percent of the aggregate amount of investments made by the taxpayer during the taxable year in the housing incentive fund. Any unused credit may be carried forward for up to five taxable years. The total amount of credits allowable under this subsection is four million dollars."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2222, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2222 was placed on the Sixth order on the calendar.

Page 1, replace lines 9 and 10 with:

"c. Three legislators appointed by the chairman of the legislative management, provided that two are members of the same party that holds a majority in the senate and one is a member of the minority party."

Page 1, line 11, replace "e." with "d."

Page 1, line 13, replace "f." with "e."

Page 1, line 15, replace "g." with "f."

Page 3, line 4, replace "general" with "agricultural fuel tax"

Page 3, line 5, after "fund" insert "administered by the agricultural products utilization commission"

Page 3, line 5, replace "\$1,000,000" with "\$400,000"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2236: Transportation Committee (Sen. G. Lee, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2236 was placed on the Sixth order on the calendar.

Page 1, line 12, remove "oral or"

Page 2, line 1, replace the second "agreement" with "addendum to a contract"

Page 2, line 4, remove "or that"

Page 2, remove line 5

Page 2, line 6, remove "operation, including agreements relating to dealership facilities or site control"

Page 2, line 10, replace "essential" with "material"

Page 3, line 4, remove "spouse, child, grandchild, parent, brother, or sister of the"

Page 3, line 5, replace "owner of a new motor vehicle dealer" with "individual"

Page 3, line 8, after "property" insert "subject to sections 51-07-26 and 51-07-26.1"

Page 5, line 14, replace "adequate" with "separate"

Page 5, line 15, after "agreement" insert "alone"

Page 5, line 15, replace "adequate" with "separate"

Page 5, line 27, replace "adequate" with "separate"

Page 5, line 28, after "agreement" insert "alone"

Page 5, line 28, replace "adequate" with "separate"

Page 6, line 2, remove "If a manufacturer attempts to conduct a warranty or incentive audit on claims paid"

Page 6, replace lines 3 through 10 with "A manufacturer may not conduct a warranty or incentive audit or seek a chargeback on a warranty or incentive payment more than one year after the date of that warranty or incentive payment."

Page 6, line 11, replace "a sales" with "an incentive"

Page 6, line 12, after "was" insert "false."

Page 6, line 12, after "fraudulent" insert an underscored comma

Page 6, line 13, remove "that"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2242, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2242 was placed on the Sixth order on the calendar.

Page 1, overstrike lines 23 and 24

Page 2, overstrike lines 1 through 12

Page 2, line 27, overstrike "the 2005-07 biennium must be allocated among"

Page 2, overstrike lines 28 through 31

Page 3, overstrike line 1

Page 3, line 2, overstrike "end of"

Page 3, line 4, replace "2010" with "2012"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2255: Transportation Committee (Sen. G. Lee, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2255 was placed on the Sixth order on the calendar.

Page 1, line 3, after "sections" insert "39-22-19,"

Page 1, line 4, after the first "to" insert "insurance for motor vehicle dealers and"

Page 1, line 4, remove "and"

Page 1, line 5, after "penalty" insert "; to provide an effective date; and to declare an emergency"

Page 1, after line 6, insert:

"SECTION 1. AMENDMENT. Section 39-22-19 of the North Dakota Century Code is amended and reenacted as follows:

39-22-19. Garage liability insurance requirement.

Before the issuance of a motor vehicle dealer license, the applicant must provide proof to the department of a continuous policy of garage liability insurance for the business operation of the applicant which includes general, business automobile, and sales, repair, or service operations liability as is appropriate to the business

operation. The insurance company that issued the policy must notify the department of any cancellation, suspension, or revocation of the coverage. Any motor vehicle dealer who fails to maintain the insurance coverage required by this section shall return the dealer license and dealer number plates to the department on or before the effective date of the cancellation, suspension, or revocation. Failure to return the dealer license or dealer number plates results in automatic revocation by operation of law. The department may order the superintendent to take possession of any dealer license or dealer number plates not returned to the department as required in this section. The department shall reinstate the dealer license and dealer number plates only when proof of insurance coverage is received."

