

**JOURNAL OF THE SENATE**

**Sixty-second Legislative Assembly**

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**Bismarck, February 23, 2011**

The Senate convened at 9:00 a.m., with President Wrigley presiding.

The prayer was offered by Pastor Steve Sathre, Trinity Lutheran Church, Bismarck.

The roll was called and all members were present.

A quorum was declared by the President.

**CONSIDERATION OF AMENDMENTS**

**SB 2210: SEN. WARDNER (Appropriations Committee) MOVED** that the amendments on SJ pages 494-495 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 2210:** A BILL for an Act to create and enact two new sections to chapter 54-17, a new subdivision to subsection 2 of section 54-60.1-01, and a new subsection to section 57-35.3-05 of the North Dakota Century Code, relating to a housing incentive fund and a financial institutions tax credit for investments in the fund; and to provide a continuing 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

Engrossed SB 2210 passed.

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**MOTION**

**SEN. CHRISTMANN MOVED** that SB 2239 be rereferred to the **Appropriations Committee**, which motion prevailed. Pursuant to Sen. Christmann's motion, SB 2239 was rereferred.

**MOTION**

**SEN. CHRISTMANN MOVED** that SB 2299 be rereferred to the **Appropriations Committee**, which motion prevailed. Pursuant to Sen. Christmann's motion, SB 2299 was rereferred.

**CONSIDERATION OF AMENDMENTS**

**SB 2320, as engrossed: SEN. WARDNER (Appropriations Committee) MOVED** that the amendments on SJ page 552 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 2320:** A BILL for an Act to provide for a legislative management study.

**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 2320 passed.

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#### CONSIDERATION OF AMENDMENTS

**SB 2278: SEN. FLAKOLL (Education Committee) MOVED** that the amendments on SJ page 551 be adopted and then be placed on the Eleventh order **WITHOUT RECOMMENDATION**, which motion prevailed on a voice vote.

#### SECOND READING OF SENATE BILL

**SB 2278:** A BILL for an Act to create and enact a new section to chapter 15.1-07 of the North Dakota Century Code, relating to the disclosure of student names and addresses.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and is PLACED ON THE CALENDAR WITHOUT RECOMMENDATION, the roll was called and there were 46 YEAS, 1 NAY, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Berry; Bowman; Burckhard; Christmann; 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

**NAYS:** Cook

Engrossed SB 2278 passed.

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#### CONSIDERATION OF AMENDMENTS

**SB 2018: SEN. ERBELE (Appropriations Committee) MOVED** that the amendments on SJ pages 537-539 be adopted and then be placed on the Eleventh order with **DO PASS**.

#### REQUEST

**SEN. CHRISTMANN REQUESTED** that the Senate divide the amendments to SB 2018, which request was granted.

**DIVISION A:** Those portions of the amendment that amend Section 5 of SB 2018

**DIVISION B:** Remainder of the amendment

The question being the adoption of Division A of the proposed amendments to SB 2018, the motion failed on a voice vote.

Division A of the proposed amendments to SB 2018 failed on a voice vote.

The question being the adoption of Division B of the proposed amendments to SB 2018, the motion passed on a voice vote.

Division B of the proposed amendments to SB 2018 was adopted on a voice vote.

The question being on the motion to adopt the amendments to SB 2018 which consists of Division B only, the motion prevailed on a voice vote.

**SECOND READING OF SENATE BILL**

**SB 2018:** A BILL for an Act to provide an appropriation for defraying the expenses of the state historical society; 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.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 45 YEAS, 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.; Lyson; Marcellais; Mathern; Murphy; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Robinson; Schaible; Schneider; Sitte; Sorvaag; Stenehjem; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

**NAYS:** Luick; Miller

Engrossed SB 2018 passed.

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**CONSIDERATION OF AMENDMENTS**

**SB 2323: SEN. HECKAMAN (Education Committee) MOVED** that the amendments on SJ pages 552-553 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 2323:** A BILL for an Act to create and enact a new section to chapter 15-10 of the North Dakota Century Code, relating to variance reports for certain construction projects at institutions of higher education.

**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 2323 passed.

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**CONSIDERATION OF AMENDMENTS**

**SB 2055: SEN. OEHLKE (Finance and Taxation Committee) MOVED** that the amendments on SJ pages 539-542 be adopted and then be placed on the Eleventh order with **DO NOT PASS**, which motion prevailed on a voice vote.

**SECOND READING OF SENATE BILL**

**SB 2055:** A BILL for an Act to create and enact two new sections to chapter 57-38 and two new subdivisions to subsection 7 of section 57-38-30.3 of the North Dakota Century Code, relating to income tax credits for purchases of manufacturing machinery and equipment for the purpose of automating manufacturing processes and for qualified expenditures for lean manufacturing; and to provide an effective date.

**MOTION**

**SEN. KREBSBACH MOVED** that SB 2055 be amended as follows, which motion prevailed on a voice vote.

Page 1, line 5, remove "and"

Page 1, line 5, after "date" insert "; and to provide an expiration date"

Page 5, line 14, after "**DATE**" insert "- **EXPIRATION DATE**"

Page 5, line 14, after "for" insert "the first four"

Page 5, line 15, after "2010" insert ", and is thereafter ineffective"

Renumber accordingly

#### **ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 34 YEAS, 13 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Berry; Bowman; Burckhard; Dever; Erbele; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Klein; Krebsbach; Laffen; Lee, G.; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; Nething; Nodland; O'Connell; Olafson; Robinson; Schneider; Sorvaag; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

**NAYS:** Andrist; Christmann; Cook; Dotzenrod; Fischer; Kilzer; Larsen; Lee, J.; Luick; Oehlke; Schaible; Sitte; Stenehjem

Reengrossed SB 2055 passed.

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#### **DEEMED RECONSIDERED AND REREFERRED**

**PRESIDENT WRIGLEY STATED** that Reengrossed SB 2055 is deemed reconsidered and must be rereferred to the **Appropriations Committee**.

#### **CONSIDERATION OF AMENDMENTS**

**SB 2047: SEN. HOGUE (Finance and Taxation Committee) MOVED** that the amendments on SJ page 539 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 2047:** A BILL for an Act to amend and reenact section 21-06-10 of the North Dakota Century Code, relating to allocation of revenues from the leasing of federal flood control lands; 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 2047 passed and the emergency clause was declared carried.

