

JOURNAL OF THE SENATE

Fifty-sixth Legislative Assembly

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Bismarck, January 19, 1999

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

The prayer was offered by Chaplain Colleen Ressler, St. Vincent's Care Center, Bismarck.

The roll was called and all members were present.

A quorum was declared by the President.

MESSAGE TO THE SENATE FROM THE HOUSE (LANCE HAGEN, CHIEF CLERK)

MADAM PRESIDENT: The House has passed and your favorable consideration is requested on: HB 1044, HB 1070, HB 1088, HB 1110, HB 1113, HB 1130, HB 1131, HB 1145, HB 1182, HB 1184.

MOTION

SEN. ST. AUBYN MOVED that SB 2071, which is on the Eleventh order, be rereferred to the **Appropriations Committee**, which motion prevailed. Pursuant to Sen. St. Aubyn's motion, SB 2071 was rereferred.

CONSIDERATION OF AMENDMENTS

SB 2067: SEN. LEE (Political Subdivisions Committee) MOVED that the amendments on SJ page 98 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2107: SEN. HEITKAMP (Natural Resources Committee) MOVED that the amendments on SJ page 98 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2116: SEN. KREBSBACH (Government and Veterans Affairs Committee) MOVED that the amendments on SJ page 98 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2128: SEN. FLAKOLL (Political Subdivisions Committee) MOVED that the amendments on SJ page 99 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2131: SEN. KREBSBACH (Government and Veterans Affairs Committee) MOVED that the amendments on SJ page 99 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2136: SEN. KILZER (Government and Veterans Affairs Committee) MOVED that the amendments on SJ pages 99-100 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2145: A BILL for an Act to amend and reenact section 37-17.1-12 of the North Dakota Century Code, relating to disaster emergency claims for compensation.

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

YEAS: Andrist; Bercier; Bowman; Christmann; Cook; DeMers; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Kinnoin; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Mutzenberger; Naaden; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson;

Sand; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Tallackson; Thane; Thompson; Tomac; Traynor; Urlacher; Wanzek; Wardner; Watne

Engrossed SB 2145 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2057: A BILL for an Act to create and enact a new section to chapter 49-21 of the North Dakota Century Code, relating to caller identification services of telephone solicitors; and to provide a penalty.

MOTION

SEN. LINDAAS MOVED that Engrossed SB 2057 be amended as follows, which motion prevailed.

Page 1, line 8, remove "any method, including" and replace ", that prevents" with "to prevent"

ReNUMBER accordingly

MOTION

SEN. G. NELSON MOVED that the rules be suspended, that SB 2057 be properly reengrossed, and be placed on the eleventh order for immediate second reading and final passage, which motion prevailed.

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 18 YEAS, 31 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Bercier; DeMers; Heitkamp; Kelsh; Kinnoin; Krauter; Kroeplin; Lindaas; Mathern, D.; Mathern, T.; Mutzenberger; Nelson, C.; Redlin; Robinson; Tallackson; Thane; Thompson; Tomac

NAYS: Andrist; Bowman; Christmann; Cook; Fischer; Flakoll; Freborg; Grindberg; Holmberg; Kilzer; Klein; Krebsbach; Kringstad; Lee; Lyson; Mutch; Naaden; Nelson, G.; Nething; O'Connell; Sand; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Traynor; Urlacher; Wanzek; Wardner; Watne

Reengrossed SB 2057 lost.

SECOND READING OF SENATE BILL

SB 2105: A BILL for an Act to provide for allocation of state aid distribution fund revenues upon transition to the allocation formula established by 1997 House Bill No. 1019; 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 49 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christmann; Cook; DeMers; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Kinnoin; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Mutzenberger; Naaden; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Tallackson; Thane; Thompson; Tomac; Traynor; Urlacher; Wanzek; Wardner; Watne

SB 2105 passed, the title was agreed to, and the emergency clause was declared carried.

MOTION

SEN. SOLBERG MOVED that SB 2227 be returned to the Senate floor from the **Government and Veterans Affairs Committee** for the purpose of withdrawal, which motion prevailed. Pursuant to Sen. Solberg's motion, SB 2227 was withdrawn.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2049, SB 2070, SB 2089, SB 2102, SB 2178, SB 2179.

MOTION

SEN. ST. AUBYN MOVED that the Senate be on the Third, Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 1:00 p.m., Wednesday, January 20, 1999, which motion prevailed.