Page 2, line 2, replace "an" with "a primary"

Page 2, line 4, after "records" insert "or copies of records"

Page 2, line 6, after "the" insert "primary"

Page 2, line 12, remove "or"

Page 2, line 12, after "selling" insert ", or transporting"

Page 2, line 14, remove the overstrike over "~~does not include~~"

Page 2, line 14, remove "includes"

Page 2, line 18, replace "**Established**" with "**Primary established**"

Page 2, line 20, replace "an" with "a primary"

Page 2, line 22, replace "An" with "A primary"

Page 2, line 25, remove "and does not include a residence, tents, temporary stands, or other"

Page 2, line 26, remove "temporary quarters"

Page 2, line 26, after "The" insert "primary"

Page 2, line 26, remove "and primary display lot"

Page 2, line 27, remove "cover at least two thousand five hundred square feet [232.26 square meters] and"

Page 2, line 29, after "The" insert "primary"

Page 2, line 30, remove ", must include restroom"

Page 2, remove line 31

Page 3, remove line 1

Page 3, line 2, remove the first "business"

Page 3, line 2, after "records" insert "or copies"

Page 3, line 3, after the second "the" insert "primary"

Page 3, line 5, replace "An" with "A primary"

Page 3, line 6, remove ", be open to the public during normal business hours, with those hours"

Page 3, line 7, remove "posted"

Page 3, line 7, after "dealership" insert "with business hours posted"

Page 3, line 11, after the second "the" insert "primary"

Page 3, line 12, remove "first"

Page 3, line 12, remove "secure permission"

Page 3, line 13, replace "from" with "notify"

Page 3, line 17, remove "within five miles [8.05 kilometers] of the dealer's established place of"

Page 3, line 18, replace "business" with "if there is a primary established place of business in this state"

Page 3, line 23, after "lots" insert "or equipment shows"

Page 5, line 4, remove "deny an"

Page 5, remove lines 5 through 10

Page 5, line 11, remove "place of business"

Page 5, line 11, overstrike the comma and insert immediately thereafter "deny an application for a dealer's license or suspend, revoke, or cancel a dealer's license after it has been granted for making any material misstatement by an applicant in the application for a license; willfully failing to comply with this chapter; willfully violating a law relating to the sale, distribution, or financing of trailers; ceasing to have a primary established place of business;"

Page 5, line 11, overstrike "for"

Page 6, after line 11, insert:

"SECTION 9. EFFECTIVE DATE. Except as otherwise provided in this Act, this Act becomes effective on January 1, 2012.

SECTION 10. EMERGENCY. Section 1 of this Act is declared to be an emergency measure."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2279: Government and Veterans Affairs Committee (Sen. Dever, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2279 was placed on the Sixth order on the calendar.

Page 1, line 8, remove "the state and"

Page 1, line 8, remove the overstrike over "and" and insert immediately thereafter "the state"

Page 6, line 23, remove "This section does not apply to individuals who are currently employed with any state"

Page 6, replace line 24 with "An employee of a state agency is not eligible for preference when applying for a different job within the same state agency or other state agencies. An employee of a political subdivision is not eligible for preference when applying for a different job within the same political subdivision."

Page 7, line 26, overstrike "delivered" and insert immediately thereafter "mailed"

Page 7, line 28, remove the overstrike over "mailed"

Page 7, line 28, remove "delivered"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2298, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2298 was placed on the Sixth order on the calendar.

Page 1, line 10, after "1." insert "The department shall establish an early childhood services inclusion grant program for licensed early childhood services providers that provide care for children with disabilities or developmental delays. The grant program must be designed to:

- a. Increase the number of staff in the adult-to-child ratio to expand supervision and the ability to care for children with disabilities or developmental delays; and
- b. Assist in modifying or adapting the early childhood services setting as needed to address the health and safety needs of children with disabilities or developmental delays.

2."

Page 2, line 9, replace "2." with "3."

Page 2, line 18, replace "3." with "4."

Page 2, line 27, replace "4." with "5."

Page 2, line 29, replace "5." with "6."

