

JOURNAL OF THE SENATE**Sixty-third Legislative Assembly**

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Bismarck, January 24, 2013

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

The prayer was offered by Pastor Ryan Nordlund, Grace Lutheran Brethren Church, Bismarck.

The roll was called and all members were present.

A quorum was declared by the President.

THE SENATE RECOGNIZED THE PRESENCE OF:

Former Senator Deb Mathern

CORRECTION AND REVISION OF THE JOURNAL

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

Page 137, after line 2, insert

"POINT OF PERSONAL PRIVILEGE

SEN. KREBSBACH rose on a point of personal privilege.

REMARKS OF SENATOR KREBSBACH

MR. PRESIDENT: Yesterday, the state of North Dakota and the city of Minot lost a dear friend. A man larger than life -- both in stature and in his achievements and contributions to this world. Chester M. Reiten, at the age of 89, passed away with his loving wife, whom he often times referred to as "My very good friend Joy", at his side.

Chester was a farm boy, a US Navy veteran, a graduate of North Dakota State University, and worked as a County Extension Agent in Wells County before entering the radio and television world. He founded the KX Network with stations in Minot, Bismarck, Dickinson and Williston. The television stations are still in the family today under the operation of his children.

Chester served in this body, the North Dakota Senate from 1972-1988, and filled the seat of District 40/50. He served as Chairman of the Industry, Business and Labor Committee. His booming voice could be heard well within these walls. He served as Mayor of Minot for 14 years, and much of this while he was a state senator.

One of his great accomplishments was the Norsk Hostfest, which this past fall celebrated its 35th year of bringing national and international acclaim to the state. This event has brought thousands of international visitors to North Dakota and has created many lasting friendships through the years.

One of the greatest honors for Chester was his induction into the Theodore Roosevelt Roughrider Hall of Fame. His picture hangs in the ground floor of the Capitol along with other great North Dakotans.

A true entrepreneur, developer, promoter - but most importantly a good, decent citizen was Chester. He truly will be missed.

REQUEST

SEN. KLEIN REQUESTED that the remarks of Sen. Krebsbach be printed in the Journal, which request was granted."

Page 137, after line 11, insert "**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK) MR. PRESIDENT:** The Speaker has signed: SCR 4003."

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

MOTION

SEN. COOK MOVED that SB 2232 be returned to the Senate floor from the **Finance and Taxation Committee** for the purpose of withdrawal, which motion prevailed.

REQUEST

SEN. MILLER REQUESTED the unanimous consent of the Senate to withdraw SB 2232. There being no objection, it was so ordered by the President.

REPORT OF PROCEDURAL COMMITTEE

MR. PRESIDENT: Your procedural **Committee on Committees (Sen. Wardner, Chairman)** recommends the appointment of Sens. Dever, Erbele, Oehlke, and C. Nelson to the Senate Memorial Committee.

SEN. KLEIN MOVED that the report be adopted, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

SB 2066: SEN. ANDERSON (Human Services Committee) MOVED that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

SB 2068: SEN. DEVER (Human Services Committee) MOVED that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

SB 2081: SEN. LARSEN (Human Services Committee) MOVED that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

SB 2089: SEN. ANDERSON (Human Services Committee) MOVED that the amendments 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 2092: A BILL for an Act to amend and reenact subsection 8 of section 57-40.3-04 of the North Dakota Century Code, relating to the motor vehicle excise tax exemption for certain motor vehicles in the possession of and used by permanently physically disabled persons.

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: Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

Engrossed SB 2092 passed.

SECOND READING OF SENATE BILL

SB 2107: A BILL for an Act to amend and reenact sections 14-09-08.10, 14-09-09.26, and 14-09-09.33, subsection 1 of section 14-09-09.34, sections 14-20-18 and 34-15-01,

subsection 1 of section 34-15-03, and section 34-15-04 of the North Dakota Century Code, relating to child support and paternity; to repeal section 14-09-08.15 of the North Dakota Century Code, relating to medical support; and to provide an effective date.

ROLL CALL

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

YEAS: Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

SB 2107 passed.

SECOND READING OF SENATE BILL

SB 2140: A BILL for an Act to amend and reenact section 32-09.1-08 of the North Dakota Century Code, relating to the service of the summons and notice of garnishment of earnings.

ROLL CALL

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

YEAS: Anderson; Armstrong; Axness; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Andrist

SB 2140 passed.

REQUEST

SEN. ANDRIST REQUESTED that the record reflect he intended to vote "YEA" on SB 2140, which request was granted.

SECOND READING OF SENATE BILL

SB 2076: A BILL for an Act to amend and reenact section 4 of chapter 261 of the 2009 Session Laws, relating to judgeships created in 2010.

ROLL CALL

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

YEAS: Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

SB 2076 passed.

SECOND READING OF SENATE BILL

SB 2217: A BILL for an Act to amend and reenact sections 40-57.3-04 and 57-39.4-11.1 of the North Dakota Century Code, relating to the payment of city lodging tax, city lodging and restaurant tax, city motor vehicle tax, and the election of origin-based sourcing for retail sales of tangible personal property.