CORRECTION AND REVISION OF THE JOURNAL

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

Page 103, after line 27, insert:

FIRST READING OF SENATE BILLS

Sen. Mutzenberger and Rep. Hoffner introduced:

SB 2296: A BILL for an Act to amend and reenact subdivision a of subsection 2 of section 15-40.1-06 of the North Dakota Century Code, relating to the educational support per student.

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

Sens. Nething, Freborg introduced:

SB 2297: A BILL for an Act to create and enact a new section to chapter 15-38 of the North Dakota Century Code, relating to immunity from civil liability of certificated school personnel.

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

Sen. Nething introduced:

SB 2298: A BILL for an Act to amend and reenact section 12-63-01, subsection 2 of section 12-63-12, and section 12-63-14 of the North Dakota Century Code, relating to peace officer standards, training, and licensing.

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

Sens. W. Stenehjerm, Cook, Tomac and Reps. R. Kelsch, Porter introduced:

SB 2299: A BILL for an Act to amend and reenact section 12.1-32-15 of the North Dakota Century Code, relating to the registration of offenders against children and sexual offenders.

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

Sens. W. Stenehjerm, Holmberg and Reps. DeKrey, Mahoney introduced:

SB 2300: A BILL for an Act to amend and reenact subsection 5 of section 27-20-24 and subsection 6 of section 27-20-51 of the North Dakota Century Code, relating to juvenile court hearings and records.

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

Sens. DeMers, Thompson and Rep. Hoffner introduced:

SB 2301: A BILL for an Act to amend and reenact section 65-05-09 of the North Dakota Century Code, relating to workers' compensation temporary total and permanent total disability.

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

Sen. Solberg introduced:

SB 2302: A BILL for an Act to provide that every issuer of insurance for personal property offer a policy with premiums based on the current value of the property.

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

Sens. Klein, D. Mathern and Rep. Berg introduced:

SB 2303: A BILL for an Act relating to the liability of financial institutions and credit unions for malfunctions or failures of computer or other electronic systems as the result of a year 2000 disruption.

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

Sens. Krauter, Kinnoin, T. Mathern and Reps. Boucher, Froelich, Kerzman introduced:

SB 2304: A BILL for an Act to create and enact a new subsection to section 57-38-30.3 and a new section to chapter 57-38 of the North Dakota Century Code, relating to an income tax credit or rebate for property taxes paid contingent upon excess general fund balances; to repeal chapter 54-27.2 of the North Dakota Century Code, relating to the

budget stabilization fund; to provide a continuing appropriation; and to provide an effective date.

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

Sens. Krauter, T. Mathern and Reps. Froelich, Kerzman introduced:

SB 2305: A BILL for an Act to restrict internet access by sexual offenders.

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

Sens. Krebsbach, Lyson and Reps. Price, Sveen introduced:

SB 2306: A BILL for an Act to amend and reenact section 14-07.1-11 of the North Dakota Century Code, relating to arrest without warrant in domestic violence assaults.

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

Sens. Krebsbach, Heitkamp, Kringstad and Reps. Clark, Dorso, Kroeber introduced:

SB 2307: A BILL for an Act to create and enact sections 57-40.6-02.1 and 57-40.6-02.2 of the North Dakota Century Code, relating to a wireless 911 service fee and service fund; to amend and reenact sections 57-40.6-01, 57-40.6-06, 57-40.6-07, and 57-40.6-08 of the North Dakota Century Code, relating to wireless 911 service fees, definitions, and communications; and to provide a continuing appropriation.

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

Sens. Thompson, O'Connell and Reps. Lemieux, Schmidt introduced:

SB 2308: A BILL for an Act to create and enact a new section to chapter 39-04 of the North Dakota Century Code, relating to a mile tax in lieu of reciprocal registration; and to provide a penalty.

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

Sen. Tomac introduced:

SB 2309: A BILL for an Act to amend and reenact subdivision a of subsection 1 of section 43-25-07 of the North Dakota Century Code, relating to school of massage therapy accreditation standards.

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

Sens. Heitkamp, Mutzenberger, Thane and Rep. Cleary introduced:

SB 2310: A BILL for an Act to amend and reenact sections 52-04-05, 52-06-04, and 52-06-05 of the North Dakota Century Code, relating to unemployment compensation benefit amounts, definitions, maximum potential benefits, and rates.

