

JOURNAL OF THE SENATE

Sixty-second Legislative Assembly

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Bismarck, March 4, 2011

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

The prayer was offered by Pastor Dale Nabben, Assistant Secretary of the Senate, Bismarck.

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

A quorum was declared by the President.

CORRECTION AND REVISION OF THE JOURNAL

MR. PRESIDENT: Your **Committee on Correction and Revision of the Journal (Sen. Andrist, Chairman)** has carefully examined the Journal of the Thirty-fifth and Thirty-eighth Days and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 521, line 25, after "read," insert "and has committee recommendation of DO PASS,"

Page 627, line 14, replace "HB 1037" with "Engrossed HB 1037"

Page 627, line 30, replace "HB 1056" with "Engrossed HB 1056"

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

FIRST READING OF SENATE CONCURRENT RESOLUTION

Sens. Nething, Stenehjem, Taylor and Reps. Carlson, DeKrey, J. Kelsh introduced:
(Approved by the Delayed Bills Committee)

SCR 4025: A concurrent resolution commending Assistant Attorney General Jonathan Byers for his quick and effective reaction to a serious threat to public safety, disregarding his own personal safety for the benefit of others.

Was read the first time.

MOTION

SEN. CHRISTMANN MOVED that the rules be suspended, that SCR 4025 not be printed, not be referred to committee, but be read in its entirety, be printed in the Journal, and placed on the calendar for immediate second reading and final passage, which motion prevailed.

Sens. Nething, Stenehjem, Taylor and Reps. Carlson, DeKrey, J. Kelsh introduced:

(Approved by the Delayed Bills Committee)

SENATE CONCURRENT RESOLUTION NO. 4025

A concurrent resolution commending Assistant Attorney General Jonathan Byers for his quick and effective reaction to a serious threat to public safety, disregarding his own personal safety for the benefit of others.

WHEREAS, Jonathan Byers has held the position of Assistant Attorney General for nearly 19 years, and is presently the Division Director of the Criminal and Regulatory Division of the Attorney General's office; and

WHEREAS, Mr. Byers has a reputation, throughout the state of North Dakota, as the "go to" prosecutor for difficult and complex sexual offense and other criminal cases; and

WHEREAS, having concluded a recent week-long felony trial, Mr. Byers was confronted, in open court, by the recently convicted defendant who was brandishing a handgun; and

WHEREAS, Mr. Byers, being unarmed himself, but recognizing the seriousness and danger of the situation, did at great risk to his own personal safety, physically and forcefully subdue the defendant before the weapon could be discharged, thus preserving the safety of those present, including the judge, the jury, and the public;

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

That the Legislative Assembly commends Assistant Attorney General Jonathan Byers for his heroic actions, which exemplify the degree to which a public employee may act in the interests of the public he serves; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to Assistant Attorney General Jonathan Byers and to Attorney General Wayne Stenehjem.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4025: A concurrent resolution commending Assistant Attorney General Jonathan Byers for his quick and effective reaction to a serious threat to public safety, disregarding his own personal safety for the benefit of others.

The question being on the final adoption of the resolution, which has been read.

SCR 4025 was declared adopted on a voice vote.

MOTION

SEN. CHRISTMANN MOVED that SCR 4025 be messaged to the House immediately, which motion prevailed.

MOTION

SEN. CHRISTMANN MOVED that Senator Flakoll be replaced by Senator Kilzer on the Confirmation Committee to approve Blake Krabseth to the North Dakota Gaming Commission, which motion prevailed.

MOTION

SEN. CHRISTMANN MOVED Senator Warner be replaced by Senator Taylor on the Confirmation Committee to approve Lois Altenburg to the North Dakota Gaming Commission, which motion prevailed.

ANNOUNCEMENT

PRESIDENT WRIGLEY ANNOUNCED that there was no Senate floor session on Thursday, March 3, 2011.

CONSIDERATION OF AMENDMENTS

HB 1080, as engrossed: SEN. MURPHY (Industry, Business and Labor Committee) MOVED that the amendments on SJ page 628 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

HB 1031: SEN. DEVER (Government and Veterans Affairs Committee) MOVED that the amendments on SJ page 628 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF HOUSE BILL

HB 1065: A BILL for an Act to amend and reenact subsection 1 of section 29-07-01.1 of the North Dakota Century Code, relating to payment of and reimbursement for indigent defense attorney's fees and expenses.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 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; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Robinson; Schaible; Schneider; Sitte; Sorvaag; Stenehjem; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Holmberg

HB 1065 passed.

SECOND READING OF HOUSE BILL

HB 1135: A BILL for an Act to create and enact section 59-09-13 of the North Dakota Century Code, relating to the insurable interest of a trustee.

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; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Robinson; Schaible; Schneider; Sitte; Sorvaag; Stenehjem; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Holmberg

Engrossed HB 1135 passed.

SECOND READING OF HOUSE BILL

HB 1121: A BILL for an Act to create and enact subsection 3 to section 26.1-03-11.1 of the North Dakota Century Code, relating to the confidentiality of actuarial opinion support documents.