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#### **CONSIDERATION OF AMENDMENTS**

**SB 2271: SEN. J. LEE (Human Services Committee) MOVED** that the amendments on SJ pages 549-551 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 2271:** A BILL for an Act to create and enact a new subsection to section 43-17-02 and chapter 43-57 of the North Dakota Century Code, relating to regulation of naturopaths; to amend and reenact section 43-17-41 of the North Dakota Century Code, relating to duties of naturopaths; to provide a penalty; and to provide for application.

**MOTION**

**SEN. J. LEE MOVED** that Engrossed SB 2271 be amended as follows, which motion prevailed on a voice vote.

Page 6, line 10, replace "naturopathy" with "naturopathic medicine"

ReNUMBER accordingly

**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; Stenehjerm; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

Reengrossed SB 2271 passed.

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**CONSIDERATION OF AMENDMENTS**

**SB 2155: SEN. MATHERN (Human Services Committee) MOVED** that the amendments on SJ pages 542-549 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 2155:** A BILL for an Act to create and enact two new sections to chapter 43-32 of the North Dakota Century Code, relating to regulation of applied behavior analysts; and to amend and reenact sections 43-32-01, 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 of the North Dakota Century Code, relating to the regulation of applied behavior analysis by the state board of psychologist examiners.

**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; Stenehjerm; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

Engrossed SB 2155 passed.

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**CONSIDERATION OF AMENDMENTS**

**SB 2355: SEN. WARNER (Appropriations Committee) MOVED** that the amendments on SJ page 554 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 2355:** A BILL for an Act to provide for a legislative management study of reduction of the flaring of natural gas.

**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 2355 passed.

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**MOTION**

**SEN. CHRISTMANN MOVED** that the Senate stand in recess until 1:00 p.m., which motion prevailed.

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

**CONSIDERATION OF AMENDMENTS**

**SB 2239: SEN. GRINDBERG (Appropriations Committee) MOVED** that the amendments on SJ page 594 be adopted and then be placed on the Eleventh order with **DO NOT PASS**, which motion prevailed on a voice vote.

**SECOND READING OF SENATE BILL**

**SB 2239:** A BILL for an Act to provide an appropriation to the parks and recreation department for recreational leadership and facilities grants.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 17 YEAS, 30 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Dotzenrod; Heckaman; Hogue; Krebsbach; Lee, J.; Lyson; Marcellais; Mathern; Murphy; Nelson; Oehlke; Robinson; Schneider; Sorvaag; Taylor; Triplett; Warner

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

Engrossed SB 2239 lost.

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**CONSIDERATION OF AMENDMENTS**

**SB 2299: SEN. WARDNER (Appropriations Committee) MOVED** that the amendments on SJ page 595 be adopted and then be placed on the Eleventh order with **DO NOT PASS**, which motion prevailed on a voice vote.

**SECOND READING OF SENATE BILL**

**SB 2299:** A BILL for an Act to create and enact a new section to chapter 54-44.5 of the North Dakota Century Code, relating to an energy improvement revolving loan fund; to provide an appropriation; and to provide a continuing appropriation.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 14 YEAS,

33 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Burckhard; Dotzenrod; Heckaman; Holmberg; Laffen; Lee, J.; Marcellais; Mathern; Murphy; Olafson; Schneider; Taylor; Triplett; Warner

**NAYS:** Andrist; Berry; Bowman; Christmann; Cook; Dever; Erbele; Fischer; Flakoll; Freborg; Grindberg; Hogue; Kilzer; Klein; Krebsbach; Larsen; Lee, G.; Luick; Lyson; Miller; Nelson; Nething; Nodland; O'Connell; Oehlke; Robinson; Schaible; Sitte; Sorvaag; Stenehjem; Uglem; Wanzek; Wardner

Engrossed SB 2299 lost.

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#### CONSIDERATION OF AMENDMENTS

**SB 2016: SEN. GRINDBERG (Appropriations Committee) MOVED** that the amendments on SJ pages 534-537 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 2016:** A BILL for an Act to provide an appropriation for defraying the expenses of the office of the adjutant general; to provide appropriations; to provide for transfers; to provide exemptions; to amend and reenact section 37-17.3-08 of the North Dakota Century Code, relating to state radio fees; 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 2016 passed and the emergency clause was declared carried.

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#### MOTION

**SEN. CHRISTMANN MOVED** that SB 2304, SB 2230, SB 2046, and SB 2340 be moved to the top of the Eleventh order, which motion prevailed.

#### SECOND READING OF SENATE BILL

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

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 0 YEAS, 47 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

SB 2304 lost.

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**SECOND READING OF SENATE BILL**

**SB 2230:** A BILL for an Act to provide appropriations to the department of emergency services to accept federal funding as a result of lake flooding and to provide a grant to a city that has experienced infrastructure damage due to lake flooding; and to declare an emergency.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 7 YEAS, 40 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Heckaman; Mathern; Nelson; Robinson; Schneider; Taylor; Triplett

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

SB 2230 lost.

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**SECOND READING OF SENATE BILL**

**SB 2046:** A BILL for an Act to amend and reenact section 37-17.3-08 of the North Dakota Century Code, relating to fees charged by the department of emergency services to local law enforcement for access to national crime information; and to provide an appropriation.

**ROLL CALL**

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

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

**ABSENT AND NOT VOTING:** Nething

SB 2046 lost.

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**SECOND READING OF SENATE BILL**

**SB 2340:** A BILL for an Act to provide an appropriation to the state treasurer to distribute emergency snow removal funds to counties, cities, and townships; and to declare an emergency.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 12 YEAS, 34 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

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

Sitte; Sorvaag; Stenehjem; Uglem; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Nothing

SB 2340 lost.

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#### CONSIDERATION OF AMENDMENTS

**SB 2009: SEN. WANZEK (Appropriations Committee) MOVED** that the amendments on SJ pages 525-530 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 2009:** A BILL for an Act to provide an appropriation for defraying the expenses of the agriculture commissioner; to amend and reenact sections 4-01-21 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 of the North Dakota Century Code, relating to the salary of the agriculture commissioner, the promotion of sustainably grown commodities, domestic wineries and domestic distilleries, and fertilizer distribution registration, licensing, and inspection fees; and to declare an emergency.

