

JOURNAL OF THE SENATE

Sixty-second Legislative Assembly

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Bismarck, January 24, 2011

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

The prayer was offered by Pastor Bruce Peterson, Our Redeemer's Lutheran Church, New England.

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

A quorum was declared by the President.

CORRECTION AND REVISION OF THE JOURNAL

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

Page 106, line 23, replace "Duane" with "Duaine"

Page 144, after line 4, insert:

"Page 1, line 1, replace "a new section to chapter 44-04 and three" with "four"

Page 1, line 4, after "sections" insert "23-06.5-19,"

Page 1, line 4, after "54-59-25" insert a comma

Page 1, replace lines 8 through 14 with:

"SECTION 1. AMENDMENT. Section 23-06.5-19 of the North Dakota Century Code is amended and reenacted as follows:

23-06.5-19. Health care record registry - Fees.

1. As used in this section:
 - a. "Health care record" means a health care directive or a revocation of a health care directive executed in accordance with this chapter.
 - b. "Registration form" means a form prescribed by the ~~secretary of state~~information technology department to facilitate the filing of a health care record.
2.
 - a. ~~The secretary of state~~information technology department may establish and maintain a health care record registry, through which a health care record may be filed. The registry must be accessible through a website maintained by the ~~secretary of state~~information technology department.
 - b. An individual who is the subject of a health care record, or that individual's agent, may submit to the ~~secretary of state~~information technology department for registration, using a registration form, a health care record executed in accordance with this chapter.
3. Failure to register a health care record with the ~~secretary of state~~information technology department under this section does not affect the validity of the health care record. Failure to notify the ~~secretary of state~~information technology department of the revocation of a health care record filed under

this section does not affect the validity of a revocation that otherwise meets the statutory requirements for revocation.

4. a. Upon receipt of a health care record and completed registration form, the ~~secretary of state~~information technology department shall create a digital reproduction of the health care record, enter the reproduced health care record into the health care record registry database, and assign each registration a unique file number. The ~~secretary of state~~information technology department is not required to review a health care record to ensure the health care record complies with any particular statutory requirements that may apply to the health care record.
- b. The ~~secretary of state~~information technology department shall delete a health care record filed with the registry under this section upon receipt of a revocation of the health care record along with that document's file number.
- c. The entry of a health care record under this section does not affect or otherwise create a presumption regarding the validity of the health care record or the accuracy of the information contained in the health care record.
5. a. The registry must be accessible by entering the file number and password on the internet website. Registration forms, file numbers, and other information maintained by the ~~secretary of state~~information technology department under this section are confidential and the state may not disclose this information to any person other than the subject of the document, or the subject's agent. The ~~secretary of state~~information technology department may not use information contained in the registry except as provided under this chapter.
- b. At the request of the subject of the health care record, or the subject's agent, the ~~secretary of state~~information technology department may transmit the information received regarding the health care record to the registry system of another jurisdiction as identified by the requester.
- c. This section does not require a health care provider to seek to access registry information about whether a patient has executed a health care record that may be registered under this section. A health care provider who makes good-faith health care decisions in reliance on the provisions of an apparently genuine health care record received from the registry is immune from criminal and civil liability to the same extent and under the same conditions as prescribed in section 23-06.5-12. This section does not affect the duty of a health care provider to provide information to a patient regarding health care directives as may be required under federal law.
6. ~~The secretary of state may accept a gift, grant, donation, bequest, or other form of voluntary contribution to establish, support, promote, and maintain the registry. Any funds contributed under this subsection and any fees collected under this section must be deposited in the secretary of state's general services operating fund. The secretary of state shall~~information technology department may charge and collect a reasonable fee for filing a health care record and a revocation of a health care record."

Page 4, after line 24, insert:

"SECTION 5. A new section to chapter 54-59 of the North Dakota Century Code is created and enacted as follows:

Health information exchange - Confidential records.

