

JOURNAL OF THE SENATE

Sixty-second Legislative Assembly

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Bismarck, February 22, 2011

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

The prayer was offered by Chaplain Gary Heaton, Medcenter One, Bismarck.

The roll was called and all members were present.

A quorum was declared by the President.

CONSIDERATION OF AMENDMENTS

SB 2187: SEN. DEVER (Government and Veterans Affairs Committee) MOVED that the amendments on SJ pages 492-493 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 2187: A BILL for an Act to amend and reenact sections 43-23.3-02, 43-23.3-03, and 43-23.3-04.1 of the North Dakota Century Code, relating to the North Dakota real estate appraiser qualifications and ethics board and appraiser permit approval standards; and to provide for application.

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 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

Engrossed SB 2187 passed.

CONSIDERATION OF AMENDMENTS

SB 2236: SEN. OEHLKE (Transportation Committee) MOVED that the amendments on SJ pages 496-497 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 2236: A BILL for an Act to create and enact section 51-07-00.1 and 51-07-02.4 of the North Dakota Century Code, relating to definitions and warranty or incentive audits for new motor vehicle dealers; to amend and reenact section 51-07-02.3 of the North Dakota Century Code, relating to prohibited acts for manufacturers, wholesalers, or distributors of new automobiles and automobile parts; to provide for application; 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 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

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

Engrossed SB 2236 passed and the emergency clause was declared carried.

CONSIDERATION OF AMENDMENTS

SB 2279: SEN. MARCELLAIS (Government and Veterans Affairs Committee) MOVED that the amendments on SJ pages 499-500 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 2279: A BILL for an Act to amend and reenact sections 37-19.1-01, 37-19.1-02, 37-19.1-03, and 37-19.1-04 of the North Dakota Century Code, relating to veterans' preference.

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 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

Engrossed SB 2279 passed.

CONSIDERATION OF AMENDMENTS

SB 2120: SEN. DEVER (Government and Veterans Affairs Committee) MOVED that the amendments on SJ pages 491-492 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 2120: A BILL for an Act to create and enact sixteen new sections to chapter 16.1-07 of the North Dakota Century Code, relating to the adoption of the Uniform Military and Overseas Voters Act; to amend and reenact sections 16.1-07-01 and 16.1-07-05 of the North Dakota Century Code, relating to absentee voting; and to repeal sections 16.1-07-03 and 16.1-07-08.1 of the North Dakota Century Code, relating to absent voter ballots.

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 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

Engrossed SB 2120 passed.

CONSIDERATION OF AMENDMENTS

SB 2255: SEN. OEHLKE (Transportation Committee) MOVED that the amendments on

SJ pages 497-499 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 2255: A BILL for an Act to create and enact sections 39-22.1-01.1, 39-22.1-05, and 39-22.1-06 of the North Dakota Century Code, relating to the licensure of trailer dealers; and to amend and reenact sections 39-22-19, 39-22.1-01, 39-22.1-02, 39-22.1-03, and 39-22.1-04 of the North Dakota Century Code, relating to insurance for motor vehicle dealers and requirements for the licensing of trailer dealers; to provide a penalty; to provide an effective date; 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 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

Engrossed SB 2255 passed and the emergency clause was declared carried.

CONSIDERATION OF AMENDMENTS

SB 2222, as engrossed: SEN. WANZEK (Appropriations Committee) MOVED that the amendments on SJ page 496 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 2222: A BILL for an Act relating to the development of crop insurance proposals; and to provide an appropriation.

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 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

Reengrossed SB 2222 passed.

CONSIDERATION OF AMENDMENTS

SB 2365: SEN. FLAKOLL (Agriculture Committee) MOVED that the amendments on SJ page 501 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 2365: A BILL for an Act to provide for a legislative management study of the laws relating to the humane treatment of animals.

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 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

Engrossed SB 2365 passed.

CONSIDERATION OF AMENDMENTS

SB 2204: SEN. KLEIN (Agriculture Committee) MOVED that the amendments on SJ page 494 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 2204: A BILL for an Act to prohibit state funding of the northern plains national heritage area.

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 35 YEAS, 12 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

NAYS: Dotzenrod; Heckaman; Krebsbach; Marcellais; Mathern; Murphy; Nelson; Robinson; Schneider; Taylor; Triplett; Warner

Engrossed SB 2204 passed.

CONSIDERATION OF AMENDMENTS

SB 2342: SEN. MILLER (Agriculture Committee) MOVED that the amendments on SJ pages 500-501 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 2342: A BILL for an Act to create and enact a new subdivision to subsection 5 of section 4-01-23, a new subsection to section 6-09.13-03, and a new section to chapter 57-39.2 of the North Dakota Century Code, relating to eligible uses of the agriculture partnership in assisting community expansion fund and a sales and use tax refund for qualifying subsurface field tile systems; to amend and reenact subsection 3 of section 6-09.13-01 of the North Dakota Century Code, relating to eligible uses for the agriculture partnership in assisting community expansion fund; and to provide for a legislative management study.

REQUEST

SEN. COOK REQUESTED that the Senate divide Engrossed SB 2342, which request was granted.

DIVISION A: Section 4

DIVISION B: Sections 1, 2, 3, and 5

REQUEST

SEN. COOK REQUESTED a recorded roll call vote on Division A of Engrossed SB 2342, which request was granted.

ROLL CALL

The question being on the final adoption of Division A of Engrossed SB 2342, the roll was called and there were 10 YEAS, 37 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Dotzenrod; Larsen; Luick; Marcellais; Miller; Olafson; Schaible; Uglen; Wanzek; Warner

NAYS: Andrist; Berry; Bowman; Burckhard; Christmann; Cook; Dever; Erbele; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Lee, G.; Lee, J.; Lyson; Mathern; Murphy; Nelson; Nething; Nodland; O'Connell; Oehlke; Robinson; Schneider; Sitte; Sorvaag; Stenehjem; Taylor; Triplett; Wardner

Division A of Engrossed SB 2342 failed on a recorded roll call vote.

ROLL CALL

The question being on the final adoption of Division B of Engrossed SB 2342, the roll was called and there were 45 YEAS, 2 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

NAYS: Mathern; Robinson

Division B of Engrossed SB 2342 was adopted on a recorded roll call vote.

ROLL CALL

The question being on the final passage of the amended bill, which consists of Division B only, which has been read, the roll was called and there were 45 YEAS, 2 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

NAYS: Mathern; Robinson

Reengrossed SB 2342 passed.

CONSIDERATION OF AMENDMENTS

SB 2171, as engrossed: SEN. BURCKHARD (Appropriations Committee) MOVED that the amendments on SJ page 492 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 2171: A BILL for an Act to amend and reenact section 57-39.2-04.7 of the North Dakota Century Code, relating to sales and use tax exemption for equipment used in telecommunications infrastructure development; 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 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

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

Reengrossed SB 2171 passed.

CONSIDERATION OF AMENDMENTS

SB 2298, as engrossed: SEN. DEVER (Appropriations Committee) MOVED that the amendments on SJ page 500 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 2298: A BILL for an Act to create and enact a new section to chapter 50-11.1 of the North Dakota Century Code, relating to the establishment of early childhood services inclusion support services and a grant program for licensed early childhood services providers who care for children with special needs; to provide a continuing appropriation; and to provide an appropriation.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 44 YEAS, 3 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Berry; Bowman; Burckhard; Cook; Dever; Dotzenrod; Erbele; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; 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; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

NAYS: Christmann; Kilzer; Stenehjem

Reengrossed SB 2298 passed.

CONSIDERATION OF AMENDMENTS

SB 2242, as engrossed: SEN. OEHLKE (Appropriations Committee) MOVED that the amendments on SJ page 497 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 2242: A BILL for an Act to amend and reenact subsection 5 of section 57-15-56 and section 57-39.2-26.2 of the North Dakota Century Code, relating to a matching grant from the senior citizen services and programs fund to counties and the mill levy for senior citizen services and programs; 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 44 YEAS, 3 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

NAYS: Laffen; Lee, G.; Stenehjem

Reengrossed SB 2242 passed.

CONSIDERATION OF AMENDMENTS

SCR 4015: SEN. MARCELLAIS (Government and Veterans Affairs Committee) MOVED that the amendments on SJ pages 501-502 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 4015: A concurrent resolution urging Congress and the President to pursue peace in Iraq and Afghanistan and disengage American combat forces from duty in these countries.

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

Engrossed SCR 4015 was declared adopted on a voice vote.

CONSIDERATION OF AMENDMENTS

SCR 4019: SEN. LUICK (Agriculture Committee) MOVED that the amendments on SJ page 502 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 4019: A concurrent resolution recognizing the benefits of subsurface drain tile projects and urging the State Water Commission, State Engineer, Natural Resources Conservation Service, and water resource districts to recognize the beneficial attributes of and to promote drain tile projects 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 4019 was declared adopted on a voice vote.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4014: A concurrent resolution urging the Government of Turkey to grant the Ecumenical Patriarch appropriate international recognition, ecclesiastical succession, and the right to train clergy of all nationalities and to respect the property rights and human rights of the Ecumenical Patriarchate; and for other purposes.

REQUEST

SEN. SITTE REQUESTED a recorded roll call vote on the adoption of SCR 4014, which request was granted.

ROLL CALL

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO NOT PASS. The roll was called and there were 28 YEAS, 19 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING

YEAS: Burckhard; Dever; Dotzenrod; Erbele; Flakoll; Heckaman; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Robinson; Schneider; Sitte; Stenehjem; Taylor; Triplett; Wanzek; Warner

NAYS: Andrist; Berry; Bowman; Christmann; Cook; Fischer; Freborg; Grindberg; Hogue; Holmberg; Lyson; Nething; Nodland; Oehlke; Olafson; Schaible; Sorvaag; Uglem; Wardner

SCR 4014 was declared adopted on a recorded roll call vote.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4008: A concurrent resolution urging the United States Environmental Protection Agency to request an additional 12-month stay of mandate for implementation of the Sixth Circuit Court of Appeals ruling in the matter of National Cotton Council of America et al., v. United States Environmental Protection Agency.

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

SCR 4008 was declared adopted on a voice vote.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4007: A concurrent resolution providing for the application for an amendments convention to the Constitution of the United States to be called for the purpose of proposing an amendment that provides that an increase in the federal debt requires approval from a majority of the legislatures of the separate states.

REQUEST

SEN. OLAFSON REQUESTED a recorded roll call vote on the adoption of SCR 4007, which request was granted.

ROLL CALL

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO PASS. The roll was called and there were 31 YEAS, 16 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING

YEAS: Andrist; Berry; Burckhard; Christmann; Cook; Dever; Erbele; Fischer; Flakoll; Freborg; Grindberg; Hogue; Holmberg; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Miller; Nething; Nodland; O'Connell; Oehlke; Olafson; Schaible; Sorvaag; Stenehjem; Wanzek; Wardner

NAYS: Bowman; Dotzenrod; Heckaman; Kilzer; Klein; Marcellais; Mathern; Murphy; Nelson; Robinson; Schneider; Sitte; Taylor; Triplett; Uglem; Warner

SCR 4007 was declared adopted on a recorded roll call 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: SB 2004, SB 2006, SB 2137, SB 2159, SB 2172, SB 2188, SB 2211, SB 2234, SB 2238, SB 2248, SB 2254, SB 2267, SB 2275, SCR 4017, SCR 4022.

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 2019.

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 1155, HB 1177, HB 1209, HB 1224, HB 1249, HB 1263, HB 1325, HB 1393, HB 1406, HB 1407, HB 1415, HB 1426, HB 1438, HB 1454, HB 1466.

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 1397.

MOTION

SEN. CHRISTMANN MOVED that the Senate be on the Fourth, Fifth, and Thirteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 9:00 a.m., Wednesday, February 23, 2011, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2009: 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 2009 was placed on the Sixth order on the calendar.

Page 1, line 2, remove the first "and"

Page 1, line 2, replace "section" with "sections"

Page 1, line 2, after "4-01-21" insert "and 4-01-23, subsection 2 of section 5-01-17, subsection 2 of section 5-01-19, and sections 19-20.1-03, 19-20.1-03.1, and 19-20.1-06"

Page 1, line 3, after "commissioner" insert ", the promotion of sustainably grown commodities, domestic wineries and domestic distilleries, and fertilizer distribution registration, licensing, and inspection fees; and to declare an emergency"

Page 1, replace lines 12 and 13 with

"Salaries and wages	\$8,566,196	\$818,632	\$9,384,828
Operating expenses	6,094,603	274,058	6,368,661"

Page 1, replace lines 15 through 17 with:

"Grants	2,969,825	201,003	3,170,828
State board of animal health	2,563,325	(414,273)	2,149,052
Wildlife services	1,067,400	350,000	1,417,400"

Page 1, replace lines 19 through 22 with:

"Total all funds	\$21,316,349	\$1,241,420	\$22,557,769
Less estimated income	<u>14,094,466</u>	<u>271,457</u>	<u>14,365,923</u>
Total general fund	\$7,221,883	\$969,963	\$8,191,846
Full-time equivalent positions	74.50	0.50	75.00"

Page 2, after line 3, insert:

"SECTION 3. APPROPRIATION - 2009-11 BIENNIUM - WILDLIFE SERVICES.