Page 3, line 7, replace "6." with "7."

Page 3, line 19, replace "\$450,000" with "\$100,000"

Page 3, line 20, replace "300,000" with "50,000"

Page 3, line 21, replace "\$750,000" with "\$150,000"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2325: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO NOT PASS** (8 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). SB 2325 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2342: Agriculture Committee (Sen. Flakoll, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). SB 2342 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "61-32" with "57-39.2"

Page 1, line 4, after the first "and" insert "a sales and use tax refund for qualifying"

Page 1, line 4, replace "tiling projects" with "tile systems"

Page 1, line 4, remove the second "and"

Page 1, line 5, remove ", subsection 45 of section 57-39.2-04, and sections 57-39.5-02 and 61-32-03"

Page 1, line 6, remove "sustainably grown crops,"

Page 1, line 7, remove ", sales tax on field tile, and"

Page 1, line 8, replace "drainage permits" with "; and to provide for a legislative management study"

Page 2, remove lines 4 through 29

Page 3, remove lines 1 through 30

Page 4, replace lines 1 through 15 with:

"SECTION 4. A new section to chapter 57-39.2 of the North Dakota Century Code is created and enacted as follows:

Sales tax refund for subsurface field tile drainage system.

The owner of a subsurface field tile drainage system within the boundaries of a drainage project authorized by chapter 61-21 may apply for a refund of a portion of the sales or use tax due and paid on the qualifying subsurface field tile system. The tax eligible for refund includes tax paid by the system owner and tax paid by contractors installing the system and is equal to two percentage points of the sales or use tax imposed under this chapter or chapter 57-40.2 on tangible personal property incorporated into the subsurface field tile system. Application for a refund must be made at the times and in the manner directed by the tax commissioner and must include sufficient information to permit the tax commissioner to verify the qualifying drainage project, the purchase and use of the tangible personal property, and the sales and use taxes paid.

SECTION 5. LEGISLATIVE MANAGEMENT STUDY - SUBSURFACE FIELD TILING. During the 2011-12 interim, the legislative management shall consider studying the laws and rules relating to subsurface field tiling. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-third legislative assembly."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2365: 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 2365 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 of the laws relating to the humane treatment of animals.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. LEGISLATIVE MANAGEMENT STUDY - HUMANE TREATMENT OF ANIMALS. During the 2011-12 interim, the legislative management shall consider studying laws pertaining to the humane treatment of animals for the purpose of reviewing their content and their applicability to domestic or companion animals and to animals in production agriculture, and recommending necessary policy changes to laws that are found to be irrelevant, inconsistent, illogically arranged, not reflective of current practices or needs, or unclear in their intent and direction. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-third legislative assembly."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SCR 4015: Government and Veterans Affairs Committee (Sen. Dever, 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 12, remove ", without any"

Page 1, remove line 13

Page 1, line 14, remove "goal of security for the citizens of those countries"

Page 1, line 17, remove "and is causing great harm to the social"

Page 1, line 18, remove "and economic structure of the United States"

Page 1, remove lines 19 through 22

Page 1, line 23, remove "bring community-based health,"

Page 1, remove lines 24 and 25

Page 2, replace lines 1 through 4 with "end violence against women in Iraq, bring community-based health, education, and economic development to Afghanistan and Iraq, and promote peace"

Page 2, line 9, remove "immediately halt offensive military action and"

Page 2, line 9, remove "without the"

Page 2, remove lines 10 through 13

Page 2, line 14, replace "Afghanistan using nonviolent, peaceful methods" with "with the combined efforts of nongovernmental organizations and the United States military forces, to disengage and safely withdraw American forces from those countries at the appropriate time, and to support, through reasonable expenditures of funds, peaceful methods for decreasing the global risk of terrorist activities"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SCR 4018: Agriculture Committee (Sen. Flakoll, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4018 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4019: 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). SCR 4019 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "State Department of Health" with "Natural Resources Conservation Service"

Page 1, line 12, remove "State Department of"

Page 1, line 13, replace "Health" with "Natural Resources Conservation Service"

Page 1, line 15, remove the third "State"

Page 1, line 16, replace "Department of Health" with "Natural Resources Conservation Service"

Page 1, line 20, remove " chief, Environmental Health Section, State Department of Health;"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SCR 4024: Human Services Committee (Sen. J. Lee, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4024 was placed on the Eleventh order on the calendar.