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

Sens. St. Aubyn, Freborg and Reps. Bernstein, Nottestad, Svedjan introduced:

SB 2311: A BILL for an Act to provide for registration of a qualified elector to vote in any statewide special, primary, or general election; to amend and reenact section 11-13-16, subsection 2 of section 15-28-03, subsection 2 of section 16.1-01-01, subsection 3 of section 16.1-05-02, subsection 3 of section 16.1-05-04, subsection 1 of section 16.1-05-06, subsection 2 of section 16.1-06-16, sections 16.1-06-21, 16.1-07-12, 16.1-11-31, 16.1-11-32, 16.1-11.1-02, 16.1-15-02, 16.1-15-06, 16.1-15-08, 16.1-15-11, 21-03-10, 40-21-09, and 40-21-13 of the North Dakota Century Code, relating to elector registers; and to provide a penalty.

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

Sens. St. Aubyn, Holmberg, W. Stenehjem and Reps. Delmore, Nottestad, Poolman introduced:

SB 2312: A BILL for an Act to create and enact a new subsection to section 54-17.2-03, a new subsection to section 54-44.5-04, and a new section to chapter 54-44.5 of the North Dakota Century Code, relating to powers of the North Dakota building authority and the office of governmental assistance to implement a state facility energy improvement program.

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

Sens. St. Aubyn, Heitkamp, Holmberg and Reps. Bernstein, Nottestad, Price introduced:

SB 2313: A BILL for an Act to create and enact a new section to chapter 44-04 of the North Dakota Century Code, relating to personal and financial information submitted to a state agency in a consumer complaint.

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

Sens. St. Aubyn, DeMers, Holmberg, W. Stenehjem and Reps. Poolman, Svedjan introduced:

SB 2314: A BILL for an Act to authorize the state board of higher education to alter certain lease-purchase agreements.

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

Sens. St. Aubyn, Heitkamp and Reps. Nottestad, Svedjan introduced:

SB 2315: A BILL for an Act to adopt the Uniform Preservation of Private Business Records Act
Was read the first time and referred to the **Industry, Business and Labor Committee.**

Sens. Kelsh, O'Connell introduced:

SB 2316: A BILL for an Act to amend and reenact sections 16.1-08.1-02 and 16.1-08.1-03.2 of the North Dakota Century Code, relating to the filing of campaign contribution statements by political committees organized in support of candidates.

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

Sens. Lyson, Krebsbach and Reps. DeKrey, Gulleson introduced:

SB 2317: A BILL for an Act to create and enact a new subsection to section 14-07.1-02 of the North Dakota Century Code, relating to protection orders; and to amend and reenact subsection 4 of section 14-07.1-03 of the North Dakota Century Code, relating to protection orders.

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

Sens. Lyson, Kinnoin and Rep. DeKrey introduced:

SB 2318: A BILL for an Act to amend and reenact section 57-40.6-02 of the North Dakota Century Code, relating to ballot measures on the question of excise taxes on telephone access lines.

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

Sens. Lyson, Christmann, C. Nelson introduced:

SB 2319: A BILL for an Act to create and enact a new subsection to section 32-03.2-11 of the North Dakota Century Code, relating to exemplary damages for accidents involving motor vehicle operators under the influence of alcohol or a controlled substance.

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

Sens. Kilzer, DeMers introduced:

SB 2320: A BILL for an Act to amend and reenact subsection 5 of section 23-06.5-03 and subsection 4 of section 23-12-13 of the North Dakota Century Code, relating to withdrawing or withholding nutrition and hydration from incapacitated patients.

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

Sen. Tomac and Reps. Mickelson, Renner introduced:

SB 2321: A BILL for an Act to amend and reenact sections 39-05-17.2 and 39-05-20.2 of the North Dakota Century Code, relating to vehicle damage disclosure.

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

Sens. C. Nelson, Andrist, Kelsh, Mutzenberger and Reps. Cleary, Gulleson introduced:

SB 2322: A BILL for an Act to amend and reenact sections 16.1-11-02, 16.1-11-03, 16.1-11-04, 16.1-11-07, 16.1-11-23, 16.1-11-34, subsection 2 of section 16.1-12-02.2, and subsection 2 of section 28-32-01 of the North Dakota Century Code, relating to the conduct of the presidential preference primary election; and to repeal section 16.1-11-02.1 of the North Dakota Century Code, relating to the conduct of the presidential preference contest.