There is appropriated out of any special funds received from the game and fish department, not otherwise appropriated, the sum of \$200,000, or so much of the sum as may be necessary, to the agriculture commissioner for the purpose of providing funding for the wildlife services program, for the period beginning with the effective date of this Act and ending June 30, 2011."

Page 2, line 5, replace "\$4,257,709" with "\$4,627,709"

Page 2, line 15, replace "\$968,261" with "\$1,068,261"

Page 2, after line 24, insert:

"SECTION 8. AMENDMENT. Section 4-01-23 of the North Dakota Century Code is amended and reenacted as follows:

4-01-23. (Effective July 1, 2011) Sustainably grown in North Dakota - Application - Logo - Promotion of commodities.

1. The agriculture commissioner ~~shall~~ may implement a program to promote agricultural commodities that are sustainably grown in North Dakota.

2. ~~Alf a program referenced in subsection 1 is implemented, the program must require that a producer may apply to file an application with the commissioner and upon demonstrating. If the producer demonstrates that the producer's growing practices with respect to a particular commodity meet the commissioner's established criteria for sustainability, the commissioner shall authorize the producer to label and market the commodity as being sustainably grown in North Dakota.~~
3. The commissioner ~~shall~~ may develop and make available for the use of authorized producers a logo indicating that the commodity is sustainably grown in North Dakota. The commissioner ~~shall~~ may actively support and promote the sale and use of products identified as sustainably grown in North Dakota.
4. The commissioner may establish and charge producers a fee for participating in the program. The commissioner shall forward all fees collected under this section to the state treasurer for deposit in the general fund.
5. The agriculture commissioner may engage in research and provide education to members of the public regarding agricultural commodities that are sustainably grown in this state.
6. For purposes of this section, "sustainably grown" means that a crop is grown using research-based practices that result in:
 - a. Increased efficiencies in soil and nutrient preservation;
 - b. Decreased reliance on tillage and other soil-depleting practices;
 - c. Increased efficiencies in the use of water;
 - d. Increased efficiencies in the use of other necessary and measurable agricultural inputs;
 - e. Increased yield efficiencies; and
 - f. Greater economic benefit to producers.

SECTION 9. AMENDMENT. Subsection 2 of section 5-01-17 of the North Dakota Century Code is amended and reenacted as follows:

2. A domestic winery may sell wine produced by that winery at on sale or off sale, in retail lots, and not for resale, and may sell or direct ship its wine to persons inside or outside of the state in a manner consistent with the laws of the place of the sale or delivery in total quantities not in excess of twenty-five thousand gallons [94625 liters] in a calendar year; glassware; wine literature and accessories; and cheese, cheese spreads, and other snack food items. A licensee may dispense free samples of the wines offered for sale. Subject to local ordinance, sales at on sale and off sale may be made on Sundays between twelve noon and twelve midnight. The state tax commissioner may issue special events permits for not more than twenty days per calendar year to a domestic winery allowing the winery, subject to local ordinance, to give free samples of its wine and to sell its wine by the glass or in closed containers, at a designated trade show, convention, festival, or a similar event approved by the state tax commissioner. In addition, the agriculture commissioner may issue special events permits to promote the wine industry in this state. A domestic winery may not engage in any wholesaling activities. All sales and deliveries of wines to any other retail licensed premises in this state may be made only through a licensed North Dakota liquor wholesaler. For any month in which a domestic winery has made sales to a North Dakota wholesaler, that domestic winery shall file a report with the state tax commissioner no later than the last day of each calendar month reporting sales made during the preceding calendar month. When the last day of the calendar month falls on

a Saturday, Sunday, or legal holiday, the due date is the first working day thereafter.

SECTION 10. AMENDMENT. Subsection 2 of section 5-01-19 of the North Dakota Century Code is amended and reenacted as follows:

2. A domestic distillery may sell spirits produced by that distillery at on sale or off sale, in retail lots, and not for resale, and may sell or direct ship its spirits to persons inside or outside the state in a manner consistent with the laws of the place of the sale or delivery in total quantities not in excess of twenty-five thousand gallons [94625 liters] in a calendar year. Direct sales within this state are limited to two and thirty-eight hundredths gallons [9 liters] or less per month per person for personal use and not for resale. The packaging must conform with the labeling requirements in section 5-01-16. A licensee may dispense free samples of the spirits offered for sale. Subject to local ordinance, sales at on sale and off sale may be made on Sundays between twelve noon and twelve midnight. A domestic distillery may hold events inside and outside its premises, but only on contiguous property under common ownership, allowing free samples of its spirits and to sell its spirits by the glass or in closed containers. The tax commissioner may issue special events permits for not more than twenty days per calendar year to a domestic distillery allowing the domestic distillery, subject to local ordinance, to give free samples of its product and to sell its product by the glass or in closed containers, at a designated trade show, convention, festival, or similar event approved by the tax commissioner. In addition, the agriculture commissioner may issue special events permits to promote the spirits industry in this state. A domestic distillery may not engage in any wholesaling activities. All sales and deliveries of spirits to any other retail licensed premises in this state may be made only through a licensed North Dakota liquor wholesaler. However, a domestic distillery may sell distilled spirits to a domestic winery if the distilled spirits were produced from products provided to the domestic distillery by the domestic winery. No later than the last business day of a calendar month, a farm distillery that has made sales to a North Dakota wholesaler during the preceding calendar month shall file a report with the tax commissioner reporting those sales.

SECTION 11. AMENDMENT. Section 19-20.1-03 of the North Dakota Century Code is amended and reenacted as follows:

19-20.1-03. Registration.

Each brand and grade of fertilizer, material, foliar fertilizer, micronutrient, specialty fertilizer, soil amendment, or plant amendment must be registered in the name of the person whose name appears upon the label before being offered for sale or distributed in this state. The application for registration must be submitted to the commissioner on a form furnished by the commissioner and must be accompanied by a fee of fifty dollars. Upon approval by the commissioner, a certificate of registration must be furnished to the applicant. Registrations cover a two-year period beginning July first and ending June thirtieth of every even-numbered year. Distribution of fertilizer products without prior registration or renewal received after July thirty-first must be assessed a penalty of twenty-five dollars per product. A distributor is not required to register any brand of fertilizer, soil amendment, or plant amendment that is already registered under this chapter by another person, providing the label complies with the issued registration. Compost that is transferred between parties without compensation is exempt from these requirements. The agriculture commissioner shall forward all fees received under this section to the state treasurer for deposit in the environment and rangeland protection fund.

SECTION 12. AMENDMENT. Section 19-20.1-03.1 of the North Dakota Century Code is amended and reenacted as follows:

19-20.1-03.1. License required - Penalty.

A person may not distribute any fertilizer, soil amendment, or plant amendment in this state without first obtaining a distributor's license from the commissioner. However, a distributor's license is not required for those distributors selling only specialty fertilizers. A license must be obtained for each location or mobile mechanical unit used by a distributor in the state. The application for the license must be submitted on a form furnished by the commissioner and must be accompanied by a fee of one hundred dollars. A license covers a two-year period beginning July first and ending June thirtieth of every even-numbered year. License renewal applications received after July thirty-first may be assessed a penalty fee of twenty dollars. Licenses are not transferable, and each license must be conspicuously posted at each location and must accompany each mobile mechanical unit operating in the state. The agriculture commissioner shall forward all fees received under this section to the state treasurer for deposit in the environment and rangeland protection fund.

SECTION 13. AMENDMENT. Section 19-20.1-06 of the North Dakota Century Code is amended and reenacted as follows:

19-20.1-06. Inspection fees and tonnage reports.

There must be paid to the commissioner for all fertilizers, soil amendments, or plant amendments distributed in this state an inspection fee at the rate of twenty cents per ton [907.18 kilograms]. The inspection fee may not be less than ten dollars. Sales to manufacturers or exchanges between them are exempt from the inspection fee. Fees collected under this section must be ~~used for the payment of the costs of inspection, sampling, and analysis, and other expenses necessary for the administration of this chapter~~ forwarded to the state treasurer for deposit in the environment and rangeland protection fund.

Individual packages of fertilizers, soil amendments, or plant amendments sold exclusively in packages of twenty-five pounds [11.34 kilograms] or less are exempt from the provisions of this section. If a person sells fertilizer, soil amendments, or plant amendments in packages of twenty-five pounds [11.34 kilograms] or less and in packages over twenty-five pounds [11.34 kilograms], that portion sold in packages over twenty-five pounds [11.34 kilograms] is subject to the same inspection fee of twenty cents per ton [907.18 kilograms], including the minimum ten dollar fee, as provided in this chapter.

Every licensed person who distributes a fertilizer, soil amendment, or plant amendment to a nonlicensed person in this state shall file with the commissioner, on forms furnished by the commissioner, an annual statement for the calendar year, setting forth the number of net tons [kilograms] of each fertilizer, soil amendment, or plant amendment so distributed in this state during the period. A licensed end user shall report all sales and purchases and pay the appropriate tonnage tax. The statement is due on or before January thirty-first of the following year. The person filing the statement shall pay the inspection fee at the rate stated in this section. If the tonnage statement is not filed and the payment of inspection fee is not made by January thirty-first, a collection fee amounting to ten percent, minimum ten dollars, of the amount must be assessed against the licensee, and the amount of fees due constitute a debt and become the basis of a judgment against the licensee.

SECTION 14. EMERGENCY. Section 3 of this Act is declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2009 - Department of Agriculture - Senate Action

	Executive Budget	Senate Changes	Senate Version
Salaries and wages	\$9,303,178	\$81,650	\$9,384,828
Operating expenses	6,548,199	(179,538)	6,368,661
Capital assets	17,000		17,000

Grants	3,095,828	75,000	3,170,828
State Board of Animal Health	1,949,052	200,000	2,149,052
Wildlife Services	1,067,400	350,000	1,417,400
Crop Harmonization Board	50,000		50,000
Total all funds	\$22,030,657	\$527,112	\$22,557,769
Less estimated income	13,645,923	720,000	14,365,923
General fund	\$8,384,734	(\$192,888)	\$8,191,846
FTE	74.50	0.50	75.00

Department No. 602 - Department of Agriculture - Detail of Senate Changes

	Adds Research Analyst FTE Position ¹	Adds Marketing Specialist Position ²	Removes Sustainable Agriculture Position ³	Removes Transportation Research Funding ⁴	Adds Funding for Honeybee Colony Research Grants ⁵	Adds Funding for Johne's Disease Control ⁶
Salaries and wages	\$131,000	\$71,000	(\$120,350)			
Operating expenses	20,000	25,000	(174,538)	(50,000)		
Capital assets						
Grants					75,000	
State Board of Animal Health						200,000
Wildlife Services						
Crop Harmonization Board						
Total all funds	\$151,000	\$96,000	(\$294,888)	(\$50,000)	\$75,000	\$200,000
Less estimated income	20,000	0	0	0	0	0
General fund	\$131,000	\$96,000	(\$294,888)	(\$50,000)	\$75,000	\$200,000
FTE	1.00	0.50	(1.00)	0.00	0.00	0.00
				Adds Funding for Wildlife Services⁷	Adjusts Funding Sources⁸	Total Senate Changes
Salaries and wages						\$81,650
Operating expenses						(179,538)
Capital assets						
Grants						75,000
State Board of Animal Health						200,000
Wildlife Services				350,000		350,000
Crop Harmonization Board						
Total all funds				\$350,000	\$0	\$527,112
Less estimated income				350,000	350,000	720,000
General fund				\$0	(\$350,000)	(\$192,888)
FTE				0.00	0.00	0.50

¹ A research analyst FTE position is added with funding from the general fund for salaries (\$131,000) and funding from the environment and rangeland protection fund for operating expenses (\$20,000).

² Funding is added from the general fund for a .5 FTE marketing specialist position (\$71,000) and related operating expenses (\$20,000).

³ Funding included in the executive budget recommendation for 1 FTE sustainable agriculture program specialist position and related expenses is removed.

⁴ Transportation research funding included in the executive budget is removed.

⁵ Additional funding is provided for grants to public and private entities engaging in research efforts focusing on honeybee colony health.

⁶ Funding for Johne's disease testing and control for livestock is added.

⁷ Additional funding is added for the Wildlife Services program from the Game and Fish Department (\$100,000) and the State Water Commission (\$250,000) to provide total funding of \$1,417,400.

⁸ The funding source for a portion of rent expense (\$100,000) and a grant to the dairy coalition (\$250,000) is changed from the general fund to the environment and rangeland protection fund.