#### ROLL CALL

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

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

**ABSENT AND NOT VOTING:** Nothing

Engrossed SB 2009 passed and the emergency clause was declared carried.

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#### CONSIDERATION OF AMENDMENTS

**SB 2134, as engrossed: SEN. ERBELE (Appropriations Committee) MOVED** that the amendments on SJ page 542 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 2134:** A BILL for an Act to amend and reenact sections 4.1-08-02, 4.1-08-06, and 4.1-08-07 of the North Dakota Century Code, relating to the assessment on colonies of honeybees; and to provide an expiration date.

#### ROLL CALL

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

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

**ABSENT AND NOT VOTING:** Nothing

Reengrossed SB 2134 passed.

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**MOTION**

**SEN. CHRISTMANN MOVED** that SB 2229 be moved to the top of the Eleventh order, which motion prevailed.

**SECOND READING OF SENATE BILL**

**SB 2229:** A BILL for an Act to provide an appropriation for the control of John's disease.

**ROLL CALL**

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

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

**ABSENT AND NOT VOTING:** Nothing

Engrossed SB 2229 lost.

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**MOTION**

**SEN. CHRISTMANN MOVED** that the Senate stand in recess until 2:30 p.m., which motion prevailed.

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

**MOTION**

**SEN. CHRISTMANN MOVED** that SB 2055 be placed at the top of the Eleventh order, which motion prevailed.

**SECOND READING OF SENATE BILL**

**SB 2055:** A BILL for an Act to create and enact two new sections to chapter 57-38 and two new subdivisions to subsection 7 of section 57-38-30.3 of the North Dakota Century Code, relating to income tax credits for purchases of manufacturing machinery and equipment for the purpose of automating manufacturing processes and for qualified expenditures for lean manufacturing; 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 38 YEAS, 8 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

**NAYS:** Christmann; Cook; Dotzenrod; Larsen; Luick; Oehlke; Schaible; Stenehjem

**ABSENT AND NOT VOTING:** Nothing

Reengrossed SB 2055 passed.

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**CONSIDERATION OF AMENDMENTS**

**SB 2012: SEN. KILZER (Appropriations Committee) MOVED** that the amendments on SJ pages 530-534 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 2012:** A BILL for an Act to provide an appropriation for defraying the expenses of the department of human services; to provide an exemption; 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.

**MOTION**

**SEN. MATHERN MOVED** that Engrossed SB 2012 be amended as follows.

Page 2, replace lines 7 through 10 with:

"Grants - Medical assistance	<u>1,300,642,323</u>	<u>328,874,163</u>	<u>1,629,516,486</u>
Total all funds	\$1,870,492,778	\$387,226,319	\$2,257,719,097
Less estimated income	<u>1,381,801,240</u>	<u>138,299,755</u>	<u>1,520,100,995</u>
Total general fund	\$488,691,538	\$248,926,564	\$737,618,102"

Page 3, replace lines 3 through 5 with:

"Grand total general fund	\$646,349,516	\$287,324,991	\$933,674,507
Grand total special funds	<u>1,549,066,932</u>	<u>144,214,177</u>	<u>1,693,281,109</u>
Grand total all funds	\$2,195,416,448	\$431,539,168	\$2,626,955,616"

Re-number accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

This amendment adds funding of \$2,580,462, of which \$570,153 is from the general fund, \$570,153 is from special funds, and \$1,440,156 is from federal funds, for a competitive institution for mental disease demonstration grant available through federal health care reform.

**REQUEST**

**SEN. MATHERN REQUESTED** a verification vote on the motion to adopt the proposed amendments to Engrossed SB 2012, which request was granted.

The proposed amendments to Engrossed SB 2012 failed on a verification vote.

**ROLL CALL**

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

**YEAS:** Andrist; Berry; Cook; Dever; Dotzenrod; Erbele; Fischer; Flakoll; Grindberg; Heckaman; Holmberg; Kilzer; Klein; Krebsbach; Lee, G.; Lee, J.; Lyson; Marcellais; Mathern; Murphy; Nelson; Nething; Oehlke; Robinson; Schneider; Taylor; Triplett; Uglem; Wanzek; Wardner; Warner

**NAYS:** Bowman; Burckhard; Christmann; Freborg; Hogue; Laffen; Larsen; Luick; Miller; Nodland; O'Connell; Olafson; Schaible; Sitte; Sorvaag; Stenehjem

Engrossed SB 2012 passed.

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**CONSIDERATION OF AMENDMENTS**

**SB 2344: SEN. CHRISTMANN (Industry, Business and Labor Committee) MOVED** that the amendments on SJ pages 553-554 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 2344:** A BILL for an Act to amend and reenact section 21-10-01 of the North Dakota Century Code, relating to the composition of the state investment board.

**ROLL CALL**

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

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

**NAYS:** Dotzenrod; Fischer; Heckaman; Krebsbach; Lee, J.; Marcellais; Mathern; Nelson; Nething; O'Connell; Robinson; Schneider; Taylor; Triplett; Wardner; Warner

Engrossed SB 2344 passed.

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**MOTION**

**SEN. CHRISTMANN MOVED** that SB 2264 be moved to the top of the Eleventh order, which motion prevailed.

**SECOND READING OF SENATE BILL**

**SB 2264:** A BILL for an Act to amend and reenact section 50-29-04 of the North Dakota Century Code, relating to eligibility for the children's health insurance program; 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 NOT PASS**, the roll was called and there were 15 YEAS, 32 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

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

Engrossed SB 2264 lost.

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**SECOND READING OF SENATE BILL**

**SB 2313:** A BILL for an Act to provide an appropriation to the department of commerce for providing a grant to an organization for the development of an in-state international goods trade center.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of **DO NOT PASS**, the roll was called and there were 12 YEAS, 35 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Dotzenrod; Heckaman; Marcellais; Mathern; Murphy; Nelson; O'Connell; Robinson;

Schneider; Taylor; Triplett; Warner

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

SB 2313 lost.

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#### SECOND READING OF SENATE BILL

**SB 2350:** A BILL for an Act to establish an emergency disaster relief grant program; to provide an appropriation; and to provide for a report to the budget section.

#### ROLL CALL

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

**YEAS:** Oehlke; Schneider; Warner

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

SB 2350 lost.