FIRST READING OF HOUSE BILLS

HB 1026: A BILL for an Act to amend and reenact section 28-32-02 of the North Dakota Century Code, relating to authority of administrative agencies to adopt an organizational rule.

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

HB 1027: A BILL for an Act to create and enact a new section to chapter 4-10, chapters 4.1-53, 4.1-54, and 4.1-57, a new section to chapter 11-08, a new section to chapter 40-05, and a new section to chapter 58-03 of the North Dakota Century Code, relating to the labeling, certification, and sale of seed; to amend and reenact sections 4-10-12.1, 60-02-01, and 60-02.1-01 of the North Dakota Century Code, relating to seed labeler and wholesale potato dealer licenses; to repeal chapters 4-09, 4-09.1, 4-11, 4-25, and 4-42 of the North Dakota Century Code, relating to the labeling, certification, and sale of seed; to provide a penalty; and to provide a continuing appropriation.

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

HB 1028: A BILL for an Act to amend and reenact sections 12-48.1-02, 12.1-32-02.1, and 12.1-32-09.1 of the North Dakota Century Code, relating to offender eligibility for release programs.

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

HB 1030: A BILL for an Act to amend and reenact section 15.1-27-23 of the North Dakota Century Code, relating to gubernatorial waivers of required class rescheduling.

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

HB 1038: A BILL for an Act to create and enact chapter 13-11 of the North Dakota Century Code, relating to the regulation of debt-settlement providers; to amend and reenact subsection 1 of section 6-01-01.1 and section 13-07-01 of the North Dakota Century Code, relating to the financial institutions regulatory fund and the definition of consumer credit counseling service; to repeal chapter 13-06 of the North Dakota Century Code, relating to regulation of debt adjusters; and to provide a penalty.

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

HB 1040: A BILL for an Act to amend and reenact subsection 1 of section 23-09.3-01.1 and subsection 1 of section 23-16-01.1 of the North Dakota Century Code, relating to the moratorium on expansion of basic care bed capacity and the moratorium on expansion of long-term care bed capacity.

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

HB 1041: A BILL for an Act to create and enact a new chapter to title 23, subsection 13 to section 43-12.1-04, and section 43-12.1-16.1 of the North Dakota Century Code, relating to a nurse aide registry, individuals exempt from regulation by the state board of nursing, and supervision of nursing interventions; to amend and reenact subsection 9 of section 43-12.1-02 and section 43-12.1-16 of the North Dakota Century Code, relating to definitions, individuals exempt from regulation by the state board of nursing, and delegation of medication administration; and to provide for application.

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

HB 1045: A BILL for an Act to amend and reenact sections 57-40.6-01 and 57-40.6-10 of the North Dakota Century Code, relating to definitions and standards and guidelines for emergency services communication systems.

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

HB 1046: A BILL for an Act to create and enact a new subsection to section 57-39.2-04 and chapter 57-65 of the North Dakota Century Code, relating to a sales tax exemption for potash and byproducts of potash and taxation of potash and byproducts; to amend and reenact subsection 32 of section 57-02-08 of the North Dakota Century Code, relating to exemption of minerals subject to in lieu of taxes; to provide for a

legislative management study; to provide a continuing appropriation; to provide a penalty; and to provide an effective date.

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

HB 1048: A BILL for an Act to amend and reenact subsection 10 of section 57-02-27.2 of the North Dakota Century Code, relating to extension of the deadline for counties to implement use of soil survey data in agricultural property tax assessments; and to provide an effective date.

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

HB 1057: A BILL for an Act to create and enact a new subsection to section 57-38-57 of the North Dakota Century Code, relating to angel fund investment disclosure; to amend and reenact section 57-38-01.26 of the North Dakota Century Code, relating to the angel fund investment tax credit; to provide a report to the legislative management; 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 1066: A BILL for an Act to amend and reenact sections 15.1-36-01, 15.1-36-04, and 18-12-04 of the North Dakota Century Code, relating to thresholds and criteria for school district construction projects; to provide an effective date; and to declare an emergency.