This amendment also:

- Adds a section to provide additional 2009-11 biennium funding from the game and fish fund for the Wildlife Services program and the section is declared to be an emergency.
- Amends North Dakota Century Code Section 4-01-23 regarding the sustainable agriculture program.
- Amends Section 5-01-17(2) and Section 5-01-19(2) relating to special events permits for wine and spirit promotion in the state.
- Amends Sections 19-20.1-03, 19-20.1-03.1, and 19-20.1-06 to deposit fertilizer distribution registration, licensing, and inspection fees in the environment and rangeland protection fund rather than the general fund. This is estimated to reduce general fund revenues by \$785,000 for the 2011-13 biennium.
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REPORT OF STANDING COMMITTEE

SB 2012: 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). SB 2012 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "and"

Page 1, line 2, after "exemption" insert "; to provide legislative intent; and to amend and reenact section 50-29-04 of the North Dakota Century Code, relating to eligibility for the children's health insurance program"

Page 1, replace line 24 with:

"Salaries and wages	\$41,389,716	\$8,956,495	\$50,346,211"
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Page 2, replace lines 3 through 7 with:

"Grants	452,990,742	34,015,295	487,006,037
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Grants - Medical assistance	<u>1,300,642,323</u>	<u>326,293,701</u>	<u>1,626,936,024</u>
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Total all funds	\$1,870,492,778	\$384,645,857	\$2,255,138,635
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Less estimated income	<u>1,381,801,240</u>	<u>136,289,446</u>	<u>1,518,090,686</u>
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Total general fund	\$488,691,538	\$248,356,411	\$737,047,949"
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Page 2, replace line 20 with:

"State hospital	65,641,609	7,993,431	73,635,040"
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Page 2, replace line 22 with:

"Total all funds	\$264,143,530	\$26,033,115	\$290,176,645"
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Page 2, replace line 24 with:

"Total general fund	\$131,355,655	\$33,179,288	\$164,534,943"
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Page 2, replace lines 29 through 31 with:

"Grand total general fund	\$646,349,516	\$286,754,838	\$933,104,354
Grand total special funds	<u>1,549,066,932</u>	<u>142,203,868</u>	<u>1,691,270,800</u>
Grand total all funds	\$2,195,416,448	\$428,958,706	\$2,624,375,154"

Page 3, replace lines 12 and 13 with:

"State hospital capital projects	<u>0</u>	<u>1,961,840</u>
Total all funds	\$92,329,503	\$2,481,015"

Page 3, replace line 15 with:

"Total general fund	\$4,296,298	\$1,961,840"
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Page 4, after line 7, insert:

"SECTION 6. OFFICE SPACE LEASE LIMITATION. The department of human services may not expend more than twelve dollars and fifty cents per square foot per year for leasing office space in the prairie hills plaza in Bismarck for the biennium beginning July 1, 2011, and ending June 30, 2013.

SECTION 7. SUPPLEMENTAL PAYMENTS - DEVELOPMENTAL DISABILITIES SERVICE PROVIDER SALARY AND BENEFIT INCREASES. The funding appropriated in subdivision 2 of section 1 of this Act includes \$11,364,049, of which \$5,021,489 is from the general fund and \$6,342,560 is from federal funds, for providing supplemental payments to developmental disabilities service providers to allow for a salary and benefit increase for employees beginning July 1, 2011.

SECTION 8. LEGISLATIVE INTENT - FULL-TIME EQUIVALENT POSITIONS. It is the intent of the sixty-second legislative assembly that the department of human services only fill the seven new full-time equivalent positions authorized by the legislative assembly for the 2011-13 biennium relating to implementing federal health care reform after receiving applicable rules from the federal department of health and human services.

SECTION 9. AMENDMENT. Section 50-29-04 of the North Dakota Century Code is amended and reenacted as follows:

50-29-04. Plan requirements.

The plan:

1. Must be provided through private contracts with insurance carriers;
2. Must allow conversion to another health insurance policy;
3. Must be based on an actuarial equivalent of a benchmark plan;
4. Must incorporate every state-required waiver approved by the federal government;
5. Must include community-based eligibility outreach services; and
6. Must provide:
 - a. A net income eligibility limit of one hundred ~~sixty~~sixty-seventy-five percent of the poverty line;
 - b. A copayment requirement for each pharmaceutical prescription and for each emergency room visit;

- c. A deductible for each inpatient hospital visit;
- d. Coverage for:
 - (1) Inpatient hospital, medical, and surgical services;
 - (2) Outpatient hospital and medical services;
 - (3) Psychiatric and substance abuse services;
 - (4) Prescription medications;
 - (5) Preventive screening services;
 - (6) Preventive dental and vision services; and
 - (7) Prenatal services; and
- e. A coverage effective date that is the first day of the month, following the date of application and determination of eligibility."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2012 - Summary of Senate Action

	Executive Budget	Senate Changes	Senate Version
DHS - Management			
Total all funds	\$79,059,874	\$0	\$79,059,874
Less estimated income	47,538,412	0	47,538,412
General fund	\$31,521,462	\$0	\$31,521,462
DHS - Program/Policy			
Total all funds	\$2,241,950,229	\$13,188,406	\$2,255,138,635
Less estimated income	1,510,481,136	7,609,550	1,518,090,686
General fund	\$731,469,093	\$5,578,856	\$737,047,949
DHS - State Hospital			
Total all funds	\$73,473,200	\$161,840	\$73,635,040
Less estimated income	20,146,403	0	20,146,403
General fund	\$53,326,797	\$161,840	\$53,488,637
DHS - Developmental Center			
Total all funds	\$51,809,247	\$0	\$51,809,247
Less estimated income	31,391,817	0	31,391,817
General fund	\$20,417,430	\$0	\$20,417,430
DHS - Northwest HSC			
Total all funds	\$8,749,068	\$0	\$8,749,068
Less estimated income	3,790,236	0	3,790,236
General fund	\$4,958,832	\$0	\$4,958,832
DHS - North Central HSC			
Total all funds	\$22,433,884	\$0	\$22,433,884
Less estimated income	9,023,857	0	9,023,857
General fund	\$13,410,027	\$0	\$13,410,027
DHS - Lake Region HSC			
Total all funds	\$11,418,231	\$0	\$11,418,231
Less estimated income	4,536,041	0	4,536,041
General fund	\$6,882,190	\$0	\$6,882,190
DHS - Northeast HSC			
Total all funds	\$28,182,609	\$0	\$28,182,609
Less estimated income	14,972,886	0	14,972,886
General fund	\$13,209,723	\$0	\$13,209,723
DHS - Southeast HSC			
Total all funds	\$38,464,720	\$0	\$38,464,720
Less estimated income	16,278,987	0	16,278,987
General fund	\$22,185,733	\$0	\$22,185,733
DHS - South Central HSC			
Total all funds	\$16,953,699	\$0	\$16,953,699
Less estimated income	7,610,152	0	7,610,152
General fund	\$9,343,547	\$0	\$9,343,547

DHS - West Central HSC			
Total all funds	\$26,740,493	\$0	\$26,740,493
Less estimated income	12,630,961	0	12,630,961
General fund	\$14,109,532	\$0	\$14,109,532
DHS - Badlands HSC			
Total all funds	\$11,789,654	\$0	\$11,789,654
Less estimated income	5,260,362	0	5,260,362
General fund	\$6,529,292	\$0	\$6,529,292
Bill total			
Total all funds	\$2,611,024,908	\$13,350,246	\$2,624,375,154
Less estimated income	1,683,661,250	7,609,550	1,691,270,800
General fund	\$927,363,658	\$5,740,696	\$933,104,354

Senate Bill No. 2012 - DHS - Management - Senate Action

Other changes affecting management programs or multiple programs of the department:

A section of legislative intent is added regarding office space leases.

Senate Bill No. 2012 - DHS - Program/Policy - Senate Action

	Executive Budget	Senate Changes ¹	Senate Version
Salaries and wages	\$50,346,211		\$50,346,211
Operating expenses	90,850,363		90,850,363
Grants	487,016,037	(10,000)	487,006,037
Grants - Medical assistance	1,613,737,618	13,198,406	1,626,936,024
Total all funds	\$2,241,950,229	\$13,188,406	\$2,255,138,635
Less estimated income	1,510,481,136	7,609,550	1,518,090,686
General fund	\$731,469,093	\$5,578,856	\$737,047,949
FTE	374.50	0.00	374.50

1

PROGRAM AND POLICY SUBDIVISION	FTE	General Fund	Estimated Income	Total
Executive budget recommendation	374.50	\$731,469,093	\$1,510,481,136	\$2,241,950,229
Program and Policy - Senate changes:				
Economic Assistance Policy Program				
No changes				\$0
Child Support Program				
No changes				0
Medical Services Program				
Add funding relating to increase in eligibility for the state children's health insurance program from 160 percent of the federal poverty level to 175 percent of the federal poverty level		567,367	1,266,990	1,834,357
Long-Term Care Program				
Add funding for a supplemental payment to developmental disabilities providers to allow for a 50-cent salary and benefit increase for employees beginning July 1, 2011		5021489	6,342,560	11,364,049
Aging Services Program				
Remove funding added in the executive budget for a grant to the Silver Haired Legislative Assembly		(10,000)	0	(10,000)
Children and Family Services Program				
No changes				0
Mental Health and Substance Abuse Program				
No changes				0
Developmental Disabilities Council				
No changes				0
Developmental Disabilities Division				
No changes				0

Vocational Rehabilitation				
No changes				0
Total Senate changes - Program and Policy	0.00	\$5,578,856	\$7,609,550	\$13,188,406
Senate version - Program and policy subdivision	374.50	\$737,047,949	\$1,518,090,686	\$2,255,138,635

Other changes affecting program and policy programs:

Adds a section of legislative intent that the 7 new FTE positions included in the executive budget relating to health care reform may not be filled by the department until the department receives applicable rules relating to federal health care reform implementation.

Senate Bill No. 2012 - DHS - State Hospital - Senate Action

	Executive Budget	Senate Changes¹	Senate Version
State Hospital	\$73,473,200	\$161,840	\$73,635,040
Total all funds	\$73,473,200	\$161,840	\$73,635,040
Less estimated income	20,146,403	0	20,146,403
General fund	\$53,326,797	\$161,840	\$53,488,637
FTE	467.51	0.00	467.51

1

STATE HOSPITAL	FTE	General Fund	Estimated Income	Total
Executive budget recommendation	467.51	\$53,326,797	\$20,146,403	\$73,473,200
State Hospital - Senate changes:				
Add funding for extraordinary repairs to provide a total of \$1,961,840 from the general fund		\$161,840	\$0	\$161,840
Total Senate changes - State Hospital	0.00	\$161,840	\$0	\$161,840
Senate version - State Hospital	467.51	\$53,488,637	\$20,146,403	\$73,635,040

REPORT OF STANDING COMMITTEE

SB 2014: Appropriations Committee (Sen. Holmberg, Chairman) recommends DO PASS (12 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). SB 2014 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2016: Appropriations Committee (Sen. Holmberg, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends **DO PASS** (12 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). SB 2016 was placed on the Sixth order on the calendar.

Page 1, line 2, after the fourth semicolon insert "to amend and reenact section 37-17.3-08 of the North Dakota Century Code, relating to state radio fees;"

Page 2, replace line 8 with:

"Operating expenses 4,102,057 5,827,965 9,930,022"

Page 2, replace line 9 with:

"Capital assets 492,000 1,935,347 2,427,347"

Page 2, replace line 12 with:

"Radio communications 0 4,235,000 4,235,000"

Page 2, replace line 13 with:

"Total all funds \$58,379,929 \$93,918,963 \$152,298,892"

Page 2, replace line 14 with:

"Less estimated income 52,550,869 86,331,607 138,882,476"

Page 2, replace line 15 with:

"Total general fund \$5,829,060 \$7,587,356 \$13,416,416"

Page 2, replace line 20 with:

"Grand total general fund \$21,789,867 \$8,063,688 \$29,853,555"

Page 2, replace line 21 with:

"Grand total special funds 119,888,101 84,716,277 204,604,378"

Page 2, replace line 22 with:

"Grand total all funds \$141,677,968 \$92,779,965 \$234,457,933"

Page 2, replace line 29 with:

"Motorola lease purchase payment \$1,525,347 \$1,525,347"

Page 3, replace line 2 with:

"Technology projects 3,600,000 100,000"

Page 3, replace line 10 with:

"State radio tower package 0 2,000,000"

Page 3, replace line 14 with:

"Total all funds \$135,719,117 \$6,318,428"

Page 3, replace line 16 with:

"Total general fund \$18,935,347 \$5,818,428"

Page 4, after line 17, insert:

"SECTION 8. AMENDMENT. Section 37-17.3-08 of the North Dakota Century Code is amended and reenacted as follows:

37-17.3-08. State radio system and service fees.