Any individually identifiable health information, as defined under the federal Health Insurance Portability and Accountability Act of 1996 [Pub. L. 104-191],

submitted to, stored in, or transmitted by the health information exchange under chapter 54-59 and any such data or record in the possession of the health information technology office is confidential. Any other information relating to patients, individuals, or individually identifiable demographic information contained in a master client index submitted to, stored in or transmitted by the health information exchange or in the possession of the health information technology office is an exempt record."

Page 5, line 10, replace "6" with "7"

Reorder accordingly"

Page 144, line 6, remove ", **as amended**"

Page 144, line 8, remove "as"

Page 144, line 9, remove "amended,"

Page 144, after line 9, insert:

"Page 1, line 23, after "federal" insert "rent or financing subsidy or a federal"

Reorder accordingly"

Page 144, after line 14, insert:

"Page 1, line 6, remove the overstrike over "~~(Effective through July 31,~~"

Page 1, line 6, after "~~2011~~" insert "2013"

Page 1, line 6, remove the overstrike over the boldfaced closing parenthesis

Page 2, line 15, after the underscored period insert "a."

Page 2, line 17, remove the overstrike over "{1}"

Page 2, line 17, remove "a."

Page 2, line 19, remove the overstrike over "{2}"

Page 2, line 19, remove "b."

Page 2, line 20, remove the overstrike over "{3}"

Page 2, line 20, remove "c."

Page 2, line 21, remove the overstrike over "{4}"

Page 2, line 21, remove "d."

Page 2, line 23, remove the overstrike over "{5}"

Page 2, line 23, remove "e."

Page 2, line 25, remove the overstrike over "{6}"

Page 2, line 25, remove "f."

Page 2, line 27, remove the overstrike over "b."

Page 2, line 27, remove the overstrike over "If the executive director of the Indian affairs commission or any of the tribal"

Page 2, remove the overstrike over lines 28 through 30

Page 3, remove the overstrike over lines 1 and 2

Renumber accordingly"

Page 144, after line 23, insert:

"Page 1, line 10, replace "intellectually disabled" with "individual with an intellectual disability"

Page 9, line 5, overstrike "the"

Page 9, line 6, replace "intellectually disabled" with "individuals with intellectual disabilities"

Page 9, line 14, overstrike "the"

Page 9, line 14, replace "intellectually disabled" with "individuals with intellectual disabilities"

Page 9, line 24, overstrike "the"

Page 9, line 24, replace "intellectually disabled" with "individuals with intellectual disabilities"

Page 10, line 2, overstrike "handicap" and insert immediately thereafter "disability"

Page 11, line 8, overstrike "the"

Page 11, line 9, after "retarded" insert "individuals who are"

Page 11, line 9, after "or" insert "who are"

Page 12, line 2, overstrike "the"

Page 12, line 2, replace "intellectually disabled" with "individuals with intellectual disabilities"

Page 12, line 24, remove "intellectually"

Page 12, line 25, replace "disabled" with "individuals with intellectual disabilities"

Page 13, line 15, overstrike the second "the"

Page 13, line 16, replace "intellectually disabled" with "individuals with intellectual disabilities"

Page 13, line 17, overstrike "the"

Page 13, line 17, replace "intellectually disabled" with "individuals with intellectual disabilities"

Page 13, line 28, overstrike "the"

Page 13, line 29, replace "intellectually disabled" with "individuals with intellectual disabilities"

Page 14, line 4, overstrike "the"

Page 14, line 5, replace "intellectually disabled" with "individuals with intellectual disabilities"

Page 14, line 8, overstrike "the"

Page 14, line 8, replace "intellectually disabled" with "individuals with intellectual disabilities"

Page 14, line 15, overstrike "the"

Page 14, line 16, replace "intellectually disabled" with "individuals with intellectual disabilities"

Page 14, line 23, replace "or" with a comma

Page 14, line 23, after "disability""insert ", or "individual with intellectual disabilities""

Renumber accordingly"