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

Sen. Kroepelin introduced:

SB 2323: A BILL for an Act to amend and reenact subsection 2 of section 53-06.1-12 of the North Dakota Century Code, relating to a pull tab excise tax exemption for small charitable gaming organizations; and to provide an effective date.

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

Sens. Bercier, DeMers, Krauter, Thompson, Traynor and Rep. Boucher introduced:

SB 2324: A BILL for an Act to assist tribal colleges educating students who are less than one-quarter Indian; and to provide an appropriation.

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

Sen. C. Nelson introduced:

SB 2325: A BILL for an Act to amend and reenact section 59-02-20 of the North Dakota Century Code, relating to the discharge of a trustee.

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

Sens. Krebsbach, Klein, D. Mathern, Wardner and Reps. Keiser, Mahoney, Poolman introduced:

SB 2326: A BILL for an Act to amend and reenact sections 6-08-16, 6-08-16.1, and subsection 1 of section 6-08-16.2 of the North Dakota Century Code, relating to

authorizing an electronic funds transfer without sufficient funds; and to provide a penalty.

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

Sen. W. Stenehjem introduced:

SB 2327: A BILL for an Act to create and enact a new subsection to section 30.1-28-03 and a new subsection to section 30.1-28-04 of the North Dakota Century Code, relating to authority of guardians to make health care decisions and compensation for services in guardianship proceedings; and to amend and reenact subsection 2 of section 30.1-28-04 of the North Dakota Century Code, relating to authority of guardians to make health care decisions.

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

Sens. Heitkamp, D. Mathern, Thane introduced:

SB 2328: A BILL for an Act to amend and reenact section 4-05.1-05 of the North Dakota Century Code, relating to industrial hemp and alternative industrial use crops research; and to provide an appropriation.

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

Sens. Heitkamp, Thane introduced:

SB 2329: A BILL for an Act to create and enact a new section to chapter 54-34.3 of the North Dakota Century Code, relating to administrative expenses of the department of economic development and finance.

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

Sen. W. Stenehjem and Rep. DeKrey introduced:

SB 2330: A BILL for an Act to amend and reenact section 16.1-10-04.1 of the North Dakota Century Code, relating to disclosure requirements for political advertisements.

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

Sens. Kelsh, Traynor and Reps. Brandenburg, DeKrey, Maragos, Warner introduced:

SB 2331: A BILL for an Act to create and enact a new section to chapter 58-03 of the North Dakota Century Code, relating to sales, use, and excise taxes imposed by townships.

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

Sens. O'Connell, Kinnoin, Wardner and Reps. Drovdal, Solberg, Sveen introduced:

SB 2332: A BILL for an Act to create and enact a new section to chapter 57-51 of the North Dakota Century Code, relating to an oil and gas gross production tax exemption for stripper wells; to amend and reenact section 57-51-15 of the North Dakota Century Code, relating to allocation of oil and gas gross production tax revenue; and to provide an effective date.

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

Sens. Freborg, G. Nelson introduced:

SB 2333: A BILL for an Act to create and enact a new section to chapter 15-38 of the North Dakota Century Code, relating to teacher certification requirements; and to provide an appropriation.

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

Sens. Fischer, Andrist, Klein and Reps. Devlin, Maragos, Weisz introduced:

SB 2334: A BILL for an Act to create and enact two new sections to chapter 57-20 of the North Dakota Century Code, relating to notice and preservation of tax liens; to amend and reenact sections 11-11-13, 11-13-07, 11-27-08, 15-08-19, 21-02-01, 32-31-01, 32-31-02, 32-31-03, subsection 60 of section 40-05-01, section 40-25-03, subsection 3 of section 57-02-08, sections 57-20-13, 57-22-22, 57-23-07, 57-25-01, 57-25-02, 57-25-04, 57-25-05, 57-28-01, 57-28-02, 57-28-03, 57-28-04, 57-28-05, 57-28-06, 57-28-07, 57-28-08, 57-28-09, 57-28-10, 57-28-14, 57-28-18, 57-28-19, 57-28-19.1, 57-28-22, 57-28-23, 57-29-01, 57-45-05, 57-45-11, 57-45-12, 61-01-21, 61-07-05, 61-09-15, 61-16.1-31, 61-21-52, and 61-35-87 of the North Dakota Century Code, relating to sales of property for delinquent taxes and provisions for foreclosure of tax liens for unpaid property taxes; to repeal sections 40-25-04, 40-25-05, 40-25-08, 40-25-09, 40-25-10, 57-20-24, 57-20-25, chapters 57-24, 57-26, 57-27, and section 57-28-21 of the North Dakota Century Code, relating to sales of property for delinquent taxes; and to provide an effective date.