1. The director shall establish the appropriate fees for access to the state radio system and the service provided to local government users of the mobile data terminal system and North Dakota law enforcement telecommunications systems and other such systems that may be employed that enhance public safety. Changes to fees charged by the division, including schedule of charges for counties and cities, will take effect on July first. The director shall announce any fee increases a minimum of one year ~~prior to~~before the effective date. When the director considers an adjustment, as a part of the process the director shall consult with representatives of state and local units of government ~~prior to~~before setting fees. The director may consider economic conditions and the general economy when setting fees. The director shall deposit all revenue obtained under this chapter with the state treasurer for deposit in the state radio broadcasting system operating account. The state radio broadcasting system operating account must be expended pursuant to legislative

appropriation for the operation and maintenance of the system. ~~Fee structures will include:~~

- ~~1.2.~~ Mobile data terminal fees. The division shall establish and charge fees to provide mobile data terminal service to interested local law enforcement agencies except for local law enforcement agencies using private commercial access to the state message switch. The fees must be based on actual costs incurred by the division for providing the service and will be levied on a per system user basis. State general fund agencies that access the system will not incur any fees for the service.
- ~~2.3.~~ Each county and city law enforcement department that accesses the North Dakota teletype system shall pay a fee based upon fifty percent of the actual costs incurred by the division for providing the service. Fees will be levied on a per terminal basis. Other law enforcement affiliated organizations and federal agencies will pay one hundred percent of the actual costs incurred by the division for providing the service. Fees will be levied on a per terminal basis. State general fund agencies that access the system will not incur any fees for the service. City and county law enforcement fees will be based on the following schedule of charges per terminal:
- a. County population of less than five thousand shall pay ~~thirty~~forty dollars per month.
 - b. County population of five thousand or more but less than ten thousand shall pay ~~sixty~~eighty dollars per month.
 - c. County population of ten thousand or more but less than fifteen thousand shall pay ~~ninety~~one hundred twenty dollars per month.
 - d. County population of fifteen thousand or more but less than twenty-five thousand shall pay one hundred ~~twenty~~sixty dollars per month.
 - e. County population of twenty-five thousand or more shall pay ~~one~~two hundred ~~sixty~~ dollars per month."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2016 - Summary of Senate Action

	Executive Budget	Senate Changes	Senate Version
Adjutant General			
Total all funds	\$82,159,041	\$0	\$82,159,041
Less estimated income	65,721,902	0	65,721,902
General fund	\$16,437,139	\$0	\$16,437,139
Department of Emergency Services			
Total all funds	\$151,704,462	\$594,430	\$152,298,892
Less estimated income	138,482,476	400,000	138,882,476
General fund	\$13,221,986	\$194,430	\$13,416,416
Bill total			
Total all funds	\$233,863,503	\$594,430	\$234,457,933
Less estimated income	204,204,378	400,000	204,604,378
General fund	\$29,659,125	\$194,430	\$29,853,555

Senate Bill No. 2016 - Department of Emergency Services - Senate Action

	Executive Budget	Senate Changes	Senate Version
Salaries and wages	\$11,363,744		\$11,363,744
Operating expenses	9,335,592	594,430	9,930,022
Capital assets	2,327,347	100,000	2,427,347
Grants	71,419,771		71,419,771

2009 flood disaster	52,923,008		52,923,008
Radio communications	4,335,000	(100,000)	4,235,000
Total all funds	\$151,704,462	\$594,430	\$152,298,892
Less estimated income	138,482,476	400,000	138,882,476
General fund	\$13,221,986	\$194,430	\$13,416,416
FTE	63.00	0.00	63.00

Department No. 542 - Department of Emergency Services - Detail of Senate Changes

	Adds Funding to Contract for Disaster Response Coordination ¹	Changes Technology Funding ²	Adds Funding for Mobile Data Services ³	Total Senate Changes
Salaries and wages				
Operating expenses	400,000		194,430	594,430
Capital assets		100,000		100,000
Grants				
2009 flood disaster				
Radio communications		(100,000)		(100,000)
Total all funds	\$400,000	\$0	\$194,430	\$594,430
Less estimated income	400,000	0	0	400,000
General fund	\$0	\$0	\$194,430	\$194,430
FTE	0.00	0.00	0.00	0.00

¹ Funding is provided from the state disaster relief fund to the Department of Emergency Services to contract for services to coordinate disaster response organizations with state and political subdivision disaster response efforts, including all aspects of disaster recovery from preparedness training through cleanup for declared or undeclared disasters.

² A portion of one-time funding provided in the executive budget for State Radio enhancements is reclassified to technology projects in the capital assets line item from the radio communications line item.

³ Funding is provided to the Department of Emergency Services for defraying the expenses of providing mobile data terminal services.

REPORT OF STANDING COMMITTEE

SB 2018: 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). SB 2018 was placed on the Sixth order on the calendar.

Page 1, line 2, after "society" insert "; and to amend and reenact section 4 of chapter 28 of the 2009 Session Laws, relating to the project manager for the heritage center addition project"

Page 1, replace line 12 with:

"Operating expenses 2,284,210 529,116 2,813,326"

Page 1, replace line 14 with:

"Grants 1,000,000 25,000 1,025,000"

Page 1, replace line 18 with:

"Total all funds \$14,711,589 \$2,058,125 \$16,769,714"

Page 1, replace line 20 with:

"Total general fund \$11,052,752 \$2,166,549 \$13,219,301"

Page 2, after line 12, insert:

"North Dakota eighth grade curriculum 0 125,000"

Page 2, replace line 14 with:

"Total all funds \$53,806,500 \$1,051,110"

Page 2, replace line 16 with:

"Total general fund \$41,121,500 \$1,051,110"

Page 2, after line 29, insert:

"SECTION 5. AMENDMENT. Section 4 of chapter 28 of the 2009 Session Laws is amended and reenacted as follows:

SECTION 4. PROJECT MANAGER - HERITAGE CENTER ADDITION PROJECT. The director of the facility management division of the office of management and budget shall serve as the project construction manager for the heritage center addition project ~~for the biennium beginning July 1, 2009, and ending June 30, 2011~~ throughout its completion. All expenditures relating to project construction and exhibits must be reviewed for approval by the project construction manager."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2018 - State Historical Society - Senate Action

	Executive Budget	Senate Changes	Senate Version
Salaries and wages	\$9,586,660		\$9,586,660
Operating expenses	2,688,326	125,000	2,813,326
Capital assets	2,835,736		2,835,736
Grants	1,000,000	25,000	1,025,000
Cultural heritage grants	504,500		504,500
Yellowstone-Missouri-Ft Union Commission			
	4,492		4,492
Total all funds	\$16,619,714	\$150,000	\$16,769,714
Less estimated income	3,550,413	0	3,550,413
	\$13,069,301	\$150,000	\$13,219,301
General fund			
	63.00	0.00	63.00
FTE			

Department No. 701 - State Historical Society - Detail of Senate Changes

	Adds Funding for Grants ¹	Increases Funding for Operating Expenses ²	Total Senate Changes
Salaries and wages			
Operating expenses		125,000	125,000
Capital assets			
Grants	25,000		25,000
Cultural heritage grants			
Yellowstone-Missouri-Ft Union Commission			
Total all funds	\$25,000.00	\$125,000	\$150,000
Less estimated income	0	0	0
General fund	\$25,000	\$125,000	\$150,000
FTE	0.00	0.00	0.00

¹ This amendment adds funding to provide a grant to an organization for operating costs relating to the Lawrence Welk homestead.

² This amendment increases operating expenses to provide one-time funding for research and development of a new North Dakota eighth grade school curriculum.

This amendment also amends Section 4 of Chapter 28 of the 2009 Session Laws to retain the director of the Facility Management Division of the Office of Management and Budget as project manager for the Heritage Center expansion project and requires the project manager's review and approval for all expenditures relating to project construction and exhibits.

REPORT OF STANDING COMMITTEE

SB 2047: Finance and Taxation Committee (Sen. Cook, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2047 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "to create and enact a new section to chapter 54-11 of the North Dakota"

Page 1, remove lines 2 and 3

Page 1, line 4, remove "to political subdivisions by the state treasurer;"

Page 1, line 6, remove "and"

Page 1, line 6, after "date" insert "; and to declare an emergency"

Page 1, line 11, overstrike "**distributed**" and insert immediately thereafter "**through grants**"

Page 1, line 11, overstrike "**for schools and roads**" and insert immediately thereafter "**school districts, and townships**"

Page 1, line 12, overstrike "pay" and insert immediately thereafter "transfer"

Page 1, line 13, after the first "the" insert "oil and gas impact grant fund, to be held in a special account within that fund and made available through grants by the energy development impact office only for the benefit of oil and gas development-impacted townships, school districts, or county government in the"

Page 1, line 13, overstrike "entitled to receive them in proportion to the area of the land in the county" and insert immediately thereafter "in which land has been"

Page 1, line 14, overstrike "as"

Page 1, line 15, overstrike "that area bears to the total of these federal lands in the state"

Page 2, remove lines 12 through 19

Page 2, after line 22, insert:

"SECTION 3. EMERGENCY. This Act is declared to be an emergency measure."

Re-number accordingly

REPORT OF STANDING COMMITTEE

SB 2055: Finance and Taxation Committee (Sen. Cook, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). SB 2055 was placed on the Sixth order on the calendar.

Page 1, line 16, remove "57-38-29."

Page 1, line 16, remove the second underscored comma

Page 1, line 19, replace "expenses for purchases of" with "the costs incurred in the taxable year to purchase"

Page 1, line 20, after the underscored period insert "Qualified expenditures under this section may not be used in the calculation of any other income tax deduction or credit allowed by law."

Page 2, line 11, remove "for any taxable year"

Page 2, line 12, replace "limitation under subsection 3, the unused credit" with "liability for tax under this chapter, the excess"

Page 2, line 12, remove "used as an automation"

Page 2, line 13, replace "credit carryover" with "carried forward"

Page 2, line 13, after the first "the" insert "next"

Page 2, line 13, remove "The entire amount of the"

Page 2, remove lines 14 through 16

Page 2, line 17, replace "total" with "aggregate"

Page 2, line 18, replace "taxable" with "calendar"

Page 2, remove lines 20 through 25

Page 2, line 26, replace "7." with "6."

Page 2, line 30, replace "8." with "7."

Page 3, line 6, remove "57-38-29 or"

Page 3, after line 6, insert:

- "8. The department of commerce shall provide the tax commissioner the name, address, and federal identification number or social security number of the taxpayer approved as qualifying for the credit under this section, and a list of those items that were approved as a qualified expenditure by the department. The taxpayer claiming the credit shall file with the taxpayer's return, on forms prescribed by the tax commissioner, the following information:
 - a. The name, address, and federal identification number or social security number of the taxpayer who made the purchase; and
 - b. An itemization of:
 - (1) Each item of machinery or equipment purchased for automation;
 - (2) The amount paid for each item of machinery or equipment if the amount paid for the machinery or equipment is being used as a basis for calculating the credit; and
 - (3) The date on which payment for the purchase was made.
9. Notwithstanding the time limitations contained in section 57-38-38, this section does not prohibit the tax commissioner from conducting an examination of the credit claimed and assessing additional tax due under section 57-38-38."

Page 3, line 12, remove "57-38-29."

Page 3, line 12, remove the second underscored comma

Page 3, line 14, replace "expenses" with "the costs incurred in the taxable year"

Page 3, line 15, after the underscored period insert "Qualified expenditures under this section may not be used in the calculation of any other income tax deduction or credit allowed by law."

Page 3, line 25, remove ". or an"

Page 3, line 26, remove "entity designated by the department of commerce."

Page 3, line 28, remove "total"

Page 3, line 28, replace "amount for" with "in"

Page 3, line 29, replace "incurred" with "made"

Page 4, line 1, remove "for any taxable year"

Page 4, line 2, replace "limitation under subsection 3, the unused credit" with "liability for tax under this chapter, the excess"

Page 4, line 2, remove "used as a lean"

Page 4, line 3, replace "manufacturing credit carryover" with "carried forward"

Page 4, line 3, after "the" insert "next"

Page 4, line 3, remove "The entire"

Page 4, remove lines 4 through 6

Page 4, line 7, replace "total" with "aggregate"

Page 4, line 8, replace "taxable" with "calendar"

Page 4, remove lines 10 through 15

Page 4, line 16, replace "7." with "6."

Page 4, line 20, replace "8." with "7."

Page 4, line 27, remove "57-38-29 or"

Page 4, after line 27, insert:

"8. The department of commerce shall provide the tax commissioner the name, address, and federal identification number or social security number of the taxpayer approved as qualifying for the credit under this section, and a list of those items that were approved as a qualified expenditure by the department. The taxpayer claiming the credit shall file with the taxpayer's return, on forms prescribed by the tax commissioner, the following information:

a. The name, address, and federal identification number or social security number of the taxpayer who made the purchase; and

b. An itemization of:

(1) Each qualified expenditure;

- (2) The amount paid for each qualified expenditure if the amount paid for the qualified expenditure is being used as a basis for calculating the credit; and
- (3) The date on which payment for the qualified expenditure was made.