ROLL CALL

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

YEAS: Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

SB 2217 passed.

SECOND READING OF SENATE BILL

SB 2176: A BILL for an Act to provide an appropriation to the department of transportation for the construction and maintenance of state highways; to provide an appropriation to the state treasurer for transportation funding distributions; 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 PASS, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

SB 2176 passed and the emergency clause was declared carried.

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 2176.

SECOND READING OF SENATE BILL

SB 2028: A BILL for an Act to provide an appropriation to job service North Dakota for the purpose of upgrading collection and use of employment data.

ROLL CALL

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

YEAS: Murphy; O'Connell

NAYS: Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Nelson; Oehlke; Poolman; Robinson; Schaible;

Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

SB 2028 failed.

SECOND READING OF SENATE BILL

SB 2178: A BILL for an Act to amend and reenact subsection 5 of section 65-05-07 of the North Dakota Century Code, relating to the workers' compensation vehicle allowance; and to provide for application.

ROLL CALL

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

YEAS: Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

SB 2178 passed.

SECOND READING OF SENATE BILL

SB 2050: A BILL for an Act to amend and reenact subsection 12 of section 65-05-12.2 of the North Dakota Century Code, relating to workers' compensation permanent partial impairment determinations; and to provide for application.

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

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

NAYS: Anderson; Andrist; Armstrong; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Erbele; Flakoll; Grindberg; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Miller; Oehlke; Poolman; Schaible; Sitte; Sorvaag; Unruh; Wanzek; Wardner

SB 2050 failed.

SECOND READING OF SENATE BILL

SB 2038: A BILL for an Act to amend and reenact subsections 2 and 3 of section 57-15-01.1 and sections 57-15-02, 57-55-01.1, 57-55-03, 57-55-04, 57-55-04.1, and 57-55-11 of the North Dakota Century Code, relating to synchronizing taxable years for mobile homes and real property; to provide a penalty; and to provide an effective date.

ROLL CALL

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

NAYS: Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek;

Wardner; Warner

SB 2038 failed.

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 2043, SB 2046, SB 2141, SB 2145, SB 2207.

MOTION

SEN. KLEIN 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 12:30 p.m., Friday, January 25, 2013, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2030: Human Services Committee (Sen. J. Lee, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2030 was rereferred to the **Appropriations Committee**.

REPORT OF STANDING COMMITTEE

SB 2041: Judiciary Committee (Sen. Hogue, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2041 was placed on the Sixth order on the calendar.

Page 1, line 3, remove "and destroying"

Page 1, line 20, replace "guilty of a class B misdemeanor" with "subject to revocation of probation"

Page 2, line 4, replace "shall" with "may"

Page 2, line 6, remove the overstrike over "~~impounded for the duration of the period of suspension or revocation of the~~"

Page 2, remove the overstrike over lines 7 through 12

Page 2, line 13, remove the overstrike over "~~including the offender~~"

Page 2, line 13, remove "destroyed by the office of the police officer that made the arrest."

Page 2, remove lines 14 and 15

Page 2, line 16, remove "plates to the office and notify the department of the order"

Page 2, line 17, remove "guilty of a class B"

Page 2, line 18, replace "misdemeanor" with "subject to revocation of probation"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2075: Judiciary Committee (Sen. Hogue, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2075 was placed on the Sixth order on the calendar.

Page 1, line 2, after "judgeships" insert "; and to declare an emergency"

Page 1, line 7, remove "biennium beginning July 1,"

Page 1, line 8, replace "2013" with "period beginning with the effective date of this Act"

Page 1, after line 20, insert:

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

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2087: 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 2087 was placed on the Sixth order on the calendar.

Page 1, line 16, remove "more than two times the amount of"

Page 1, line 17, replace "the renewal fee" with "two hundred fifty dollars"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2090: Finance and Taxation Committee (Sen. Cook, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2090 was placed on the Sixth order on the calendar.

Page 4, line 21, overstrike "and of farm"

Page 4, overstrike line 22

Page 4, line 23, overstrike "agricultural purposes,"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2122: Judiciary Committee (Sen. Hogue, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2122 was placed on the Sixth order on the calendar.

Page 8, line 23, after "deploying" insert "or redeploying"

Page 8, line 25, after "deployment" insert "or redeployment"

Page 8, line 26, after "deployment" insert "or redeployment"

Page 8, line 28, after "deploying" insert "or redeploying"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2143: Political Subdivisions Committee (Sen. Andrist, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2143 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2155: Education Committee (Sen. Flakoll, Chairman) recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2155 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2164: Judiciary Committee (Sen. Hogue, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2164 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2165: Judiciary Committee (Sen. Hogue, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2165 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2166: Judiciary Committee (Sen. Hogue, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2166 was placed on the Sixth order on the calendar.