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; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Robinson; Schaible; Schneider; Sitte; Sorvaag; Stenehjem; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Holmberg

Engrossed HB 1121 passed.

SECOND READING OF HOUSE BILL

HB 1064: A BILL for an Act to amend and reenact subsection 2 of section 29-26-22 of the North Dakota Century Code, relating to court administration fees.

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; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Robinson; Schaible; Schneider; Sitte; Sorvaag; Stenehjem; Taylor; Triplett; Uglem; Wanzek; Wardner;

Warner

ABSENT AND NOT VOTING: Holmberg

HB 1064 passed.

SECOND READING OF HOUSE BILL

HB 1366: A BILL for an Act to amend and reenact subsection 3 of section 45-11-01 and section 47-25-03 of the North Dakota Century Code, relating to a partnership fictitious name and a trade name filed with the secretary of state.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 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; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Robinson; Schaible; Schneider; Sitte; Sorvaag; Stenehjerm; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Holmberg

HB 1366 passed.

SECOND READING OF HOUSE BILL

HB 1104: A BILL for an Act to amend and reenact subsection 7 of section 23-20.3-03.1 of the North Dakota Century Code, relating to financial assurance requirements for property subject to institutional controls or responsibility exemptions.

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; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Robinson; Schaible; Schneider; Sitte; Sorvaag; Stenehjerm; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Holmberg

Engrossed HB 1104 passed.

SECOND READING OF HOUSE BILL

HB 1039: A BILL for an Act to amend and reenact subdivision a of subsection 2 of section 14-15-17, section 15-12-25, subsections 2 and 3 of section 15-52-03, sections 23-34-02, 23-34-02.1, 43-04-40, 43-53-04, 50-06-05.1, 57-38-30, and 57-43.2-02.3, subsection 1 of section 61-06-13, subsection 5 of section 61-07-03, section 61-11-03, and subdivision a of subsection 2 of section 65-02-03.1 of the North Dakota Century Code, relating to technical corrections and improper, inaccurate, redundant, missing, or obsolete references; and to repeal sections 4-32-09 and 40-05-21 of the North Dakota Century Code, relating to obsolete provisions.

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; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Robinson; Schaible; Schneider; Sitte; Sorvaag; Stenehjerm; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Holmberg

HB 1039, as amended, passed.

SECOND 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.

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

HCR 3002 was declared adopted on a voice vote.

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

MR. SPEAKER: The Senate has passed, and your favorable consideration is requested on: SCR 4025.

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

MR. SPEAKER: The Senate has passed, unchanged: HB 1037, HB 1050, HB 1051, HB 1056, HB 1063.

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

MR. PRESIDENT: The House has passed, and your favorable consideration is requested on: HCR 3039.

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

MR. PRESIDENT: The House has passed, unchanged: SCR 4025.

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., Monday, March 7, 2011, which motion prevailed.

REPORT OF STANDING COMMITTEE

SCR 4023: Transportation Committee (Sen. G. Lee, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SCR 4023 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1026: Political Subdivisions Committee (Sen. Andrist, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1026 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1028: Judiciary Committee (Sen. Nething, Chairman) recommends **DO PASS**

(5 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). HB 1028 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1074, as engrossed: Education Committee (Sen. Freborg, 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). Engrossed HB 1074 was placed on the Sixth order on the calendar.

Page 1, line 3, after the first semicolon insert "to provide an appropriation;"

Page 2, after line 23, insert:

"SECTION 3. APPROPRIATION. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$708,000, or so much of the sum as may be necessary, to the superintendent of public instruction for the purpose of reimbursement of boarding care costs, for the biennium beginning July 1, 2011, and ending June 30, 2013."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1076, as engrossed: Political Subdivisions Committee (Sen. Andrist, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1076 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1081: Judiciary Committee (Sen. Nething, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1081 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1082, as engrossed: Transportation Committee (Sen. G. Lee, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1082 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1088, as engrossed: Government and Veterans Affairs Committee (Sen. Dever, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1088 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1107, as engrossed: Natural Resources Committee (Sen. Lyson, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1107 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1115, as engrossed: Judiciary Committee (Sen. Nething, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1115 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1116, as engrossed: Finance and Taxation Committee (Sen. Cook, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1116 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1118, as engrossed: Government and Veterans Affairs Committee (Sen. Dever, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1118 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1180: Natural Resources Committee (Sen. Lyson, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1180 was placed on the

Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1273: Education Committee (Sen. Freborg, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1273 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1288: Natural Resources Committee (Sen. Lyson, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1288 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1315: Government and Veterans Affairs Committee (Sen. Dever, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1315 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1436: Education Committee (Sen. Freborg, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1436 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3025: Government and Veterans Affairs Committee (Sen. Dever, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3025 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3029: Education Committee (Sen. Freborg, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3029 was placed on the Fourteenth order on the calendar.

FIRST READING OF HOUSE BILLS

HB 1074: A BILL for an Act to amend and reenact subsection 1 of section 15.1-29-14 and section 15.1-32-19 of the North Dakota Century Code, relating to school district reimbursement for boarding care costs; to provide an effective date; to provide an expiration date; and to declare an emergency.