9. Notwithstanding the time limitations contained in section 57-38-38, this section does not prohibit the tax commissioner from conducting an examination of the credit claimed and assessing additional tax due under section 57-38-38."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2134, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2134 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "to provide"

Page 1, line 3, remove "an appropriation; to provide for a transfer;"

Page 1, remove line 24

Page 2, remove lines 1 through 13

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2155: Human Services Committee (Sen. J. Lee, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2155 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "certification" with "regulation"

Page 1, line 3, replace "section" with "sections"

Page 1, line 3, after "43-32-01" insert ", 43-32-08, 43-32-08.1, 43-32-08.2, 43-32-09, 43-32-12, 43-32-13, and 43-32-14, subsection 1 of section 43-32-16, and sections 43-32-19.1 and 43-32-30"

Page 1, line 3, replace "definitions related to" with "the regulation of applied behavior analysis by"

Page 1, line 9, replace "analysis" with "analyst"

Page 1, line 9, remove "the design, implementation, and evaluation of"

Page 1, remove lines 10 through 12

Page 1, line 13, replace "environment and behavior" with "an individual licensed under this chapter as an applied behavior analyst. The term does not include a registered applied behavior analyst"

Page 1, line 14, after "2." insert "Autism spectrum disorder" means a neurobiological medical condition that includes autistic disorder, Asperger's disorder, pervasive development disorder not otherwise specified, Rett's disorder, and childhood disintegrative disorder.

3."

Page 1, line 15, replace "3." with "4."

Page 1, line 17, replace "4." with "5."

Page 1, line 22, replace "5." with "6."

Page 2, line 3, replace "6." with "7."

Page 2, line 3, after the first "psychologist" insert ". an applied behavior analyst."

Page 2, line 4, replace "7." with "8."

Page 2, line 4, replace "means" with ":

a. Means"

Page 2, line 6, after "including" insert "principles of operant and respondent learning. The term includes"

Page 2, line 7, replace "design" with ":

(1) Design"

Page 2, line 8, replace "design" with:

"(2) Design"

Page 2, line 10, replace "design" with:

"(3) Design"

Page 2, line 11, replace "consult" with:

"(4) Consult"

Page 2, line 11, after the underscored period insert:

"b."

Page 2, line 12, replace "neuropsychology" with "personality assessment, intellectual assessment, neuropsychological assessment"

Page 2, line 13, after the third underscored comma insert "family therapy, coordination of care."

Page 2, line 13, remove "or"

Page 2, line 13, after "hypnotherapy" insert ". and long-term counseling"

Page 2, line 15, replace "8." with "9."

Page 3, line 1, replace "9." with "10."

Page 3, line 3, replace "10." with "11."

Page 3, line 6, replace "11." with:

"12. "Registered applied behavior analyst" or "registrant" means an individual who is registered under this chapter as a registered applied behavior analyst. The term does not include an applied behavior analyst.

13."

Page 3, after line 9, insert:

"SECTION 2. AMENDMENT. Section 43-32-08 of the North Dakota Century Code is amended and reenacted as follows:

43-32-08. Rules.

The board may adopt rules as necessary to enable the board to carry into effect the provisions of this chapter. The rules may include a code of ethics for licensees and registrants. The board shall adopt rules defining what programs of study are substantially psychological in nature; what educational programs are acceptable for the licensing of psychologists and applied behavior analysts and for registering registered applied behavior analysts; and what educational programs are acceptable for the licensing of industrial-organizational psychologists. The educational program rules for industrial-organizational psychologists must take into account the availability of professionally accredited programs in the field of industrial-organizational psychology.

SECTION 3. AMENDMENT. Section 43-32-08.1 of the North Dakota Century Code is amended and reenacted as follows:

43-32-08.1. Continuing education requirements.

The board shall adopt rules establishing requirements for the continuing education of licensees, psychology residents, registrants, and industrial-organizational psychology residents. The board may refuse to renew, suspend, revoke, or place on probationary status any license or registration issued under this chapter if the licensee or registrant fails to meet applicable continuing education requirements. Applicants for accreditation of continuing education courses, classes, or activities may be charged a reasonable fee determined by the board.

SECTION 4. AMENDMENT. Section 43-32-08.2 of the North Dakota Century Code is amended and reenacted as follows:

43-32-08.2. Continuing education requirements - Renewal.

Absent a showing of good cause, the board may not renew a license or registration issued under this chapter without proof the continuing education requirements under section 43-32-08.1 have been met. An individual whose license or registration is not renewed because of failure to meet the continuing education requirements must be reinstated and the license or registration renewed if, within one year from the date of nonrenewal, the individual demonstrates to the secretary of the board the continuing education requirements have been satisfied, pays the renewal fee, and pays a late fee to be determined by rule of the board.

SECTION 5. AMENDMENT. Section 43-32-09 of the North Dakota Century Code is amended and reenacted as follows:

43-32-09. Examination of qualifications of applicants.

The board shall examine for, deny, approve, revoke, suspend, and renew the licensing and registration of applicants as provided under this chapter.

SECTION 6. AMENDMENT. Section 43-32-12 of the North Dakota Century Code is amended and reenacted as follows:

43-32-12. Application and license fee for licensure and registration.

The board shall adopt rules establishing the amount of the application fee for licensure and registration by written and oral examination and by reciprocity. A fee is not refundable, in whole or in part, except for failure of the board to hold examinations at the time originally announced, in which event the entire fee must be refunded upon demand by the applicant.

SECTION 7. AMENDMENT. Section 43-32-13 of the North Dakota Century Code is amended and reenacted as follows:

43-32-13. Annual license and registration fee.

Before January first of each year, every licensee and registrant shall pay to the secretary of the board an annual ~~license-fee~~ determined by the board not to exceed ~~one hundred fifty dollars~~ the costs incurred by the board in issuing the license or registration. The secretary of the board, upon receipt of payment of the annual ~~license-fee~~, shall issue the licensee or registrant a certificate of annual ~~license~~ renewal. An individual may not hold out as an industrial-organizational psychologist, an applied behavior analyst, a registered applied behavior analyst, or a psychologist until the annual license-fee is paid. The board may deny renewal of the license or registration of an individual who violates this section. Annually, the board shall mail a renewal notice to each licensee and registrant at the address on file with the board.

SECTION 8. AMENDMENT. Section 43-32-14 of the North Dakota Century Code is amended and reenacted as follows:

43-32-14. Payment of delinquent ~~license fees~~ annual fee - Reinstatement.

An individual whose license or registration issued under this chapter was revoked for failure to pay the annual ~~license-fee~~ must be reinstated and the license or registration renewed if, within one year from the date of revocation, the individual pays to the secretary of the board the amount of the annual ~~license-fees~~ in default and a late fee in the amount of twenty dollars.

SECTION 9. AMENDMENT. Subsection 1 of section 43-32-16 of the North Dakota Century Code is amended and reenacted as follows:

1. The board shall keep a record of its proceedings and a register of all applicants for licensing or registration which must show:
 - a. The name, age, and residence of each applicant.
 - b. The date of each applicant's application.
 - c. The place of business of each applicant.
 - d. A summary of the educational and other qualifications of each applicant.
 - e. Whether an examination was required of an applicant.
 - f. Whether a license or registration was granted to an applicant.
 - g. The date of the action of the board.
 - h. Any information the board determines necessary or advisable in aid of the requirements of this subsection.

SECTION 10. AMENDMENT. Section 43-32-19.1 of the North Dakota Century Code is amended and reenacted as follows:

43-32-19.1. Licensing applicant licensed in other jurisdictions.

1. The board may grant a license to an applicant, licensed in good standing in another jurisdiction, who passes the oral examination on the law and rules regulating the practice of psychology and industrial-organizational psychology, or applied behavior analysis and meets one of the following requirements:
 - 1-a. The applicant is licensed in a jurisdiction that imposes requirements for licensure which are at least as stringent as the requirements imposed in this state.

- 2-b. The applicant holds a certificate of professional qualification in psychology issued by the association of state and provincial psychology boards or its successor.
2. The board shall grant a provisional license or registration to an applicant to be an applied behavior analyst or registered applied behavior analyst while the application is pending, provided the applicant is:
- a. Licensed or registered and is in good standing in another jurisdiction; or
- b. Certified in good standing with the national behavior analyst certification board.

SECTION 11. AMENDMENT. Section 43-32-30 of the North Dakota Century Code is amended and reenacted as follows:

43-32-30. Persons exempt from this chapter.

This chapter does not apply to:

1. A student or intern pursuing a course of study in psychology or industrial-organizational psychology, or applied behavior analysis at a school or college, if the activities and services are a part of the individual's supervised course of study and are under the supervision of a licensed psychologist or industrial-organizational psychologist, registrant, or applied behavior analysis. The student or intern ~~shall~~ may not use the title "psychologist" or "industrial-organizational psychologist", "licensed behavior analyst", or "registered applied behavior analyst" and the student or intern status ~~shall~~ must be clearly stated.
2. A nonresident licensed, registered, or certified in the state of the individual's residence who does not practice psychology or industrial-organizational psychology, or applied behavior analysis in this state for a period of more than thirty days in any calendar year.
3. A lecturer, from any school or college, who uses an academic or research title when lecturing to institutions or organizations. However, the lecturer may not engage in the practice of psychology, applied behavior analysis, or industrial-organizational psychology unless the lecturer is licensed or registered under this chapter.
4. An individual employed by a public school if that individual's activities and services are restricted to the practice of psychology in the district or service unit of employment. This exemption applies only if the individual has received a master's degree in school psychology from an accredited graduate training program. Standards must be established by mutual consent of the board and the superintendent of public instruction.
5. A person certified, licensed, or registered in this state in another health care profession, or as a member of the clergy functioning in a ministerial capacity, whose scope of practice is consistent with the accepted standards of that person's profession. A person claiming an exemption under this subsection may not represent to be rendering psychological or applied behavior analysis services.
6. An applicant licensed to practice psychology or industrial-organizational psychology in another jurisdiction, pending disposition of the applicant's application in this state, if the applicant notifies the board on a form provided by the board of the applicant's intent to practice pending disposition of the application and the applicant adheres to the requirements of this chapter and the rules adopted by the board.
7. A person employed by an agency, a nonprofit corporation, or an institution if that person is currently exempt from licensure. A person exempt under this subsection continues to be exempt if the person continues employment in

the same position with the agency, nonprofit corporation, or institution that applied for and received the exemption.

8. An individual providing applied behavior analysis services to an individual in a public school setting.
9. An individual providing applied behavior analysis services to an individual served by a public or private service agency licensed by the state to provide residential, habilitative, vocational, or social support services as defined by the board when performed as part of an individual support plan supervised by a professional employee meeting the requirements of that agency's licensure standards, provided the professional employee does not represent to the public as a registrant or an applied behavior analyst.
10. An individual who is implementing applied behavior analysis services to an immediate family member or as a paid or volunteer caregiver implementing procedures established by the family or by the individual served in any setting, if the individual or caregiver does not represent as a registrant or an applied behavior analyst."

Page 3, line 12, replace "**Certification**" with "**Licensure or registration**"

Page 3, line 12, remove "**- Exemptions**"

Page 3, line 13, remove "1."

Page 3, line 13, replace "certified as" with "a registrant."

Page 3, line 13, remove "under this chapter"

Page 3, line 13, after the underscored comma insert "or a psychologist."

Page 3, line 14, replace "a." with "1."