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

CONSIDERATION OF AMENDMENTS

SB 2142: SEN. MATHERN (Human Services Committee) MOVED that the amendments on SJ pages 152-153 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

SB 2053: SEN. DEVER (Government and Veterans Affairs Committee) MOVED that the amendments on SJ pages 151-152 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

SB 2049: SEN. COOK (Finance and Taxation Committee) MOVED that the amendments on SJ page 151 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

SB 2037: SEN. MATHERN (Human Services Committee) MOVED that the amendments on SJ pages 149-151 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

SB 2024: SEN. UGLEM (Human Services Committee) MOVED that the amendments on SJ page 143 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 2073: A BILL for an Act to amend and reenact subsection 1 of section 16.1-08.1-03.3, section 16.1-08.1-03.5, and subsection 2 of section 16.1-08.1-03.8 of the North Dakota Century Code, relating to campaign contribution statements.

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 34 YEAS, 11 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

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

ABSENT AND NOT VOTING: Holmberg; Marcellais

Engrossed SB 2073 passed.

SECOND READING OF SENATE BILL

SB 2205: A BILL for an Act to amend and reenact subsections 4 and 6 section 65-01-16 and subsection 2 of section 65-04-32 of the North Dakota Century Code, relating to attorney representation in a request for workforce safety and insurance reconsideration, who may file a request for assistance from the decision review office, and service of an employer.

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,

0 NAYS, 0 EXCUSED, 2 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; 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; Marcellais

Engrossed SB 2205 passed.

SECOND READING OF SENATE BILL

SB 2077: A BILL for an Act to create and enact a new chapter to title 50 of the North Dakota Century Code, relating to expanded service payments for elderly and disabled; and to amend and reenact sections 50-24.5-01, 50-24.5-02, 50-24.5-03, and 50-24.5-04 of the North Dakota Century Code, relating to the requirements for basic care assistance eligibility, personal care services, and functional assessment criteria.

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, 0 NAYS, 0 EXCUSED, 2 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; 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; Marcellais

Engrossed SB 2077 passed.

SECOND READING OF SENATE BILL

SB 2064: A BILL for an Act to amend and reenact sections 26.1-22.1-01, 26.1-22.1-09, and 26.1-22.1-10 of the North Dakota Century Code, relating to inspection and certificate fees and certificates of inspection of boilers.

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 41 YEAS, 4 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Andrist; Berry; Bowman; Burckhard; Christmann; Cook; Dever; Dotzenrod; Erbele; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Kilzer; Klein; Krebsbach; Laffen; Lee, G.; Lee, J.; Luick; Lyson; Murphy; Nelson; Nething; Nodland; Oehlke; Olafson; Robinson; Schaible; Schneider; Sitte; Sorvaag; Stenehjem; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

NAYS: Larsen; Mathern; Miller; O'Connell

ABSENT AND NOT VOTING: Holmberg; Marcellais

Engrossed SB 2064 passed.

SECOND READING OF SENATE BILL

SB 2121: A BILL for an Act to repeal chapter 6-09.6 of the North Dakota Century Code, relating to the developmentally disabled facility loan program; and to provide for the

sale of loans and transfer of proceeds to the common schools trust fund.

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, 0 NAYS, 0 EXCUSED, 2 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; 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; Marcellais

Engrossed SB 2121 passed.

SECOND READING OF SENATE BILL

SB 2197: A BILL for an Act to create and enact a new subsection to section 57-43.2-05 of the North Dakota Century Code, relating to licensing requirements for the special fuels tax; 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 PASS, the roll was called and there were 35 YEAS, 10 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Andrist; Berry; Bowman; Cook; Dever; Dotzenrod; Erbele; Fischer; Freborg; Grindberg; Heckaman; Hogue; Kilzer; Klein; Krebsbach; Larsen; Lee, G.; Lee, J.; Lyson; Mathern; Murphy; Nelson; Nething; Nodland; Oehlke; Robinson; Schneider; Sitte; Sorvaag; Stenehjem; Taylor; Triplett; Uglem; Wanzek; Wardner

NAYS: Burckhard; Christmann; Flakoll; Laffen; Luick; Miller; O'Connell; Olafson; Schaible; Warner

ABSENT AND NOT VOTING: Holmberg; Marcellais

SB 2197 passed.