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#### SECOND READING OF SENATE BILL

**SB 2029:** A BILL for an Act to provide short-term shelter and assessment programs for at-risk youth; to provide a report to the legislative management; and to provide an appropriation.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 12 YEAS, 35 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

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

SB 2029 lost.

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#### SECOND READING OF SENATE BILL

**SB 2364:** A BILL for an Act to provide an appropriation to the department of commerce for grants to cities for commercial business improvement projects.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 17 YEAS, 29 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bowman; Dotzenrod; Freborg; Heckaman; Klein; Luick; Marcellais; Mathern; Murphy; Nelson; O'Connell; Robinson; Schneider; Taylor; Triplett; Warner

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

**ABSENT AND NOT VOTING:** Nothing

SB 2364 lost.

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#### SECOND READING OF SENATE BILL

**SB 2345:** A BILL for an Act to provide for the department of commerce to conduct a sugar-based feedstock biofuel demonstration plant feasibility study; 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 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Nothing

Engrossed SB 2345 passed.

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#### SECOND READING OF SENATE BILL

**SB 2212:** A BILL for an Act to provide for a state department of health study of department programs for catastrophic diseases; to provide for a report to the legislative management; and to provide an appropriation.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 23 YEAS, 23 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Berry; Bowman; Dever; Dotzenrod; Fischer; Flakoll; Grindberg; Heckaman; Krebsbach; Lee, J.; Marcellais; Mathern; Murphy; Nelson; O'Connell; Oehlke; Robinson; Schneider; Sitte; Taylor; Triplett; Uglem; Warner

**NAYS:** Andrist; Burckhard; Christmann; Cook; Erbele; Freborg; Hogue; Holmberg; Kilzer; Klein; Laffen; Larsen; Lee, G.; Luick; Lyson; Miller; Nodland; Olafson; Schaible; Sorvaag; Stenehjem; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Nothing

SB 2212 lost.

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#### SECOND READING OF SENATE BILL

**SB 2178:** 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 a reduction in income tax rates for individuals, estates, and trusts; 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 37 YEAS, 9 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

**NAYS:** Dotzenrod; Heckaman; Holmberg; Marcellais; Mathern; Nelson; Robinson; Triplett; Warner

**ABSENT AND NOT VOTING:** Nothing

Engrossed SB 2178 passed.

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#### REQUEST

**SEN. HOLMBERG REQUESTED** that the record show that he intended to vote "AYE" on SB 2178, as amended, which request was granted.

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

**MR. SPEAKER:** The Senate has passed, and your favorable consideration is requested on: SB 2120, SB 2171, SB 2187, SB 2204, SB 2222, SB 2242, SB 2279, SB 2298, SB 2342, SB 2365, SCR 4007, SCR 4008, SCR 4014, SCR 4015, SCR 4019.

#### 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 2236, SB 2255.

#### 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 1017, HB 1036, HB 1044, HB 1047, HB 1154, HB 1169, HB 1175, HB 1199, HB 1211, HB 1227, HB 1229, HB 1248, HB 1256, HB 1321, HB 1344, HB 1382, HB 1399, HB 1405, HB 1422, HB 1462, HB 1465, HCR 3015.

#### 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 1029, HB 1074, HB 1125, HB 1126, HB 1127, HB 1317.

#### MOTION

**SEN. CHRISTMANN MOVED** that the Senate be on the Fourth, Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 8:30 a.m., Thursday, February 24, 2011, which motion prevailed.

#### REPORT OF STANDING COMMITTEE

**SB 2015: 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 2015 was placed on the Sixth order on the calendar.

Page 1, line 3, after the second semicolon insert "and"

Page 1, line 3, remove "; and to declare an"

Page 1, line 4, remove "emergency"

Page 1, replace line 18 with:

"Capital assets	2,420,298	6,969,845	9,390,143"
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Page 1, replace line 20 with:

"Prairie public broadcasting	1,337,138	500,000	1,837,138"
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Page 1, replace line 23 with:

"Total all funds	\$50,937,875	(\$6,472,577)	\$44,465,298"
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Page 2, replace line 1 with:

"Total general fund	\$36,249,096	(\$2,698,259)	\$33,550,837"
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Page 2, replace line 8 with:

"Prairie public broadcasting		\$2,016,200	\$500,000"
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Page 2, after line 13 insert:

"Capitol complex parking lot repairs		0	1,000,000"
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Page 2, replace line 15 with:

"Total all funds		\$6,681,735	\$4,350,000"
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Page 2, replace line 17 with:

"Total general fund		\$4,858,100	\$4,350,000"
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Page 3, remove lines 3 through 12

Page 3, line 31, replace "three percent annual increases" with "the same percentage increase"

Page 4, line 3, replace "three" with "four"

Page 4, line 4, replace "three" with "one"

Page 4, remove lines 10 and 11

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2015 - Office of Management and Budget - Senate Action**

	<b>Executive Budget</b>	<b>Senate Changes</b>	<b>Senate Version</b>
Salaries and wages	\$18,517,763		\$18,517,763
Operating expenses	13,765,254		13,765,254
Capital assets	8,390,143	1,000,000	9,390,143
Grants	55,000		55,000
Emergency Commission contingency fund	700,000		700,000
Prairie Public Broadcasting	1,337,138	500,000	1,837,138
State student internship program	200,000		200,000
<b>Total all funds</b>	<b>\$42,965,298</b>	<b>\$1,500,000</b>	<b>\$44,465,298</b>
Less estimated income	10,914,461	0	10,914,461
<b>General fund</b>	<b>\$32,050,837</b>	<b>\$1,500,000</b>	<b>\$33,550,837</b>
FTE	131.50	0.00	131.50

**Department No. 110 - Office of Management and Budget - Detail of Senate Changes**

	<b>Adds Funding for Parking Lot Repairs<sup>1</sup></b>	<b>Adds Funding for Prairie Public Broadcasting<sup>2</sup></b>	<b>Total Senate Changes</b>
Salaries and wages			
Operating expenses			

Capital assets	1,000,000		1,000,000
Grants			
Emergency Commission contingency fund			
Prairie Public Broadcasting		500,000	500,000
State student internship program			
Total all funds	\$1,000,000	\$500,000	\$1,500,000
Less estimated income	0	0	0
General fund	\$1,000,000	\$500,000	\$1,500,000
FTE	0.00	0.00	0.00

<sup>1</sup> One-time funding is added for Capitol complex parking lot repairs.