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

Page 3, line 17, replace "certified" with "licensed"

Page 3, line 17, after "or" insert "registered applied behavior analyst" or"

Page 3, line 18, replace "certified" with "licensed or registered"

Page 3, remove lines 19 through 30

Page 4, remove lines 1 through 5

Page 4, line 8, remove "**Certification -**"

Page 4, line 9, replace "certificate" with "license or registration"

Page 4, line 9, after "application" insert "for registration as a registered applied behavior analyst or for licensure as an applied behavior analyst"

Page 4, line 11, remove ", not to exceed two hundred dollars"

Page 4, line 13, replace "for certification as an applied behavior analyst" with "under this section"

Page 4, line 17, after "board-approved" insert "demonstration of professional competence, such as a standardized"

Page 4, line 17, replace the underscored comma with "specific to the profession"

Page 4, line 17, remove the second "the"

Page 4, line 18, remove "and"

Page 4, line 20, after "board" insert "; and"

d. Has established supervision requirements as determined by the board for practice when applying as a registered applied behavior analyst"

Page 4, line 21, replace "certified" with "registrant and applied"

Page 4, line 22, replace "certification" with "license or registration"

Page 4, line 22, remove "not"

Page 4, line 23, remove "to exceed one hundred fifty dollars"

Page 4, line 24, remove "certification"

Page 4, line 24, replace the first "certificate" with "license or registration"

Page 4, line 26, remove the first "certification"

Page 4, line 26, replace the second "certification" with "license or registration"

Page 4, line 28, replace "certified" with "registrant and"

Page 4, line 29, replace "certification" with "license or registration"

Page 4, line 30, remove the first "certification"

Page 4, line 30, replace the second "certification" with "license or registration"

Page 5, line 1, remove "certification"

Page 5, line 3, replace "certificate" with "license or registration"

Page 5, line 5, replace "certificate" with "license or registration"

Page 5, line 6, replace "certified" with "licensed or registered"

Page 5, after line 7, insert:

- "6. If an individual employed in the state on August 1, 2011, in the practice of applied behavior analysis submits to the board a written request before January 1, 2013, the required license or registration application fee, and a written statement from the applicant's employer that the applicant's employment remains satisfactory, the board shall issue to that applicant:
- a. A license as an applied behavior analyst if the applicant is employed in a position granted license exemption by the board and submits a letter of endorsement from the licensed psychologist supervisor.
 - b. A license as an applied behavior analyst if the applicant has a master's degree in psychology and is employed as a behavior analyst as verified in writing by the applicant's employer. Acceptable work titles for an applicant under this subdivision include behavior analyst, behavior interventionist, and behavior modification specialist.
 - c. Registration as an applied behavior analyst if the applicant has a bachelor's degree; provides a board-approved plan of supervision from a licensed psychologist or applied behavior analyst; and is employed as a behavior analyst as verified in writing by the applicant's employer. Acceptable work titles for an applicant under this subdivision include behavior analyst, behavior interventionist, and behavior modification specialist."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2229, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO NOT PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2229 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2230: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO NOT PASS** (10 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). SB 2230 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2264, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO NOT PASS** (10 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2264 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2271: Human Services Committee (Sen. J. Lee, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2271 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "naturopathic physicians" with "naturopaths"

Page 1, line 4, replace "naturopathic physicians" with "naturopaths"

Page 1, line 8, replace "naturopathic physician" with "naturopath"

Page 1, line 13, replace "naturopathic physician" with "naturopath"

Page 2, line 6, replace "naturopathic physician" with "naturopath"

Page 3, line 1, after "means" insert "nonprescriptive"

Page 3, line 2, after the underscored period insert "The term does not include prescriptive drugs."

Page 3, line 4, after "5." insert "\"Naturopath\" means an individual licensed to practice naturopathic health care under this chapter."

6."

Page 3, line 5, replace "naturopathic physicians" with "naturopaths"

Page 3, line 9, remove "naturopathic"

Page 3, line 10, replace "physician" with "naturopath"

Page 3, line 11, replace "6." with "7."

Page 3, line 11, remove "naturopathic"

Page 3, line 12, replace "physician" with "naturopath"

Page 3, remove lines 15 and 16

Page 3, line 19, replace "naturopathic physician" with "naturopath"

Page 3, line 25, replace "naturopathic physician" with "naturopath"

Page 4, line 15, after the underscored semicolon insert "and'

Page 4, line 16, remove "That contain the naturopathic formulary list created by the board:"

Page 4, line 17, remove "f."

Page 5, line 2, replace "naturopathic physician" with "naturopath"

Page 5, line 3, replace "naturopathic physician" with "naturopath"

Page 5, line 5, remove "or device unless the"

Page 5, line 6, remove "drug or device is included on the naturopathic formulary list"

Page 5, line 11, after the underscored period insert "A naturopath may not hold out to the public that the naturopath is a primary care provider."

Page 5, line 12, replace "naturopathic physician" with "naturopath"

Page 5, line 13, after "purposes" insert "a prescriptive device and"

Page 5, line 20, replace "naturopathic physician" with "naturopath"

Page 5, remove lines 24 through 30

Page 6, remove lines 1 through 12

Page 6, line 13, replace "43-57-06." with "43-57-05."

Page 6, line 14, replace "naturopathic physician" with "naturopath"

Page 6, line 16, replace "naturopathic physicians" with "naturopaths"

Page 6, line 20, replace "43-57-07." with "43-57-06."

Page 6, line 21, replace "naturopathic physician" with "naturopath"

Page 6, line 26, replace "43-57-08." with "43-57-07."

Page 6, line 29, replace "naturopathic physician" with "naturopath"

Page 6, line 29, remove "doctor of naturopathic medicine."

Page 6, line 30, replace the first underscored comma with "or"

Page 6, line 30, remove ", naturopathic doctor, naturopathic physician,"

Page 6, line 31, replace "imply any" with "reflect either"

Page 6, line 31, replace "who" with "that"

Page 7, line 3, replace "43-57-09." with "43-57-08."

Page 7, line 7, replace "43-57-10." with "43-57-09."

Page 7, line 23, replace "43-57-11." with "43-57-10."

Page 8, line 5, replace "43-57-12." with "43-57-11."

Page 8, line 8, replace "43-57-13." with "43-57-12."

Page 8, line 25, replace "43-57-14." with "43-57-13."

Page 8, line 26, replace "naturopathic physician" with "naturopath"

Page 8, line 28, replace "43-57-15." with "43-57-14."

Page 10, line 18, replace "43-57-16." with "43-57-15."

Page 11, line 11, replace "43-57-17." with "43-57-16."

Page 11, line 21, replace "43-57-18." with "43-57-17."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2278: Education Committee (Sen. Freborg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION** (6 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). SB 2278 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "required dissemination" with "disclosure"

Page 1, line 6, replace "**Required dissemination**" with "**Authorized disclosure**"

Page 1, replace lines 7 through 11 with "Notwithstanding section 44-04-18.13, and subject to any limitations on the disclosure of directory information under title 20, Code of Federal Regulations, part 99, sections 31, 33, and 37, each high school shall provide to the North Dakota university system a list of all students enrolled in grades ten and eleven as of April fifteenth of each year, together with the students' addresses and telephone numbers. The North Dakota university system shall disclose this information to each institution under the control of the state board of higher education and to each nonpublic university and college in this state."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2297: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO NOT PASS** (11 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2297 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2302: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (7 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). SB 2302 was placed on the Sixth order on the calendar.

Page 2, line 5, remove "For the purposes of management of the budget stabilization fund and the legacy fund."

Page 2, replace lines 6 through 16 with:

- "a. For purposes of management of the budget stabilization fund and the legacy fund, the state investment board consists of:
- (1) The governor;
 - (2) The state treasurer;
 - (3) The insurance commissioner;
 - (4) Two members of the senate, appointed by the senate majority leader, who shall serve as nonvoting members of the board; and
 - (5) Two members of the house of representatives, appointed by the house majority leader, who shall serve as nonvoting members of the board.
- b. The members of the board under this subsection shall select from among themselves one member to serve as chairman for the purposes of this subsection.
- c. The members of the state investment board who are appointed by the senate majority leader and the house majority leader are entitled to

compensation as provided under subsection 1 of section 54-35-10 for each day spent in attending meetings of the board and necessary lodging and travel expenses as provided in sections 44-08-04 and 54-06-09.

- d. The state investment board as constituted under this subsection is solely responsible for the management of the budget stabilization fund and the legacy fund."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2304: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO NOT PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2304 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2320, 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 2320 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "amend and reenact sections 57-35.3-03, 57-35.3-05, 57-35.3-07, and"

Page 1, remove line 2

Page 1, line 3, remove "institutions tax and adjustment of the allocation of the tax; to"

Page 1, line 4, remove "; and to provide an effective date"

Page 1, remove lines 6 through 24

Page 2, remove lines 1 through 30

Page 3, remove lines 1 through 31

Page 4, remove lines 1 through 10

Page 4, remove lines 17 and 18

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2323: Education Committee (Sen. Freborg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2323 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "documentation of" with "variance reports for certain"

Page 1, line 2, replace "project costs and progress" with "projects"

Page 1, line 7, replace "**Projects**" with "**Construction projects**"

Page 1, line 7, replace "**Cost and progress documentation**" with "**Variance reports**"

Page 1, after line 7, insert:

"1."

Page 1, line 8, after the second underscored comma insert "or"

Page 1, line 8, remove "or other type of improvement"

Page 1, line 9, replace "one" with "two"

Page 1, line 9, after "hundred" insert "fifty"

Page 1, line 10, after "provide" insert "monthly project variance reports"

Page 1, line 11, remove "copies of all invoices and any other"

Page 1, line 12, remove "documentation pertaining to the cost and progress of the activity"

Page 1, line 12, after the underscored period insert "Each report must include:

- a. The name or a description of the project;
 - b. The expenditure authorized by the legislative assembly;
 - c. The amount of the original contract;
 - d. The amount of any change orders;
 - e. The amount of any potential or anticipated change orders: _____
 - f. The sum of subdivisions c through e and the amount by which that sum varies from the expenditure authorized by the legislative assembly;
 - g. The total expended for the project to date; and
 - h. The schedule variance by number of days.
2. The state board of higher education also shall provide to the director of the office of management and budget, at the same time as the project variance report required by subsection 1:
- a. A brief description of each change order included in subdivision d of subsection 1; and
 - b. A list of each public and nonpublic entity that has a contractually reflected financial obligation with respect to the project."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2340: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO NOT PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2340 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2344: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2344 was placed on the Sixth order on the calendar.

Page 1, line 8, remove "three members of"

Page 1, remove line 9

Page 1, line 10, remove "representatives appointed by the house majority leader."

Page 1, line 10, overstrike the second "the"

Page 1, line 11, overstrike "commissioner of university and school lands,"

Page 1, line 12, after "three" insert "two"

Page 1, line 12, remove the overstrike over "members"

Page 1, line 12, remove "one member"

Page 1, line 13, remove the overstrike over "designees"

Page 1, line 13, remove "designee"

Page 1, line 13, replace "does" with "do"

Page 1, line 14, remove the overstrike over "members"

Page 1, line 14, remove "a member"

Page 1, line 14, remove the overstrike over "two"

Page 1, remove the overstrike over line 15

Page 1, overstrike line 16

Page 1, line 17, overstrike "board" and insert immediately thereafter "and three members selected by the governor. Of the three members selected by the governor, one must be a member of the North Dakota bankers association or the independent community banks of North Dakota and two must hold either a financial industry regulatory authority series 7 registration or a North American securities administrators association series 65 registration"

Page 2, line 1, after the period insert "A member of the state investment board who is appointed by the governor may designate an alternate with full voting privileges to attend meetings of the board if the member is unable to attend."

Page 2, line 5, remove "The"

Page 2, remove lines 6 through 9

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2355: 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 2355 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 reduction of the flaring of natural gas.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. LEGISLATIVE MANAGEMENT STUDY - REDUCTION OF FLARING OF NATURAL GAS. During the 2011-12 interim, the legislative management shall study methods to encourage reduction or restrict allowance of flaring of natural gas. The legislative management shall obtain opinions from the tax department, oil and gas division of the industrial commission, state department of health, petroleum industry representatives, and interested members of the public and representatives of political subdivisions to identify and implement the optimum method of reducing flaring of natural gas, including improved methods for capturing or using the natural gas. The interim committee to which this study is assigned shall meet as often as necessary before November 2011 to determine if it is feasible and desirable to seek introduction of legislation to implement any preliminary recommendation of the interim committee during the November 2011 special legislative session. The interim committee shall include in its deliberations an examination of each legislative proposal to reduce flaring of natural gas considered by the sixty-second legislative assembly. 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 4021: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4021 was placed on the Eleventh order on the calendar.

FIRST READING OF HOUSE BILLS

HB 1054: A BILL for an Act to create and enact four new sections to chapter 65-05 of the North Dakota Century Code, relating to workers' compensation coverage of prescriptive drugs as part of pain therapy; and to provide for application.

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

HB 1055: A BILL for an Act to amend and reenact section 65-05-12.2 of the North Dakota Century Code, relating to workers' compensation permanent partial impairment benefits; and to provide for application.

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

HB 1071: A BILL for an Act to amend and reenact subsection 1 of section 57-02-01 of the North Dakota Century Code, relating to retention of property tax status as agricultural property for property previously devoted to agricultural uses which is being used for mineral extraction and for which the surface owner owns none of the subsurface mineral rights; and to provide an effective date.

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

HB 1072: A BILL for an Act to create and enact a new subdivision to subsection 2 of section 57-38-30.3 of the North Dakota Century Code, relating to an income tax deduction to remove the marriage penalty contained in the federal standard deduction for married persons filing jointly; and to provide an effective date.

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

HB 1077: A BILL for an Act to amend and reenact subsections 4 and 5 of section 57-51-15 of the North Dakota Century Code, relating to elimination of the limitation on allocations that may be received by a city under the oil and gas gross production tax; and to provide an effective date.

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

HB 1083: A BILL for an Act to amend and reenact subsection 1 of section 26.1-03.1-03 and subsection 1 of section 26.1-03.2-03 of the North Dakota Century Code, relating to the risk-based capital reports of insurance companies.