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

HB 1127: A BILL for an Act to create and enact two new sections to chapter 26.1-36 of the North Dakota Century Code, relating to health carrier external appeals and internal claims and appeals procedures; to amend and reenact sections 26.1-03-01, 26.1-26.4-01, and 26.1-36-44 of the North Dakota Century Code, relating to limitation on health insurance company risks, utilization review, and independent external reviews; to provide for application; and to declare an emergency.

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

HB 1169: A BILL for an Act to amend and reenact section 50-24.4-07 of the North Dakota Century Code, relating to nonallowable costs in nursing home ratesetting.

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

HB 1175: A BILL for an Act to create and enact a new subdivision to subsection 8 of section 26.1-04-03 of the North Dakota Century Code, relating to limitations on insurance rebates; and to amend and reenact sections 26.1-04-06 and 26.1-25-16 of the North Dakota Century Code, relating to limitations on insurance rebates.

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

HB 1199: A BILL for an Act to provide for a study of guardianship services for vulnerable adults in the state.

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

HB 1211: A BILL for an Act to amend and reenact sections 15.1-23-01, 15.1-23-02, 15.1-23-03, 15.1-23-06, 15.1-23-08, and 15.1-23-17 of the North Dakota Century Code, relating to home education.

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

HB 1227: A BILL for an Act to amend and reenact section 57-20-07.1 of the North Dakota Century Code, relating to property tax statement inclusion of information to identify the dollar amount of property tax relief provided through legislative appropriation; and to provide an effective date.

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

HB 1229: A BILL for an Act to create and enact a new section to chapter 15.1-21 of the North Dakota Century Code, relating to abstinence-based concepts within the school health curriculum.

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

HB 1248: A BILL for an Act to create and enact a new section to chapter 15.1-19 of the North Dakota Century Code, relating to educational transfers involving children of military families.

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

HB 1256: A BILL for an Act to create and enact a new subsection to section 39-01-01, a new paragraph to subdivision b of subsection 3 of section 39-06.1-10, and a new section to chapter 39-08 of the North Dakota Century Code, relating to demerit points and using an electronic communication device; to amend and reenact subsection 1 of section 39-06-03 and sections 39-06-04, 39-06-17, and 39-06.1-09 of the North Dakota Century Code, relating to a graduated operator's license and a moving violation; and to provide for application.

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

HB 1317: A BILL for an Act to amend and reenact sections 4.1-47-16 and 4.1-47-28 of the North Dakota Century Code, relating to noxious weed control; and to declare an emergency.

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

HB 1368: A BILL for an Act to amend and reenact sections 54-03-20 and 54-35-10 of the North Dakota Century Code, relating to legislative compensation; to repeal sections 54-03-19.1 and 54-03-19.2 of the North Dakota Century Code, relating to the legislative compensation commission; to provide an effective date; and to declare an emergency.

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

HB 1382: A BILL for an Act to amend and reenact subsections 11 and 15 of section 49-23-01, subdivision a of subsection 3 of section 49-23-03, and section 49-23-04 of the North Dakota Century Code, relating to the one-call excavation notice system.

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

HB 1397: A BILL for an Act to amend and reenact section 54-35-01 of the North Dakota Century Code, relating to the membership of the legislative management; and to declare an emergency.

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

HB 1399: A BILL for an Act to amend and reenact sections 4-09-06.1, 4-11-01, 4-11-03, 4-11-04, 4-11-04.1, 4-11-14, 4-11-15.2, 4-11-20, 4-11-22, and 4-11-23 of the North Dakota Century Code or in the alternative to amend and reenact sections 4.1-53-10, 4.1-53-35, 4.1-57-01, 4.1-57-03, 4.1-57-04, 4.1-57-05, 4.1-57-12, 4.1-57-15, 4.1-57-19, 4.1-57-21, and 4.1-57-22 of the North Dakota Century Code, relating to label requirements, phytosanitary certificates, and wholesale potato dealers; to repeal sections 4-09-22, 4-11-17, and 4-11-18 of the North Dakota Century Code or in the alternative to repeal sections 4.1-53-56, 4.1-57-17, and 4.1-57-18 of the North Dakota Century Code, relating to reports, complaints, and the prosecution of violations pertaining to the sale of potatoes; and to provide a penalty.

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

HB 1405: A BILL for an Act to create and enact a new section to chapter 39-05 of the North Dakota Century Code, relating to damaged out-of-state vehicles.

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

HB 1426: A BILL for an Act to amend and reenact subsection 2 of section 44-08-04 of the North Dakota Century Code, relating to travel reimbursement rates for state

employees and officers.

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

HB 1465: A BILL for an Act to create and enact six new sections to chapter 15.1-19 of the North Dakota Century Code, relating to the prevention of bullying in public schools.

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

FIRST READING OF HOUSE CONCURRENT RESOLUTION

HCR 3015: A concurrent resolution reaffirming North Dakota's sovereignty under the 10th Amendment to the Constitution of the United States and to demand the federal government halt its practice of assuming powers and imposing mandates on the states for purposes not enumerated in the Constitution of the United States.

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

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

William R. Horton, Secretary