<sup>2</sup> One-time funding of \$500,000 is added for the Prairie Public Broadcasting studio renovation project.

This amendment also:

- Adjusts Section 2 relating to one-time funding amounts for Capitol complex parking lot repairs and the Prairie Public Broadcasting studio renovation project.
- Removes Section 6 which transfers \$370.6 million from the permanent oil tax trust fund to the state highway fund and Section 12 providing the related emergency clause.
- Removes Section 7 which transfers \$60 million from the current earnings and undivided profits of the Bank of North Dakota to the general fund.
- Adjusts Section 11 to provide intent that funding is provided to each state agency for a 4 percent state employee salary increase on July 1, 2011, and for a 1 percent state employee salary increase on July 1, 2012. The Governor recommended a 3 percent increase for each year of the biennium. Eligibility guidelines for the salary increases are not changed.

#### REPORT OF STANDING COMMITTEE

**SB 2017: 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 2017 was placed on the Sixth order on the calendar.

Page 1, line 2, after the semicolon insert "to provide legislative intent;"

Page 1, replace line 14 with:

"Grants 6,544,000 874,500 7,418,500"

Page 1, replace line 21 with:

"Wildlife services 768,800 100,000 868,800"

Page 1, replace line 22 with:

"Total special funds \$59,463,938 \$5,073,804 \$64,537,742"

Page 1, after line 23, insert:

**"SECTION 2. APPROPRIATION - 2009-11 BIENNIUM WILDLIFE SERVICES - AGRICULTURE COMMISSIONER - LEGISLATIVE INTENT.** There is appropriated out of any moneys in the game and fish fund in the state treasury, not otherwise appropriated, the sum of \$200,000, or so much of the sum as may be necessary, to the game and fish department for the purpose of providing funds to the agriculture commissioner for the payment of wildlife services, for the period beginning with the effective date of this Act and ending June 30, 2011. It is the intent of the sixty-second legislative assembly that the funding provided in this section is from the estimated savings to the game and fish department resulting from the reduction in property tax

liability resulting from provisions of Senate Bill No. 2199 approved by the sixty-first legislative assembly."

Page 2, line 5, replace "The" with "Funding of \$100,000 included in the"

Page 2, line 5, remove "includes \$400,000"

Page 2, line 7, replace ", which is" with "and section 2 of this Act are"

Re-number accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### Senate Bill No. 2017 - Game and Fish Department - Senate Action

	Executive Budget	Senate Changes	Senate Version
Salaries and wages	\$24,019,028		\$24,019,028
Operating expenses	12,524,493		12,524,493
Capital assets	4,183,170		4,183,170
Grants	7,718,500	(300,000)	7,418,500
Land habitat and deer	12,054,686		12,054,686
Noxious weed control	600,000		600,000
Missouri River enforcement	200,000		200,000
Grants, gifts, and donations	800,000		800,000
Nongame wildlife conservation	120,000		120,000
Lonetree Reservoir	1,749,065		1,749,065
Wildlife Services	768,800	100,000	868,800
Total all funds	\$64,737,742	(\$200,000)	\$64,537,742
Less estimated income	64,737,742	(200,000)	64,537,742
General fund	\$0	\$0	\$0
FTE	157.00	0.00	157.00

#### Department No. 720 - Game and Fish Department - Detail of Senate Changes

	Reduces Funding for Grahams Island State Park Road Project <sup>1</sup>	Increases Funding for Wildlife Services <sup>2</sup>	Total Senate Changes
Salaries and wages			
Operating expenses			
Capital assets			
Grants	(300,000)		(300,000)
Land habitat and deer			
Noxious weed control			
Missouri River enforcement			
Grants, gifts, and donations			
Nongame wildlife conservation			
Lonetree Reservoir			
Wildlife Services		100,000	100,000
Total all funds	(\$300,000)	\$100,000	(\$200,000)
Less estimated income	(300,000)	100,000	(200,000)
General fund	\$0	\$0	\$0
FTE	0.00	0.00	0.00

<sup>1</sup> This amendment reduces funding for a grant to the Parks and Recreation Department for the Grahams Island State Park roadway project by \$300,000 to provide total grant funding of \$100,000.

<sup>2</sup> This amendment increases the amount of funding to be provided to the Agriculture Commissioner for the Wildlife Services program to provide a total of \$868,800.

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A section is added to appropriate \$200,000 from the game and fish fund to the Game and Fish Department for the remainder of the 2009-11 biennium to be provided to the Agriculture Commissioner for the Wildlife Services program. Legislative intent is included in the section, and the section is declared to be an emergency measure.

#### REPORT OF STANDING COMMITTEE

**SB 2020: 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 2020 was placed on the Sixth order on the calendar.

Page 1, line 2, after "commission" insert "; to amend and reenact section 7 of chapter 20 of the 2009 Session Laws, relating to Fargo flood control project funding"

Page 1, line 2, after the second semicolon insert "to repeal section 5 of chapter 535 of the 1999 Session Laws, relating to pledge of revenues from the Grand Forks corporate center; to provide legislative intent; to provide for retroactive application;"

Page 1, line 8, replace "July 1, 2011" with "with the effective date of this Act"

Page 1, replace line 17 with:

"Less estimated income	<u>297,263.809</u>	<u>146,656,412</u>	<u>443,920,221"</u>
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Page 1, replace line 18 with:

"Total general fund	\$13,823,899	\$1,171,300	\$14,995,199"
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Page 2, after line 25, insert:

**"SECTION 6. AMENDMENT.** Section 7 of chapter 20 of the 2009 Session Laws is amended and reenacted as follows:

**SECTION 7. FARGO FLOOD CONTROL PROJECT FUNDING - EXEMPTION.** Of the funds appropriated in the water and atmospheric resources line item in section 1 of this Act, \$45,000,000 is for Fargo flood control projects, for the biennium beginning July 1, 2009, and ending June 30, 2011. Any funds not spent by June 30, 2011, are not subject to section 54-44.1-11 and must be continued into the next or subsequent bienniums and may be expended only for Fargo flood control projects. These ~~Except as otherwise provided, these~~ funds may be used only for ~~land purchases and construction;~~ including right-of-way acquisition costs. ~~No more than ten percent of these funds may not be used for administration;~~ engineering, legal, planning, or other similar purposes; ~~and are not subject to the sixty-five percent funding requirement contained in Senate Bill No. 2316 (2009). The city of Fargo, Cass County, and the Cass County joint water resource district must approve any expenditures made under this section.~~

Page 2, line 31, replace "These" with "Except as otherwise provided, these"

Page 2, line 31, remove "land"

Page 3, line 1, remove "purchases and"

Page 3, line 1, replace the second "and" with "including right-of-way acquisition costs. No more than ten percent of these funds"

Page 3, line 1, remove "not"

Page 3, line 1, replace "administration" with "engineering"

Page 3, line 2, after the period insert "The city of Fargo, Cass County, and the Cass County joint water resource district must approve any expenditures made under this section."