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

HB 1073: A BILL for an Act to amend and reenact sections 15.1-32-01, 15.1-32-12, 15.1-32-13, and 15.1-32-15 of the North Dakota Century Code, relating to special education.

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

HB 1076: A BILL for an Act to amend and reenact section 40-38-03 of the North Dakota Century Code, relating to compensation of members of public library boards; and to declare an emergency.

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

HB 1079: A BILL for an Act to amend and reenact subsection 1 of section 39-12-05 of the North Dakota Century Code, relating to steering axle weight limits on the national system of interstate and defense highways.

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

HB 1081: A BILL for an Act to create and enact a new subdivision to subsection 2 of section 12-60-24 and section 43-06-11.1 of the North Dakota Century Code, relating to criminal history record checks for chiropractors.

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

HB 1082: A BILL for an Act to create and enact section 39-12-24 of the North Dakota Century Code, relating to cooperative regional permit agreements on excess size or weight vehicles.

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

HB 1084: A BILL for an Act to amend and reenact sections 14-03-20.1 and 23-02.1-27 of the North Dakota Century Code, relating to surname options on marriage applications and disclosure of birth and death records; and to declare an emergency.

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

HB 1085: A BILL for an Act to amend and reenact sections 50-11.1-07.8 and 50-25.1-11 of the North Dakota Century Code, relating to suspension of license, self-declaration, or registration document involving a child abuse and neglect investigation and to the confidentiality of child abuse and neglect records and information.

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

HB 1086: A BILL for an Act to amend and reenact section 15.1-19-13 of the North Dakota Century Code, relating to notifications regarding student use of alcohol or controlled substances.

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

HB 1087: A BILL for an Act to amend and reenact subsections 1 and 2 of section 28-32-40 of

the North Dakota Century Code, relating to the time for filing a petition for reconsideration from a final order of an administrative agency.
Was read the first time and referred to the **Judiciary Committee**.

HB 1088: A BILL for an Act to amend and reenact section 54-11-01 of the North Dakota Century Code, relating to duties of the state treasurer.
Was read the first time and referred to the **Government and Veterans Affairs Committee**.

HB 1089: A BILL for an Act to amend and reenact section 54-27-19 of the North Dakota Century Code, relating to the highway tax distribution fund.
Was read the first time and referred to the **Transportation Committee**.

HB 1090: A BILL for an Act to amend and reenact subsection 21 of section 4-30-01 and sections 4-30-36.2, 4-30-36.3, and 4-30-36.4 of the North Dakota Century Code, relating to dairy products regulations.
Was read the first time and referred to the **Agriculture Committee**.

HB 1091: A BILL for an Act to amend and reenact subsection 5 of section 10-04-10.1 of the North Dakota Century Code, relating to investment advisory contracts.
Was read the first time and referred to the **Industry, Business and Labor Committee**.

HB 1092: A BILL for an Act to create and enact a new subsection to section 15-20.4-02 of the North Dakota Century Code, relating to exemption of certain institutions from regulation by the state board for career and technical education; and to amend and reenact subsections 2 and 12 of section 43-12.1-04 of the North Dakota Century Code, relating to exemptions from the Nurse Practices Act.
Was read the first time and referred to the **Education Committee**.

HB 1093: A BILL for an Act to amend and reenact subsections 3 and 6 of section 53-06.2-11 of the North Dakota Century Code, relating to payment of breakage to and operating expenses of the racing commission.
Was read the first time and referred to the **Judiciary Committee**.

HB 1094: A BILL for an Act to amend and reenact subsection 1 of section 15.1-13-33 of the North Dakota Century Code, relating to investment of special funds in the state treasury for the purpose of funding grants for teachers to pursue national board certification.
Was read the first time and referred to the **Government and Veterans Affairs Committee**.