SECOND READING OF SENATE BILL

SB 2165: A BILL for an Act to amend and reenact subsection 9 of section 39-05-22 of the North Dakota Century Code, relating to the department of motor vehicle record retention.

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 44 YEAS, 1 NAY, 0 EXCUSED, 2 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; Mathern; Miller; Murphy; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Robinson; Schaible; Schneider; Sitte; Sorvaag; Stenehjem; Taylor; Uglem; Wanzek; Wardner; Warner

NAYS: Triplett

ABSENT AND NOT VOTING: Holmberg; Marcellais

SB 2165 passed.

SECOND READING OF SENATE BILL

SB 2107: A BILL for an Act to amend and reenact sections 37-17.1-23 and 39-10-03.2 of the North Dakota Century Code, relating to the disaster or emergency loan funding process and removal of department of emergency services from blue light rulemaking.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: 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; 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; Marcellais

SB 2107 passed.

SECOND READING OF SENATE BILL

SB 2164: A BILL for an Act to amend and reenact sections 43-31-02, 43-31-07, and 43-31-16 of the North Dakota Century Code, relating to requirements for detection of deception instruments and examiners.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: 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; 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; Marcellais

SB 2164 passed.

SECOND READING OF SENATE BILL

SB 2036: A BILL for an Act to amend and reenact section 54-59-02 and subsection 13 of section 54-59-05 of the North Dakota Century Code, relating to responsibilities and powers and duties of the information technology department.

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 0 YEAS, 45 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

NAYS: 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; 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; Marcellais

SB 2036 lost.

MOTION

SEN. CHRISTMANN MOVED that the Senate stand in recess until 1:51 p.m., which motion prevailed.

THE SENATE RECONVENED pursuant to recess taken, with President Wrigley presiding.

MOTION

SEN. OLAFSON MOVED that the Senate reconsider its action whereby SB 2169 passed, which motion prevailed on a verification vote.

MOTION

SEN. CHRISTMANN MOVED that SB 2169 be rereferred to the **Government and Veterans Affairs Committee**, which motion prevailed. Pursuant to Sen. Christmann's motion, SB 2169 was rereferred.

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 2100, SB 2149, SB 2151, SB 2168, SB 2192, SCR 4002, SCR 4006.

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 1096, HB 1097, HB 1116, HB 1137, HB 1139, HB 1161, HB 1179, HB 1222, HB 1240, HB 1252, HB 1308.

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 1114.

MOTION

SEN. CHRISTMANN MOVED that the absent members 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, January 25, 2011, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2061: Transportation Committee (Sen. G. Lee, Chairman) recommends **DO NOT PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2061 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2078: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2078 was placed on the Sixth order on the calendar.

Page 1, line 7, after "property" insert "located in areas in which residential mortgage loan origination services are not reasonably available and by referral from a local financial institution"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2137: Finance and Taxation Committee (Sen. Cook, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (6 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). SB 2137 was rereferred to the **Appropriations Committee**.

REPORT OF STANDING COMMITTEE

SB 2163: 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). SB 2163 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "three" with "two"

Page 1, line 8, replace "pertaining to the education of" with "to teachers and counselors serving"

Page 1, remove lines 12 through 18

Page 1, line 22, replace the second "with" with "having"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2186: Natural Resources Committee (Sen. Lyson, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2186 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4009: Human Services Committee (Sen. J. Lee, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4009 was placed on the Eleventh order on the calendar.