Page 3, after line 2, insert:

**"SECTION 8. LEGISLATIVE INTENT - STATE WATER COMMISSION PROJECTS AND GRANTS.** It is the intent of the sixty-second legislative assembly that of the funds appropriated in the water and atmospheric resources line item in section 1 of this Act, the state water commission provide funding for the following grants and projects, for the biennium beginning with the effective date of this Act and ending June 30, 2013:

Grant to wildlife services for animal control	\$250,000
Flood-related water projects in the	\$250,000
Nelson County water resource district	

**SECTION 9. LEGISLATIVE INTENT - GARRISON DIVERSION CONSERVANCY DISTRICT.** It is the intent of the sixty-second legislative assembly that of the funds appropriated in the water and atmospheric resources line item in section 1 of this Act, the state water commission allocate no more than \$1,000,000 to the Garrison Diversion Conservancy District.

**SECTION 10. REPEAL.** Section 5 of chapter 535 of the 1999 Session Laws is repealed.

**SECTION 11. RETROACTIVE APPLICATION.** Section 6 of this Act applies retroactively to January 1, 2011."

Page 3, line 3, remove "The water and atmospheric resources line item in section 1 of"

Page 3, line 4, replace "this" with "This"

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2020 - State Water Commission - Senate Action**

	Executive Budget	Senate Changes	Senate Version
Grants local cost-share	\$500,000		\$500,000
Administrative and support services	3,229,873		3,229,873
Water and atmospheric resources	447,913,774		447,913,774
Federal stimulus funds	<u>7,271,773</u>		<u>7,271,773</u>
Total all funds	\$458,915,420	\$0	\$458,915,420
Less estimated income	<u>443,688,322</u>	231,899	<u>443,920,221</u>
General fund	\$15,227,098	(\$231,899)	\$14,995,199
FTE	87.00	0.00	87.00

**Department No. 770 - State Water Commission - Detail of Senate Changes**

	Changes Funding Source of New Division Director Position <sup>1</sup>	Total Senate Changes
Grants local cost-share		

Administrative and support services		
Water and atmospheric resources		
Federal stimulus funds		
Total all funds	\$0	\$0
Less estimated income	231,899	231,899
General fund	(\$231,899)	(\$231,899)
FTE	0.00	0.00

<sup>1</sup> This amendment changes the funding source of the Water Development Division director position added in the executive recommendation from the general fund to the resources trust fund.

Sections are added to the bill to:

- Amend Section 7 of Chapter 20 of the 2009 Session Laws relating to Fargo flood control project funding and to provide for retroactive application.
- Repeal Section 5 of Chapter 535 of the 1999 Session Laws relating to the pledge of revenues from the Grand Forks Corporate Center.
- Provide legislative intent regarding a grant to Wildlife Services for animal control (\$250,000), flood related-water projects in the Nelson County Water Resource District (\$250,000), and the allocation of funding to the Garrison Diversion Conservancy District.

The emergency clause in the bill is amended to make the entire bill an emergency measure.

#### REPORT OF STANDING COMMITTEE

**SB 2055, as reengrossed: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **DO PASS** (12 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed SB 2055 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2057: 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 2057 was placed on the Sixth order on the calendar.

Page 3, line 2, remove "which has a full-time student enrollment in excess of nine thousand"

Page 3, line 3, remove "students"

Page 6, remove lines 18 through 31

Page 7, remove lines 1 through 3

Page 7, replace lines 9 through 19 with:

**"SECTION 5. APPROPRIATION.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$3,500,000, or so much of the sum as may be necessary, to the department of commerce for the purpose of working with the North Dakota university system's research institutions, the adjutant general, and the North Dakota aeronautics commission in leveraging private and federal funding to advance state opportunities associated with a limited deployment-cooperative airspace project in the state, for the biennium beginning July 1, 2011, and ending June 30, 2013."

Page 7, line 27, replace "\$10,000,000" with "\$8,000,000"

Page 8, line 3, replace "\$2,000,000" with "\$1,500,000"

ReNUMBER accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2132: 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 2132 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 create and enact a new section to chapter 57-62 of the North Dakota Century Code, relating to designation of a portion of the oil and gas impact grant fund for grants to cities of fewer than seven thousand five hundred population or counties of fewer than ten thousand population.

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

**SECTION 1.** A new section to chapter 57-62 of the North Dakota Century Code is created and enacted as follows:

**Impact grants for smaller cities or counties.**

During each biennium, eight million dollars of the amount deposited in the oil and gas impact grant fund must be set aside for grants to cities of fewer than seven thousand five hundred population and counties of fewer than ten thousand population. Grants under this section are limited to not more than five hundred thousand dollars for any city or county during each biennium to fund one or more projects in that city or county. A city or county must provide equal matching funds for any grant awarded under this section. A city or county seeking grant funding under this section must provide a project proposal that includes information on how ongoing expenses for maintenance, utilities, and other continuing costs will be funded from city or county sources. Cities or counties eligible for grant funds under this section remain eligible for grant funds as otherwise provided by law."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2163, 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 2163 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 an appropriation to the department of human services for traumatic brain injury services.

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

**SECTION 1. APPROPRIATION.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$110,000, or so much of the sum as may be necessary, to the department of human services for the purpose of providing traumatic brain injury case management services in eastern North Dakota, for the biennium beginning July 1, 2011, and ending June 30, 2013."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2228: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **DO NOT PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2228 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2239: 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 2239 was placed on the Sixth order on the calendar.