HB 1095: A BILL for an Act to amend and reenact sections 50-11-00.1 and 50-11-03.2 of the North Dakota Century Code, relating to the approval process of group foster care facilities.
Was read the first time and referred to the **Human Services Committee**.

HB 1096: A BILL for an Act to amend and reenact section 6-09-27, subsection 3 of section 6-09.15-01, and section 6-09.15-03 of the North Dakota Century Code, relating to venue of civil actions involving the Bank of North Dakota and the beginning entrepreneur loan guarantee program.
Was read the first time and referred to the **Industry, Business and Labor Committee**.

HB 1097: A BILL for an Act to amend and reenact section 54-02-02 of the North Dakota Century Code, relating to the state flag.
Was read the first time and referred to the **Government and Veterans Affairs Committee**.

HB 1098: A BILL for an Act to amend and reenact section 54-06-08.2 and subdivision c of subsection 1 of section 54-06-09 of the North Dakota Century Code, relating to the office of management and budget adopting and amending policies.
Was read the first time and referred to the **Government and Veterans Affairs Committee**.

HB 1100: A BILL for an Act to amend and reenact section 57-22-11 of the North Dakota Century Code, relating to certification of uncollectible taxes to the director of the office of management and budget.
Was read the first time and referred to the **Political Subdivisions Committee**.

HB 1103: A BILL for an Act to create and enact a new subsection to section 39-01-01 and

section 39-06-01.2 of the North Dakota Century Code, relating to definitions and anatomical gifting; and to amend and reenact subsection 1 of section 39-06-01, subsection 1 of section 39-06-01.1, subsection 1 of section 39-06-03.1, subsection 2 of section 39-06-07, section 39-06-07.2, subsection 1 of section 39-06-14, sections 39-06-24, 39-06-35, 39-06-36, and 39-06-40, subsection 3.1 of section 39-06.1-10, subsection 2 of section 39-06.2-10, sections 39-06.2-10.3 and 39-10.2-06, subsection 2 of section 39-16.1-07, subsection 2 of section 39-27-05, and subsections 2 and 5 of section 39-27-06 of the North Dakota Century Code, relating to nondriver photo identification, operator's licenses, and motorcycle safety and body requirements.

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

HB 1105: A BILL for an Act to repeal section 15-12-11 of the North Dakota Century Code, relating to lists of North Dakota state university publications furnished to county auditors.

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

HB 1106: A BILL for an Act to amend and reenact section 15.1-21-02.6 of the North Dakota Century Code, relating to eligibility for North Dakota academic and career and technical scholarships.

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

HB 1107: A BILL for an Act to amend and reenact section 61-04-01.1, subsection 5 of section 61-04-05, and section 61-04-05.1 of the North Dakota Century Code, relating to definitions and informational and adjudicative proceedings on a water permit application.

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

HB 1110: A BILL for an Act to amend and reenact section 25-03.1-23 of the North Dakota Century Code, relating to petitions for continuing treatment orders.

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

HB 1113: A BILL for an Act to amend and reenact sections 39-04-10.11 and 39-04-10.12, subsection 3 of section 39-04-10.13, subdivision o of subsection 2 of section 39-04-18, subsection 3 of section 39-04-19, and subsection 4 of section 39-22.3-04 of the North Dakota Century Code, relating to number plates, motor vehicle registration fees and miles tax, and dealer's licenses.

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

HB 1114: A BILL for an Act to create and enact section 40-21-16.1 of the North Dakota Century Code, relating to canvassing city elections; to amend and reenact sections 40-08-08, 40-08-16, and 40-09-10 of the North Dakota Century Code, relating to city elections; to repeal section 40-09-07 of the North Dakota Century Code, relating to the bond and oath of a city commissioner; and to declare an emergency.

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

HB 1115: A BILL for an Act to amend and reenact section 50-11-05 of the North Dakota Century Code, relating to the confidentiality of foster care records.

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

HB 1117: A BILL for an Act to repeal section 54-12-01.2 of the North Dakota Century Code, relating to the authority to regulate gaming schools.

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

HB 1118: A BILL for an Act to amend and reenact section 32-12.2-14 of the North Dakota Century Code, relating to accidents involving state motor vehicles which are reviewed by the risk management accident review board or the department of transportation.