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

HB 1099: A BILL for an Act to amend and reenact section 5-03-06, subsections 3 and 5 of section 57-36-14, subsection 7 of section 57-40.2-07, and sections 57-40.3-09, 57-43.1-44, and 57-43.2-37 of the North Dakota Century Code, relating to direct sales of alcoholic beverages, procedures available to the tax commissioner in case of seizure of tobacco products, reporting and remittance of use tax collected during odd-numbered years, the definition of state for motor vehicle excise tax reciprocity purposes, cooperative agreements for the exchange of motor fuels tax information, and cooperative agreements for the exchange of special fuels tax information.

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

HB 1101: A BILL for an Act to amend and reenact section 57-02-27.1 of the North Dakota Century Code, relating to the valuation of properties in townships; and to provide an effective date.

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

HB 1102: A BILL for an Act to amend and reenact subsection 3 of section 40-63-04 of the North Dakota Century Code, relating to the procedure for electing to take the renaissance zone individual income tax credit; and to provide an effective date.

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

HB 1116: A BILL for an Act to amend and reenact subsection 2 of section 57-02-08.2, subsections 1, 2, and 8 of section 57-02-08.8, subsection 2 of section 57-02-11, and section 57-06-17.3 of the North Dakota Century Code, relating to homestead credit and disabled veterans certifications, the basis for calculation of the disabled veterans credit, assessment of destroyed or damaged property, and the basis for

calculation of the new transmission line property tax exemption; and to provide an effective date.

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

HB 1119: A BILL for an Act to create and enact a new section to chapter 32-12.2 of the North Dakota Century Code, relating to providing voluntary liability coverage to student drivers driving vehicles owned or leased by the state of North Dakota as part of a course of curriculum; and to declare an emergency.

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

HB 1122: A BILL for an Act to amend and reenact sections 54-34.4-03, 54-44.5-04, 54-60-02, 54-60-04, 54-60-16, and 54-60-25 of the North Dakota Century Code, relating to the state tourism policy, division of community services, department of commerce, North Dakota economic development foundation, North Dakota international business and trade office, and North Dakota rural development council; to repeal sections 4-14.1-01.1 and 54-34.3-12 of the North Dakota Century Code, relating to the definition of eligible facility and the value-added agriculture promotion board; to provide an effective date; and to declare an emergency.

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

HB 1124: A BILL for an Act to create and enact a new subsection to section 57-38-01.8 of the North Dakota Century Code, relating to the individual income tax credit for installation of geothermal energy devices; to amend and reenact subsection 3 of section 57-35.3-05, section 57-35.3-07, subsections 1 and 6 of section 57-38-01.21, section 57-38-01.28, subsection 1 of section 57-38-01.31, section 57-38-29.3, subsections 2 and 3 of section 57-38-30.3, sections 57-38-59.2 and 57-38.4-01, and subsection 1 of section 57-38.4-02 of the North Dakota Century Code, relating to the tuition scholarship tax credit for financial institution tax purposes, the tax credit for planned gifts and qualified endowments, the marriage penalty tax credit, the employer tax credit for mobilized employees, the long-term care partnership plan insurance coverage tax credit, the qualified dividend and long-term capital gain income tax exclusion, return filing requirements for individuals, withholding on lottery winnings, and the use of the domestic disclosure spreadsheet for the water's edge method election for reporting income; and to provide an effective date.

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

HB 1130: A BILL for an Act to create and enact section 13-08-05.1 and two new sections to chapter 13-09 of the North Dakota Century Code, relating to notice regarding change of name and address of licensed deferred presentment service providers and money transmitters and prohibited acts and practices of licensed money transmitters; to amend and reenact sections 13-08-02 and 13-08-11, subsection 6 of section 13-08-12, sections 13-08-14 and 13-08-14.1, subsection 7 of section 13-09-02, subsection 3 of section 13-09-14, and section 13-09-17 of the North Dakota Century Code, relating to license requirements, retention of records, licensee transaction procedures, suspension and revocation of license, suspension and removal of agency officers and employees, definition of electronic instruments regarding deferred presentment service providers, and money transmitters; and to provide a penalty.

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

HB 1131: A BILL for an Act to create and enact a new subsection to chapter 6-01-02 of the North Dakota Century Code, relating to the definition of market value; to amend and reenact subsection 2 of section 6-01-03, and sections 6-01-04.1 and 6-01-04.2, subsection 1 of section 6-01-04.3, and sections 6-06-06, 6-06-08.4, 6-06-10, 6-06-11, 6-06-14, and 6-06-36 of the North Dakota Century Code, relating to state credit union board member experience, clarification of regulated entities, civil money penalties, credit union board powers, prompt corrective actions relating to credit unions, use of electronic communications for credit union meetings, election or appointment of credit union committees, credit union supervision of loans, and credit union mergers; and to provide a penalty.

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

HB 1136: A BILL for an Act to create and enact chapter 44-06.1 of the North Dakota Century Code, relating to notarial acts; to amend and reenact subsection 6 of section 10-19.1-84, subsection 4 of section 44-05-01, and sections 44-08-06 and 47-19-18

of the North Dakota Century Code, relating to notarial acts; to repeal chapter 44-06 and sections 47-19-14.1, 47-19-14.2, 47-19-14.3, 47-19-14.4, 47-19-14.5, 47-19-14.6, 47-19-14.7, and 47-19-14.8 of the North Dakota Century Code, relating to notarial acts; and to provide a penalty.

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

HB 1138: A BILL for an Act to create and enact chapter 30.1-32.1 of the North Dakota Century Code, relating to the Uniform Real Property Transfer at Death Act; and to amend and reenact sections 30.1-10.1-09 and 30.1-10.1-11 of the North Dakota Century Code, relating to the delivery and recording to a disclaimer of property interest.

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

HB 1139: A BILL for an Act to amend and reenact subdivision k of subsection 1 of section 57-40.6-10 of the North Dakota Century Code, relating to dispatch of emergency medical services.

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

HB 1142: A BILL for an Act to create and enact a new chapter to title 53 of the North Dakota Century Code, relating to registered agritourism activity liability.

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

HB 1153: A BILL for an Act to amend and reenact subsection 5 of section 57-40.3-04 of the North Dakota Century Code, relating to exemptions from motor vehicle excise tax.

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

HB 1167: A BILL for an Act to create and enact a new section to chapter 1-03 of the North Dakota Century Code, relating to women veterans' month; and to declare an emergency.

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

HB 1173: A BILL for an Act to amend and reenact section 39-21-01 of the North Dakota Century Code, relating to when headlamps and taillamps are required to be illuminated on a motor vehicle.

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

HB 1179: A BILL for an Act to create and enact a new section to chapter 53-06.1 of the North Dakota Century Code, relating to the conduct and play of the horse racing game; and to amend and reenact subsection 2 of section 53-06.1-03 of the North Dakota Century Code, relating to the games eligible organizations are authorized to conduct.

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

HB 1182: A BILL for an Act to amend and reenact section 4-24-09 of the North Dakota Century Code, relating to investments of agricultural commodity funds.

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

HB 1183: A BILL for an Act to create and enact a new section to chapter 26.1-47 of the North Dakota Century Code, relating to preferred provider arrangements with dental service providers; and to provide for application.

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

HB 1189: A BILL for an Act to amend and reenact section 57-38-30 of the North Dakota Century Code, relating to corporate income tax rates; and to provide an effective date.

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

HB 1192: A BILL for an Act to amend and reenact section 29-04-05 of the North Dakota Century Code, relating to the commencement of a criminal prosecution; and to repeal sections 29-09-02, 29-09-06, and 29-09-07 of the North Dakota Century Code, relating to criminal procedure and the methods of prosecution.

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

HB 1197: A BILL for an Act to create and enact a new section to chapter 39-06 of the North Dakota Century Code, relating to a veteran indicator on an operator's license.

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

HB 1204: A BILL for an Act to amend and reenact subsection 6 of section 12.1-17-07.1 of the North Dakota Century Code, relating to stalking and previous convictions.

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

HB 1217: A BILL for an Act to amend and reenact subsection 1 of section 15-10-18.2, subdivision j of subsection 2 of section 39-04-18, subsection 1 of section 57-02-08.8, and subsection 1 of section 57-40.3-04 of the North Dakota Century Code, relating to benefits for disabled veterans; and to provide an effective date.

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

HB 1219: 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 designation of the ladybug as the official state insect.

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

HB 1222: A BILL for an Act to amend and reenact subsection 3 of section 43-17-18 of the North Dakota Century Code, relating to graduates of international medical schools

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

HB 1223: A BILL for an Act to amend and reenact subsection 3 of section 57-02-08 of the North Dakota Century Code, relating to property tax exemption of the leasehold interest when a political subdivision leases property from another political subdivision.

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

HB 1230: A BILL for an Act to amend and reenact section 12.1-34-03 of the North Dakota Century Code, relating to fair treatment of victims and witnesses and confidential records.

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

HB 1238: A BILL for an Act to amend and reenact subsection 1 of section 53-06.1-03 of the North Dakota Century Code, relating to authorized charitable gaming under a charity local permit.

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

HB 1241: A BILL for an Act to create and enact a new section to chapter 38-11.1 and section 38-11.1-04.1 of the North Dakota Century Code, relating to notice of oil and gas drilling operations and compensation for loss of agricultural production and income caused by oil and gas production; and to amend and reenact sections 38-11.1-04 and 47-16-39.1 of the North Dakota Century Code, relating to damage and disruption payments for damages caused by oil and gas production and the obligation to pay oil and gas royalties.

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

HB 1245: A BILL for an Act to amend and reenact sections 40-57.3-01 and 40-57.3-01.1 and subsection 22 of section 57-39.2-04 of the North Dakota Century Code, relating to city lodging tax and state sales tax application to hotel, motel, and tourist court stays of thirty days or more; and to provide an effective date.

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

HB 1246: A BILL for an Act to amend and reenact subsection 9 of section 57-02-08 of the North Dakota Century Code, relating to the property tax exemption for church property; and to provide an effective date.

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

HB 1254: A BILL for an Act to create and enact a new subsection to section 39-12-02 of the North Dakota Century Code, relating to permits for vehicles of excessive size or weight.

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

HB 1260: A BILL for an Act to amend and reenact section 51-21-05 of the North Dakota Century Code, relating to civil liability for retail theft.

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

- HB 1261:** A BILL for an Act to repeal sections 54-03-19.1 and 54-03-19.2 of the North Dakota Century Code, relating to the legislative compensation commission.
Was read the first time and referred to the **Industry, Business and Labor Committee**.
- HB 1262:** A BILL for an Act to amend and reenact sections 12.1-08-11, 39-10-71, and 39-24.1-13 of the North Dakota Century Code, relating to fleeing a law enforcement officer.
Was read the first time and referred to the **Judiciary Committee**.
- HB 1265:** A BILL for an Act to amend and reenact section 14-05-24 of the North Dakota Century Code, relating to divorce and the consideration of pension plans in the division of property and debts.
Was read the first time and referred to the **Judiciary Committee**.
- HB 1267:** A BILL for an Act to establish a legislative management redistricting committee, to provide for the implementation of a legislative redistricting plan, and to provide for a special legislative session; and to declare an emergency.
Was read the first time and referred to the **Judiciary Committee**.
- HB 1268:** A BILL for an Act to amend and reenact subsection 2 of section 57-51-15 of the of the North Dakota Century Code, relating to allocation between counties and the state general fund of oil and gas gross production tax revenues from production within the Fort Berthold Reservation; and to provide an effective date.
Was read the first time and referred to the **Finance and Taxation Committee**.
- HB 1271:** A BILL for an Act to amend and reenact subsection 2 of section 37-01-42 of the North Dakota Century Code, relating to honorary high school diplomas for Korean conflict veterans.
Was read the first time and referred to the **Education Committee**.
- HB 1273:** 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 readiness testing and formative assessments of kindergarten students.
Was read the first time and referred to the **Education Committee**.
- HB 1284:** A BILL for an Act to amend and reenact sections 57-09-04, 57-11-04, and 57-12-06 of the North Dakota Century Code, relating to appeals of property tax assessments; and to provide an effective date.
Was read the first time and referred to the **Finance and Taxation Committee**.
- HB 1288:** A BILL for an Act to repeal section 2 of chapter 207 of the 2009 Session Laws, relating to licensing of outfitters.
Was read the first time and referred to the **Natural Resources Committee**.
- HB 1289:** A BILL for an Act to amend and reenact subsection 1 of section 57-38-30.3 of the North Dakota Century Code, relating to reduction of income tax rates for individuals, estates, and trusts; and to provide an effective date.
Was read the first time and referred to the **Finance and Taxation Committee**.
- HB 1305:** A BILL for an Act to amend and reenact sections 4-37-01, 4-37-02, 4-37-03, and 4-37-04 of the North Dakota Century Code, relating to agriculture in the classroom.
Was read the first time and referred to the **Agriculture Committee**.
- HB 1307:** A BILL for an Act to amend and reenact section 5-02-06 of the North Dakota Century Code, relating to individuals under twenty-one years of age allowed in alcoholic beverage establishments.
Was read the first time and referred to the **Judiciary Committee**.
- HB 1308:** A BILL for an Act to amend and reenact section 26.1-40-17 of the North Dakota Century Code, relating to establishment of primary and excess automobile liability coverages for rental vehicles.
Was read the first time and referred to the **Transportation Committee**.
- HB 1310:** A BILL for an Act to amend and reenact section 40-18-15.1 of the North Dakota Century Code, relating to transfers to district court.