Page 1, line 5, replace "\$750,000" with "\$400,000"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2299: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (12 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). SB 2299 was placed on the Sixth order on the calendar.

Page 1, line 10, remove "or political subdivisions"

Page 1, line 12, replace "fifteen" with "eight"

Page 1, line 14, replace "resources" with "permanent oil"

Page 1, line 15, replace "\$10,000,000" with "\$1,000,000"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2343: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **DO NOT PASS** (10 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). SB 2343 was placed on the Eleventh order on the calendar.

**FIRST READING OF HOUSE BILLS**

**HB 1075:** A BILL for an Act to amend and reenact subdivision b of subsection 3 of section 54-46-02 and section 54-46-07 of the North Dakota Century Code, relating to the definition of records and the recovery of records.

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

**HB 1109:** A BILL for an Act to amend and reenact subsection 1 of section 39-06-14 and subsection 1 of section 39-06-19 of the North Dakota Century Code, relating to driver's license renewal dates and fees.

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

**HB 1133:** A BILL for an Act to amend and reenact subsections 2 and 9 of section 15-39.1-04, subsection 4 of section 15-39.1-10, and sections 15-39.1-10.6, 15-39.1-17, and 15-39.1-20 of the North Dakota Century Code, relating to definitions of beneficiary and salary, incorporation of federal law changes, and modification of death and beneficiary provisions under the teachers' fund for retirement.

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

**HB 1134:** A BILL for an Act to create and enact two new subsections to section 15-39.1-04 of the North Dakota Century Code, relating to definitions of member tiers under the teachers' fund for retirement; to amend and reenact subsections 1 and 2 of section 15-39.1-09, subsection 1 of section 15-39.1-10, and sections 15-39.1-12, 15-39.1-18, 15-39.1-19.1, and 15-39.1-19.2 of the North Dakota Century Code, relating to employee and employer contribution requirements, eligibility for normal unreduced retirement benefits eligibility for early reduced retirement benefits, eligibility for disability benefits, and retiree reemployment under the teachers' fund for retirement; and to provide an effective date.

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

**HB 1152:** A BILL for an Act to provide for medicaid supplemental payments to critical access hospitals; and to provide an appropriation.

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

**HB 1156:** A BILL for an Act to amend and reenact sections 57-40.6-06 and 57-40.6-07 and subdivision a of subsection 1 of section 57-40.6-10 of the North Dakota Century Code, relating to the confidentiality of emergency services communication systems and to emergency services communication system coordinators; and to provide a penalty.

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

**HB 1162:** A BILL for an Act to create and enact section 28-32-08.2 of the North Dakota Century Code, relating to fiscal notes for agency rules; to amend and reenact subsection 5 of section 28-32-03, subsection 1 of section 28-32-10, and subsection 2 of section 28-32-18 of the North Dakota Century Code, relating to notice of

emergency rulemaking and the administrative rules committee carrying over consideration of administrative rules; and to provide an effective date.

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

**HB 1171:** A BILL for an Act to amend and reenact subsection 2 of section 39-08-20 of the North Dakota Century Code, relating to proof of motor vehicle liability insurance.

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

**HB 1176:** A BILL for an Act to repeal section 18-04-08 of the North Dakota Century Code, relating to notification by the North Dakota firefighter's association of the treasurer of each fire department or company to the auditor of each municipality.

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

**HB 1181:** A BILL for an Act to amend and reenact subsection 1 of section 20.1-03-11 of the North Dakota Century Code, relating to youth antelope and deer hunting.

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

**HB 1185:** A BILL for an Act to create and enact a new section to chapter 24-05 of the North Dakota Century Code, relating to advertisement of road construction contracts; and to amend and reenact section 24-05-04 of the North Dakota Century Code, relating to advertising contracts for road construction and equipment.

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

**HB 1190:** A BILL for an Act to create and enact a new section to chapter 39-08 of the North Dakota Century Code, relating to distracted driving; to amend and reenact subsection 2 of section 39-06.1-06 and section 39-06.1-09 of the North Dakota Century Code, relating to fees for a moving violation; and to provide a penalty.

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

**HB 1191:** A BILL for an Act to amend and reenact section 39-04-12, subsection 1 of section 39-04-18, and subsection 4 of section 39-04-19 of the North Dakota Century Code, relating to semitrailer plates; and to provide for application.

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

**HB 1195:** A BILL for an Act to create and enact two new paragraphs to subdivision a of subsection 3 of section 39-06.1-10 and a new section to chapter 39-08 of the North Dakota Century Code, relating to the use of a wireless communications device and demerit points; to amend and reenact subsection 2 of section 39-06.1-06 and section 39-06.1-09 of the North Dakota Century Code, relating to fees for a moving violation; and to provide a penalty.

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

**HB 1200:** A BILL for an Act to amend and reenact section 54-53-02 of the North Dakota Century Code, relating to members of the advisory transportation council to the upper great plains transportation institute.

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

**HB 1205:** A BILL for an Act to create and enact a new section to chapter 57-40.6 of the North Dakota Century Code, relating to call location information by a wireless service provider to law enforcement.

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

**HB 1206:** A BILL for an Act to create and enact chapter 61-40 of the North Dakota Century Code, relating to a western area water supply authority; to provide grant repayment by the authority; and to declare an emergency.

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

**HB 1209:** A BILL for an Act to create and enact a new section to chapter 62.1-02 of the North Dakota Century Code, relating to the restoration of the right to possess a firearm; and to amend and reenact subsection 3 of section 62.1-01-01 of the North Dakota Century Code, relating to a definition of firearm or weapon.

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

**HB 1251:** A BILL for an Act to create and enact a new section to chapter 44-08 and a new section to chapter 54-40.3 of the North Dakota Century Code, relating to cooperative

agreements among criminal justice agencies; and to declare an emergency.  
Was read the first time and referred to the **Judiciary Committee**.

**HB 1259:** A BILL for an Act to amend and reenact sections 58-06-02, 58-07-01, and 58-08-01 of the North Dakota Century Code, relating to compensation of township officers.

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

**HB 1266:** A BILL for an Act to create and enact a new section to chapter 23-01.2 of the North Dakota Century Code, relating to a state department of health emergency medical services and trauma medical director; and to provide an appropriation.