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

HB 1123: A BILL for an Act to create and enact sections 26.1-44-01.1, 26.1-44-03.1, 26.1-44-06.1, 26.1-44-10, and 26.1-44-11 of the North Dakota Century Code, relating to surplus lines insurance and enactment of the surplus lines insurance multistate compliance compact; to amend and reenact sections 26.1-44-01, 26.1-44-02, 26.1-44-03, 26.1-44-04, 26.1-44-05, 26.1-44-06, and 26.1-44-08 of the

North Dakota Century Code, relating to surplus lines insurance; and to declare an emergency.

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

HB 1132: A BILL for an Act to amend and reenact sections 2-05-03, 2-05-04, 2-05-05, and 2-05-06.5, subsection 3 of section 2-05-11.1, and sections 2-05-11.3 and 57-43.3-06 of the North Dakota Century Code, relating to the powers and duties of the aeronautics commission and the distribution of aviation fuel tax revenue; to repeal sections 2-05-06.4, 2-05-08, 2-05-12, 2-05-15, 2-05-15.1, 2-05-16, and 2-05-17 of the North Dakota Century Code, relating to the powers and duties of the aeronautics commission; and to declare an emergency.

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

HB 1140: A BILL for an Act to create and enact two new sections to chapter 10-04 of the North Dakota Century Code, relating to requirement of statutory or administrative rules as a basis for action by the securities commissioner and prohibition of imposition by the securities commissioner of restrictions on income or assets of investors or potential investors in real estate investment trusts; and to provide an effective date.

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

HB 1141: A BILL for an Act to amend and reenact subdivision a of subsection 2 of section 54-03-20 of the North Dakota Century Code, relating to housing reimbursement for members of the legislative assembly; to provide for retroactive application; and to declare an emergency.

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

HB 1144: A BILL for an Act to create and enact chapter 57-02.4 of the North Dakota Century Code, relating to special use permit fees for crew housing facilities; and to declare an emergency.

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

HB 1145: A BILL for an Act to amend and reenact section 54-10-14 of the North Dakota Century Code, relating to political subdivision reports in lieu of audits.

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

HB 1149: A BILL for an Act to amend and reenact subsection 6 of section 57-15-28.1 of the North Dakota Century Code, relating to the levy limitation for county comprehensive health care insurance employee benefit programs; and to provide an effective date.

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

HB 1157: A BILL for an Act to create and enact a new subsection to section 57-40.5-03 of the North Dakota Century Code, relating to an exemption from aircraft excise tax for aircraft acquired by an aviation museum; and to provide an effective date.

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

HB 1158: A BILL for an Act to create and enact a new section to chapter 54-21.3 of the North Dakota Century Code, relating to wheelchair accessibility of retail businesses that receive state or local economic development funds; and to provide for application.

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

HB 1159: A BILL for an Act to amend and reenact section 23-01-05.2 of the North Dakota Century Code, relating to administration of epinephrine.

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

HB 1160: A BILL for an Act to create and enact two new sections to chapter 26.1-34.2 of the North Dakota Century Code, relating to annuity transaction practices; and to amend and reenact sections 26.1-34.2-02, 26.1-34.2-03, and 26.1-34.2-04 of the North Dakota Century Code, relating to annuity transaction practices; and to provide a penalty.

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

HB 1161: A BILL for an Act to amend and reenact section 10-30.5-12 of the North Dakota Century Code, relating to entrepreneurship center awards.

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

HB 1163: A BILL for an Act to create and enact a new section to chapter 54-02 of the North Dakota Century Code, relating to the national honor and remember flag.

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

HB 1164: A BILL for an Act to amend and reenact sections 39-24-09.1 and 39-29-10 of the North Dakota Century Code, relating to the operation of off-highway vehicles by individuals under sixteen years of age.

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

HB 1165: A BILL for an Act to create and enact a new section to chapter 26.1-36 of the North Dakota Century Code, relating to individual accident and health insurance coverage.