Page 1, line 13, overstrike the comma

Page 1, line 14, after "~~lien~~" insert "which has been"

Page 1, line 14, after "~~lienor~~" insert "and filed with the county recorder"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2167: Judiciary Committee (Sen. Hogue, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2167 was placed on the Sixth order on the calendar.

Page 1, line 18, after "Upon" insert "written"

Page 1, line 18, after "request" insert "by the insured person"

Page 1, line 19, remove the colon

Page 1, line 20, replace "a. A" with "a"

Page 1, line 20, replace "; and" with an underscored period

Page 1, remove lines 21 and 22

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2168: Judiciary Committee (Sen. Hogue, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2168 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2170: Judiciary Committee (Sen. Hogue, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2170 was placed on the Sixth order on the calendar.

Page 1, line 8, replace "A" with "An unrecorded"

Page 1, line 8, overstrike "not recorded"

Page 1, line 9, overstrike the third comma

Page 1, line 10, overstrike "whose conveyance," and insert immediately thereafter "regardless of"

Page 1, line 10, remove the overstrike over "~~whether~~" and insert immediately thereafter "recorded"

Page 1, line 10, remove the overstrike over "~~in the form of a warranty~~"

Page 1, line 11, remove the overstrike over the first "~~deed~~"

Page 1, line 11, remove the overstrike over "~~or deed of quitclaim and release~~"

Page 1, line 11, after the third "of" insert "or"

Page 1, line 11, remove the overstrike over "~~the form in common use~~"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2180: Political Subdivisions Committee (Sen. Andrist, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2180 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2181: Judiciary Committee (Sen. Hogue, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2181 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2187: Human Services Committee (Sen. J. Lee, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2187 was placed on the Sixth order on the calendar.

Page 1, line 4, remove "and"

Page 1, line 9, after "appropriation" insert "**- Audit and costs of administration**"

Page 2, after line 21, insert:

- "7. Funds in the medical facility infrastructure fund may be used for loans as provided under this section and to pay the costs of administration of the fund. Annually, the Bank may deduct a service fee for administering the medical facility infrastructure fund maintained under this section.
8. The industrial commission is responsible for contracting with a certified public accounting firm to audit the medical facility infrastructure fund as necessary. The cost of the audit and any other actual costs incurred by the Bank on behalf of the fund must be paid from the fund."

Page 2, line 24, after "appropriation" insert "**- Audit and costs of administration**"

Page 2, line 25, remove the overstrike over "4."

Page 2, line 30, after the overstruck period insert "Funds in the medical facility infrastructure fund may be used for loans as provided under this section and to pay the costs of administration of the fund. Annually, the Bank may deduct a service fee for administering the medical facility infrastructure fund maintained under this section."

Page 3, line 1, remove the overstrike over "2."

Page 4, after line 2, insert:

- "3. The industrial commission is responsible for contracting with a certified public accounting firm to audit the medical facility infrastructure fund as necessary. The cost of the audit and any other actual costs incurred by the Bank on behalf of the fund must be paid from the fund."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2190: Human Services Committee (Sen. J. Lee, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (3 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2190 was placed on the

Sixth order on the calendar.

Page 1, line 16, remove "for the specified"

Page 1, line 17, remove "indicated use"

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

Page 2, line 2, replace the underscored semicolon with an underscored period

Page 2, remove lines 3 through 6

Page 2, line 7, remove the the underscored colon

Page 2, line 8, replace "a. Maintain" with "maintain"

Page 2, line 10, replace ";and" with an underscored period

Page 2, remove lines 11 and 12

Renumber accordingly

FIRST READING OF SENATE BILLS

Sens. Berry, Campbell, Lyson and Reps. Grande, K. Koppelman, Weisz introduced:

SB 2305: A BILL for an Act to amend and reenact subsection 1 of section 14-02.1-04 of the North Dakota Century Code, relating to limitations on physicians and abortion facilities.

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

Sens. Heckaman, Axness, Flakoll, Marcellais, Triplett and Rep. Wieland introduced:

SB 2306: A BILL for an Act to create and enact a new section to chapter 15.1-19 of the North Dakota Century Code, relating to youth suicide prevention.

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

Sens. Lyson, Dever, Luick and Rep. Sukut introduced:

SB 2307: A BILL for an Act to create and enact a new subsection to section 23-35-08, four new subsections to section 61-28-02, and a new section to chapter 61-28 of the North Dakota Century Code, relating to regulation of septic system installers and septic systems; and to provide a penalty.

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

Sens. Lyson, Andrist and Rep. Sukut introduced:

SB 2309: A BILL for an Act to create and enact subsection 10 to section 57-51.1-03 of the North Dakota Century Code, relating to an exemption from the oil extraction tax; and to provide an effective date.

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

Sen. Oehlke introduced:

SB 2310: A BILL for an Act to amend and reenact subsection 4 of section 39-08-13 of the North Dakota Century Code, relating to accident report forms.

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

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

William R. Horton, Secretary