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

**HB 1278:** A BILL for an Act to amend and reenact subsection 2 of section 40-05-06 of the North Dakota Century Code, relating to the imposition of fees by cities for certain vehicle and traffic violations; and to declare an emergency.

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

**HB 1297:** A BILL for an Act to create and enact two new sections to chapter 14-02.1 of the North Dakota Century Code, relating to an abortion report form and abortion inducing drugs; to amend and reenact sections 14-02.1-02, 14-02.1-02.1, and 14-02.1-03, subsections 2 and 3 of section 14-02.1-03.1, and sections 14-02.1-04, 14-02.1-07, 14-02.1-08, 14-02.1-09, 14-02.3-01, 14-02.3-03, 15.1-19-06, and 23-16-14 of the North Dakota Century Code, relating to the regulation of abortion; to provide a penalty; to provide for a report; and to provide a statement of legislative intent.

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

**HB 1304:** A BILL for an Act to create and enact a new subsection to section 43-25-04 of the North Dakota Century Code, relating to an exemption from massage therapy licensure for energy workers.

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

**HB 1316:** A BILL for an Act to amend and reenact section 37-14-12 of the North Dakota Century Code, relating to the appeal of an application for relief or assistance provided under a department of veterans' affairs program.

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

**HB 1319:** A BILL for an Act to amend and reenact section 39-21-45 of the North Dakota Century Code, relating to air-conditioning equipment in motor vehicles; and to declare an emergency.

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

**HB 1340:** A BILL for an Act to amend and reenact section 5-01-17 of the North Dakota Century Code, relating to sales by a domestic winery.

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

**HB 1425:** A BILL for an Act to amend and reenact subsection 4 of section 54-21.3-03 of the North Dakota Century Code, relating to the state building code.

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

**HB 1438:** A BILL for an Act to create and enact a new section to chapter 62.1-02 of the North Dakota Century Code, relating to an employer's prohibition on firearm possession.

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

**HB 1469:** A BILL for an Act to amend and reenact sections 43-03-02, 43-03-09, and 43-03-15 of the North Dakota Century Code, relating to regulation of architects.

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

#### FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

**HCR 3003:** A concurrent resolution directing the Legislative Management to continue studying the impact of federal health care reform legislation on this state.

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

**HCR 3007:** A concurrent resolution directing the Legislative Management to study eminent

domain laws as they relate to pipeline siting.  
Was read the first time and referred to the **Natural Resources Committee**.

**HCR 3010:** A concurrent resolution directing the Legislative Management to study passenger rail service within the state, including options for the implementation of a passenger rail service route in the southern part of the state.  
Was read the first time and referred to the **Transportation Committee**.

**HCR 3016:** A concurrent resolution urging Congress to repeal the Patient Protection and Affordable Care Act.  
Was read the first time and referred to the **Human Services Committee**.

**HCR 3019:** A concurrent resolution urging the United States Army Corps of Engineers to immediately cease wrongful denial of access and wrongful requirement of payment for the natural flows of the Missouri River.  
Was read the first time and referred to the **Natural Resources Committee**.

**HCR 3020:** A concurrent resolution congratulating the North Dakota Highway Patrol on its 75th anniversary.  
Was read the first time and referred to the **Political Subdivisions Committee**.

**HCR 3027:** A concurrent resolution of no confidence in the Natural Resources Conservation Service's state conservationist and urging the United States Department of Agriculture's Natural Resources Conservation Service to continue the present cooperative agreement process at a \$10,000 funding level; allow continuation of local decisionmaking by resource conservation and development councils, including implementation of community development projects, for as long as Congress funds the Resource Conservation and Development program; and to allow a resource conservation and development coordinator colocated with a North Dakota regional council to maintain that colocation.  
Was read the first time and referred to the **Agriculture Committee**.

**HCR 3028:** A concurrent resolution urging Congress to adopt legislation prohibiting the Environmental Protection Agency by any means necessary from regulating greenhouse emissions, including, if necessary, defunding Environmental Protection Agency greenhouse gas regulatory activities; imposing a moratorium on adoption on any new air quality regulations by the Environmental Protection Agency by any means necessary, except those directly addressing an imminent health or environmental emergency, for a period of at least two years, including defunding Environmental Protection Agency air quality regulatory activities; and requiring the administration to undertake a study identifying all regulatory activity the Environmental Protection Agency intends to undertake in furtherance of its goal of "taking action on climate change and improving air quality" and specifying the cumulative effect of all these regulations on the economy, jobs, and American economic competitiveness.  
Was read the first time and referred to the **Natural Resources Committee**.

**HCR 3030:** A concurrent resolution directing the Legislative Management to study the feasibility and desirability of requiring use of cigarette tax stamps.  
Was read the first time and referred to the **Finance and Taxation Committee**.

**HCR 3031:** A concurrent resolution expressing the concern of the Legislative Assembly with the scope, justification, and substances of the Office of Surface Mining Reclamation and Enforcement's stream protection rule.  
Was read the first time and referred to the **Natural Resources Committee**.

**HCR 3032:** A concurrent resolution directing the Legislative Management to study the needs of, economic values of, and methods to improve access roadways to recreational, tourist, and historical sites in North Dakota.  
Was read the first time and referred to the **Transportation Committee**.

**HCR 3033:** A concurrent resolution recognizing the indispensable role of nuclear energy to a comprehensive, integrated United States economic, energy security, and environmental strategy and supporting a host of federal and state policy initiatives to spur a new wave of nuclear plant development.

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

**HCR 3036:** A concurrent resolution directing the Legislative Management to study the trial by jury rights of a person charged with the commission of a misdemeanor, including the extent to which jury trials are conducted in the state for cases involving misdemeanor offenses; the costs of jury trials for misdemeanor offenses; the feasibility and desirability of eliminating the sentencing option of imprisonment for Class B misdemeanors; and a review of the jury trial process of other states.

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

**HCR 3037:** A concurrent resolution directing the Legislative Management to study the statutes throughout the North Dakota Century Code which grant immunity from civil or criminal liability for performing certain functions.

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

**HCR 3038:** A concurrent resolution directing the Legislative Management to study transportation funding options.

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

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

**William R. Horton, Secretary**