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

HB 1174: A BILL for an Act to amend and reenact sections 23-12-14 and 26.1-41-12 of the North Dakota Century Code, relating to copies of medical records and medical bills.

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

HB 1180: A BILL for an Act to amend and reenact subsection 7 of section 20.1-03-11 of the North Dakota Century Code, relating to landowner preference licenses to hunt elk.

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 subdivision to subsection 2 of section 39-06.1-06 of the North Dakota Century Code, relating to fees for depositing rubbish on highways; to amend and reenact sections 20.1-01-25, 23-29-05.1, and 39-10-59 of the North Dakota Century Code, relating to littering on game refuges or recreation areas, open burning, and depositing rubbish on highways; to provide a penalty; and to declare an emergency.

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

HB 1196: A BILL for an Act to amend and reenact section 39-24.1-07 of the North Dakota Century Code, relating to operating a snowmobile while under the influence of alcohol or drugs; and to provide a penalty.

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

HB 1213: A BILL for an Act to amend and reenact section 15-10-02 of the North Dakota Century Code, relating to state board of higher education advisers.

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

HB 1214: A BILL for an Act to create and enact sections 15.1-02-18.1, 15.1-02-18.2, and 15.1-02-18.3 of the North Dakota Century Code, relating to the statewide longitudinal data system and the mandatory provision of information; to amend and reenact sections 15.1-02-18 and 52-01-03 of the North Dakota Century Code, relating to the statewide longitudinal data system; and to repeal section 44-04-18.14 of the North Dakota Century Code, relating to the followup information on North Dakota education and training system.

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

HB 1215: A BILL for an Act to amend and reenact section 15.1-06-12 of the North Dakota Century Code, relating to a requirement for lockdown drills at schools.

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

HB 1216: A BILL for an Act to provide that hydraulic fracturing is an acceptable recovery process in North Dakota; and to declare an emergency.

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

HB 1218: A BILL for an Act to amend and reenact subsections 4 and 5 of section 17-07-01 of the North Dakota Century Code, relating to development of the state's energy policy.

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

HB 1221: A BILL for an Act to amend and reenact section 49-05-16 of the North Dakota Century Code, relating to advance determination of prudence; and to provide an effective date.

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

HB 1225: A BILL for an Act to amend and reenact subsection 22 of section 57-15-06.7 of the

North Dakota Century Code, relating to the county emergency fund levy limitation; and to provide an effective date.

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

HB 1232: A BILL for an Act to amend and reenact sections 24-06-28 and 24-06-29 of the North Dakota Century Code, relating to obstructions and traffic safety hazards on section line roads.

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

HB 1244: A BILL for an Act to amend and reenact section 36-24-08 of the North Dakota Century Code, relating to rules governing the preparation of equine carcasses.

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

HB 1252: A BILL for an Act to establish a legislative management health care reform review committee.

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

HB 1343: A BILL for an Act to provide an appropriation for defraying the expenses of the industrial commission; and to declare an emergency.

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

HB 1391: A BILL for an Act to create and enact section 57-39.4-33.3 of the North Dakota Century Code, relating to prohibited replacement taxes; to amend and reenact subsection 2 of section 11-09.1-05, subsection 16 of section 40-05.1-06, subsection 1 of section 57-39.2-02.1, sections 57-39.4-01, 57-39.4-02, 57-39.4-03, and 57-39.4-04, subsections 1 and 3 of section 57-39.4-09, and sections 57-39.4-10, 57-39.4-11.1, 57-39.4-14, 57-39.4-14.1, 57-39.4-18, 57-39.4-19, 57-39.4-20, and 57-39.4-24 of the North Dakota Century Code, relating to the administration of the streamlined sales and use tax agreement; to repeal chapter 57-39.3 of the North Dakota Century Code, relating to fees in lieu of sales taxes; and to provide an effective date.

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

FIRST READING OF HOUSE CONCURRENT RESOLUTION

HCR 3002: A concurrent resolution authorizing the Budget Section of the Legislative Management to hold the required legislative hearings on state plans for the receipt and expenditure of new or revised block grants passed by Congress.

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

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

William R. Horton, Secretary