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

HB 1311: A BILL for an Act to amend and reenact section 16.1-08.1-03.1 of the North Dakota Century Code, relating to contribution and expenditure statements filed by persons sponsoring the circulation of initiated measure petitions.

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

HB 1312: A BILL for an Act to amend and reenact section 11-11.1-02 of the North Dakota Century Code, relating to compensation of members of county job development authority boards of directors.

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

HB 1313: A BILL for an Act to create and enact a new section to chapter 40-01 of the North Dakota Century Code, relating to authorizing firefighters to solicit charitable contributions from motorists in cities.

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

HB 1314: A BILL for an Act to amend and reenact section 54-05.1-07 of the North Dakota Century Code, relating to a civil penalty for persons lobbying without registration with the secretary of state; and to provide a penalty.

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

HB 1315: A BILL for an Act to amend and reenact subsection 1 of section 50-22-04 of the North Dakota Century Code, relating to the filing of an annual report by a charitable organization.

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

HB 1320: A BILL for an Act to create and enact a new section to chapter 50-24.1 of the North Dakota Century Code, relating to deductions from income for determining medical assistance eligibility.

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

HB 1327: A BILL for an Act to amend and reenact section 37-17.1-10 of the North Dakota Century Code, relating to authority to evacuate during a local disaster or emergency; to provide a penalty; and to declare an emergency.

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

HB 1328: A BILL for an Act to amend and reenact sections 35-17-04, 35-29-05, 35-30-02, 35-31-02, and 47-16-03 of the North Dakota Century Code, relating to the procedure for filing an agister's lien, the fees for filing federal tax liens, the procedure to file a processor's lien, the procedure to file an agricultural supplier's lien in the office of the secretary of state or a county recorder, and the procedure to file a landlord's lien in the office of a county recorder.

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

HB 1329: A BILL for an Act to amend and reenact sections 29-04-02 and 29-04-03 of the North Dakota Century Code, relating to statute of limitations in possession of stolen property.

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

HB 1334: 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 memberships, admissions, and entrance fees of nonprofit 501(c)(7) social and recreation clubs; and to provide an effective date.

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

HB 1335: A BILL for an Act to create and enact a new section to chapter 61-28 of the North Dakota Century Code, relating to exemptions from enforcement actions for water transfers used to control flooding; and to declare an emergency.

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

HB 1336: A BILL for an Act to repeal chapter 54-35.2 and section 54-40.3-03 of the North Dakota Century Code, relating to the advisory commission on intergovernmental relations.

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

- HB 1337:** A BILL for an Act to authorize the department of human services to convey certain land in Walsh County, North Dakota; and to declare an emergency.
Was read the first time and referred to the **Industry, Business and Labor Committee**.
- HB 1338:** A BILL for an Act to amend and reenact section 12-67-02 of the North Dakota Century Code, relating to electronic home detention for certain offenders.
Was read the first time and referred to the **Judiciary Committee**.
- HB 1339:** A BILL for an Act to create and enact a new section to chapter 5-01 of the North Dakota Century Code, relating to domestic brewery licenses; and to amend and reenact section 5-03-07 of the North Dakota Century Code, relating to taxes on alcohol.
Was read the first time and referred to the **Judiciary Committee**.
- HB 1341:** A BILL for an Act to amend and reenact section 4-02-27.3 of the North Dakota Century Code, relating to the disposition of property used for county fairs; and to repeal section 4-02-06 of the North Dakota Century Code, relating to the filing of agricultural fair exhibition dates.
Was read the first time and referred to the **Finance and Taxation Committee**.
- HB 1346:** 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 state Latin motto.
Was read the first time and referred to the **Education Committee**.
- HB 1352:** A BILL for an Act to create and enact a new chapter to title 43 of the North Dakota Century Code, relating to registration of music therapists; and to provide for a penalty.
Was read the first time and referred to the **Human Services Committee**.
- HB 1355:** A BILL for an Act to create and enact section 54-09-02.1 of the North Dakota Century Code, relating to certificates and certified copies issued by the secretary of state; and to amend and reenact sections 10-34-09, 43-07-13, 54-09-04, and 54-09-07 of the North Dakota Century Code, relating to the fees collected by the secretary of state from real estate investment trusts, fees collected by the secretary of state for certified copies, fees charged and collected by the secretary of state, and service of process on the secretary of state.
Was read the first time and referred to the **Industry, Business and Labor Committee**.
- HB 1364:** A BILL for an Act to create and enact a new section to chapter 54-52.1 of the North Dakota Century Code, relating to the creation of a high-deductible health plan with a health savings account; and to provide an appropriation.
Was read the first time and referred to the **Government and Veterans Affairs Committee**.
- HB 1365:** A BILL for an Act to provide for a legislative management study of statutes of limitation and venue requirements for civil actions in North Dakota.
Was read the first time and referred to the **Judiciary Committee**.
- HB 1367:** A BILL for an Act to amend and reenact sections 47-10.1-05 and 47-10.1-06 of the North Dakota Century Code, relating to reports of agricultural land ownership by aliens; and to provide a penalty.
Was read the first time and referred to the **Agriculture Committee**.
- HB 1371:** A BILL for an Act to amend and reenact subsection 1 of section 12.1-27.1-03.3 of the North Dakota Century Code, relating to the creation, possession, or dissemination of sexually expressive images.
Was read the first time and referred to the **Judiciary Committee**.
- HB 1375:** A BILL for an Act to provide for a legislative management study of national guard member benefits.
Was read the first time and referred to the **Government and Veterans Affairs Committee**.
- HB 1376:** A BILL for an Act to amend and reenact sections 43-49-07, 43-49-09, and 43-09-11 of the North Dakota Century Code, relating to licensure of reflexologists.
Was read the first time and referred to the **Human Services Committee**.

HB 1378: A BILL for an Act to amend and reenact section 4-09-10 of the North Dakota Century Code or in the alternative to repeal section 4.1-53-18 of the North Dakota Century Code, relating to label requirements for canola seed.

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

HB 1380: A BILL for an Act to amend and reenact subsection 7 of section 53-06.1-01 of the North Dakota Century Code, relating to the definition of eligible organization for charitable gaming purposes.

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

HB 1384: A BILL for an Act to create and enact a new subsection to section 11-37-02 and a new subsection to section 11-37-07 of the North Dakota Century Code, relating to joint powers entities and commerce authorities; to amend and reenact subsection 2 of section 11-37-03, sections 11-37-04 and 11-37-06, and subsection 1 of section 11-37-08 of the North Dakota Century Code, relating to conversion of joint powers entities to commerce authorities and additional powers of commerce authorities; and to declare an emergency.

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

HB 1385: A BILL for an Act to create and enact a new section to chapter 15-10 of the North Dakota Century Code, relating to the attendance of mature students at institutions of higher education.

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

HB 1386: A BILL for an Act to amend and reenact section 26.1-36-12.2 of the North Dakota Century Code, relating to freedom of choice for health care services; to provide a penalty; and to provide for application.

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

HB 1388: A BILL for an Act to amend and reenact section 28-05-07 of the North Dakota Century Code, relating to filing of a notice of lis pendens.

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

HB 1389: A BILL for an Act to create and enact a new section to chapter 31-13 of the North Dakota Century Code, relating to tampering with a DNA sample; to amend and reenact sections 31-13-03, 31-13-04, and 31-13-07 of the North Dakota Century Code, relating to the collection and testing of DNA samples for law enforcement identification purposes; and to provide a penalty.

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

HB 1395: A BILL for an Act to provide for a substance abuse services pilot voucher payment program; to provide a continuing appropriation; and to provide for a report to the legislative management.

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

HB 1396: A BILL for an Act to create and enact a new section to chapter 44-04 of the North Dakota Century Code, relating to exempting certain library, archive, and museum collections from open records requirements.

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

HB 1413: A BILL for an Act to amend and reenact subsections 1 and 7 of section 61-03-21.3 of the North Dakota Century Code, relating to removal of dangers in or on the bed of navigable waters.

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

HB 1416: A BILL for an Act to amend and reenact subsection 13 of section 23-11-01, section 23-11-21, subsection 23 of section 23-11-24, and section 23-11-29 of the North Dakota Century Code, relating to housing authorities and bonded indebtedness; and to declare an emergency.

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

HB 1417: 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 certain health centers; and to provide an effective date.

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

HB 1418: A BILL for an Act to provide standards for audits of pharmacy records; and to provide a penalty.

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

HB 1419: A BILL for an Act to create and enact a new section to chapter 32-03 of the North Dakota Century Code, relating to immunity from civil liability for liquefied petroleum gas dealers; and to provide for application.

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

HB 1421: A BILL for an Act to create and enact a new chapter to title 47 of the North Dakota Century Code, relating to good funds for real estate transactions.

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

HB 1423: A BILL for an Act to create and enact a new section to chapter 50-24.5 of the North Dakota Century Code, relating to rulemaking authority with respect to the compensation for top management personnel of a basic care facility; and to declare an emergency.

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

HB 1424: A BILL for an Act to amend and reenact subsection 8 of section 57-39.2-04 and subsection 9 of section 57-40.2-04 of the North Dakota Century Code, relating to the sales and use tax exemption for chemicals used for agricultural purposes; to provide an effective date; and to declare an emergency.

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

HB 1428: A BILL for an Act to amend and reenact section 6-09.4-23 of the North Dakota Century Code, relating to authority to withhold school district state aid.

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

HB 1430: A BILL for an Act to amend and reenact sections 43-23-06.1 and 43-23-12.1 of the North Dakota Century Code, relating to definitions and the duties of real estate brokerage firms.

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

HB 1433: A BILL for an Act to create and enact a new section to chapter 43-30 of the North Dakota Century Code, relating to regulation of investigative and security services; and to amend and reenact section 12-63-11 of the North Dakota Century Code, relating to licensure of peace officers.

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

HB 1435: A BILL for an Act to create and enact a new subsection to section 12.1-32-15 of the North Dakota Century Code, relating to sexual offender and felony crimes against children registration requirements.

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

HB 1436: A BILL for an Act to amend and reenact sections 15.1-06-01 and 15.1-22-02 of the North Dakota Century Code, relating to enrollment in kindergarten.

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

HB 1450: A BILL for an Act to create and enact a new section to chapter 12.1-17 of the North Dakota Century Code, relating to the application of sections in chapter 12.1-17 to certain medical procedures; and to amend and reenact sections 12.1-01-04 and 12.1-16-06 of the North Dakota Century Code, relating to the definition of human being and the application of sections in chapter 12.1-16 to certain medical procedures.

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

HB 1452: A BILL for an Act to provide landowner immunity for injuries to trespassers.

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

HB 1453: A BILL for an Act to amend and reenact subsection 5 of section 65-05-07 of the North Dakota Century Code, relating to workers' compensation coverage for real estate modifications; and to provide for application.

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

HB 1456: A BILL for an Act to create and enact a new section to chapter 28-01 of the North Dakota Century Code, relating to the statute of limitations on civil actions involving childhood sexual abuse.

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

HB 1461: A BILL for an Act to amend and reenact section 62.1-04-03 of the North Dakota Century Code, relating to concealed weapons permits; and to declare an emergency.

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

HB 1464: A BILL for an Act to amend and reenact subsection 9 of section 25-03.3-01 and section 25-03.3-04 of the North Dakota Century Code, relating to retention of sexual offender case files and records and the definition of sexually predatory conduct.

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

HB 1467: A BILL for an Act to amend and reenact section 57-51.1-03 of the North Dakota Century Code, relating to a triggered oil extraction tax rate reduction; to provide an effective date; and to provide an expiration date.

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

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 3001: A concurrent resolution directing the Legislative Management to continue its study of North Dakota Century Code provisions that relate to agriculture.

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

HCR 3005: A concurrent resolution recognizing the 25th anniversary of the formation of North Dakota's sister state relationship with the Province of Taiwan, Republic of China.

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

HCR 3008: A concurrent resolution urging Congress to clearly delegate responsibility for the regulation of hydraulic fracturing to the states.

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

HCR 3011: A concurrent resolution directing the Legislative Management to continue its study of the feasibility and desirability of adopting the Revised Uniform Limited Liability Company Act.

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

HCR 3024: A concurrent resolution congratulating the North Dakota Grain Dealers Association as it celebrates 100 years of existence.

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

HCR 3029: A concurrent resolution declaring Monday, February 14, 2011, "North Dakota Close-Up Day".

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

HCR 3034: A concurrent resolution recognizing the local and international work of the North Dakota-founded and based charity--The GOD'S CHILD Project--and congratulating this North Dakotan humanitarian effort on its 20th anniversary.

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

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

William R. Horton, Secretary