FIRST READING OF SENATE BILLS

Sens. Holmberg, Flakoll, Robinson and Reps. Glassheim, R. Kelsch, Wall introduced:

SB 2300: A BILL for an Act to create and enact four new sections to chapter 15-10 of the North Dakota Century Code, relating to the creation of the North Dakota commission on higher education funding; and to declare an emergency.

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

Sens. Cook, Stenehjem, Hogue and Reps. Carlson, Belter introduced:

SB 2301: A BILL for an Act to amend and reenact section 58-02-28 of the North Dakota Century Code, relating to disposition of township funds upon dissolution; and to declare an emergency.

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

Sens. Erbele, Olafson, Taylor and Reps. Brandenburg, Kempenich, Onstad introduced:

SB 2303: A BILL for an Act to amend and reenact section 36-01-01 of the North Dakota Century Code, relating to the composition of the state board of animal health.

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

Sens. Fischer, J. Lee, Heckaman, Robinson and Reps. Damschen, N. Johnson introduced:

SB 2304: A BILL for an Act to provide an appropriation to the adjutant general for statewide disaster services coordination; and to declare an emergency.

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

Sen. Nelson and Reps. Hawken, Mock introduced:

SB 2305: A BILL for an Act to create and enact a new section to chapter 27-20 of the North Dakota Century Code, relating to transfers to extended jurisdiction juvenile court; and to amend and reenact subsection 5 of section 27-20-24 and section 27-20-34 of the North Dakota Century Code, relating to juvenile transfers to adult courts.

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

Sens. Wanzek, Erbele, Grindberg and Reps. Brandenburg, Headland, Pollert introduced:

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

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

Sens. Warner, Lyson, Wardner and Reps. Drovdal, Kempenich, S. Meyer introduced:

SB 2307: A BILL for an Act to amend and reenact subdivision b of subsection 5 of section 57-51-15 of the North Dakota Century Code, relating to county infrastructure fund

grants to school districts to offset oil and gas development impact; and to provide an effective date.

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

Sens. Stenehjem, G. Lee and Reps. Carlson, Ruby introduced:

SB 2308: A BILL for an Act to create and enact a new subdivision to subsection 3 of section 39-12-02 and a new subsection to section 39-12-02 of the North Dakota Century Code, relating to special permits for oversize and overweight vehicles and a motor carrier electronic permit transaction fund; and to provide for a continuing appropriation.

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

Sens. Sitte, Berry, Dever and Reps. Kasper, Keiser, Ruby introduced:

SB 2309: A BILL for an Act to create and enact a new section to chapter 54-03 of the North Dakota Century Code, relating to nullification of federal health care reform legislation; and to provide a penalty.

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

Sens. Marcellais, Murphy, Burckhard and Reps. Kroeber, Mueller, J. Nelson introduced:

SB 2310: A BILL for an Act to create and enact a new section to chapter 54-03 of the North Dakota Century Code, relating to reporting of certain travel expenses of members of the legislative assembly.

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

Sens. G. Lee, Luick and Reps. L. Meier, Rust introduced:

SB 2311: A BILL for an Act to create and enact a new section to chapter 15.1-02 of the North Dakota Century Code, relating to the North Dakota teacher of the year award.

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

FIRST READING OF SENATE CONCURRENT RESOLUTION

Sens. Krebsbach, Heckaman, J. Lee, Warner and Reps. N. Johnson, Maragos introduced:

SCR 4010: A concurrent resolution directing the Legislative Management to study the adequacy of governmental services, including judicial services, to respond to issues relating to an aging population, including veterans, and to study the efficacy of statutes governing public administrator services and methods for the timely and effective delivery of guardianship and public administrator responsibilities and services.

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

FIRST READING OF HOUSE BILL

HB 1031: A BILL for an Act to create and enact a new section to chapter 54-44.3 of the North Dakota Century Code, relating to a state compensation philosophy statement; to provide for implementation of changes to the classified employee compensation system; to provide for status reports to the sixty-second legislative assembly and to the budget section; and to declare an emergency.

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