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

Sens. Lee, Freborg, C. Nelson and Reps. Koppang, L. Thoreson introduced:

SB 2335: A BILL for an Act to amend and reenact section 15-41.1-01 of the North Dakota Century Code, relating to the postsecondary enrollment options program.

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

Sens. Redlin, C. Nelson and Reps. Tollefson, Wentz introduced:

SB 2336: A BILL for an Act to create and enact a new section to chapter 12.1-27.1 of the North Dakota Century Code, relating to city ordinances to prohibit material harmful to minors.

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

Sens. Tomac, Kinnoin and Reps. Fairfield, Lemieux, Lundgren, Nowatzki introduced:

SB 2337: A BILL for an Act to amend and reenact subsection 1 of section 15-40.1-06, section 40-57.1-03, subdivision b of subsection 15 of section 57-02-08, and section 57-39.2-26.1 of the North Dakota Century Code, relating to per student payments, tax exemptions, and the allocation of revenues among political subdivisions.

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

Sens. Tomac, Krauter and Reps. Metcalf, Schmidt introduced:

SB 2338: A BILL for an Act to amend and reenact section 4-05.1-19 of the North Dakota Century Code, relating to the state board of agricultural research; and to provide an appropriation for the pride of dakota program, developing standards for wheat quality, monitoring agricultural production standards, research, and the promotion of agricultural products.

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

Sens. Tomac, Kroeplin and Reps. Fairfield, Lundgren, Warner introduced:

SB 2339: A BILL for an Act to create and enact a new subsection to section 57-38-30.3 and chapter 57-38.6 of the North Dakota Century Code, relating to agricultural cooperatives; to amend and reenact sections 4-14.1-03 and 4-14.1-03.1 of the North Dakota Century Code, relating to the agricultural products utilization; to provide an appropriation; to provide for the transfer of appropriations; and to provide an effective date.

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

Sens. Tomac, Thompson and Reps. Fairfield, Lundgren introduced:

SB 2340: A BILL for an Act to provide an appropriation for the development of a strategic transportation plan, a strategic irrigation plan, value-added agriculture, and marketing North Dakota products.

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

Sens. Tomac, D. Mathern and Reps. Aarsvold, Nowatzki introduced:

SB 2341: A BILL for an Act to provide an appropriation for agricultural education.

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

Sen. Thompson and Rep. Ekstrom introduced:

SB 2342: A BILL for an Act to amend and reenact subsection 15 of section 65-05-12.2 of the North Dakota Century Code, relating to workers' compensation permanent impairment awards.

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

Sens. W. Stenehjem, B. Stenehjem introduced:

SB 2343: A BILL for an Act to create and enact section 39-10-26.2 of the North Dakota Century Code, relating to the presumption of owner violation for failing to yield right of way to an emergency vehicle; and to amend and reenact subsection 2 of section 39-06.1-06 of the North Dakota Century Code, relating to the fees for noncriminal traffic violations.

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

Sen. Freborg introduced:

SB 2344: A BILL for an Act to amend and reenact section 15-47-33 of the North Dakota Century Code, or in the alternative to amend and reenact section 15.1-06-04 of the North Dakota Century Code, relating to length of the school year.

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

Sen. W. Stenehjem and Rep. Delmore introduced:

SB 2345: A BILL for an Act to amend and reenact section 20.1-13.1-03, subsection 8 of section 20.1-13.1-10, sections 20.1-13.1-13, 20.1-15-03, subsection 10 of section 20.1-15-11, sections 20.1-15-14, 39-20-02, subsection 10 of section 39-20-07, sections 39-20-12, 39-24.1-03, subsection 8 of section 39-24.1-08, and section 39-24.1-11 of the North Dakota Century Code, relating to blood tests for driving while under the influence.

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

Sens. Grindberg, Lee and Rep. Froelich introduced:

SB 2346: A BILL for an Act to suspend mill levy limitations for cities, counties, and park districts; to provide an effective date; and to provide an expiration date.

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

Sens. Grindberg, C. Nelson, B. Stenehjem and Reps. Berg, Ekstrom introduced:

SB 2347: A BILL for an Act to create and enact a new section to chapter 18-11 of the North Dakota Century Code, relating to alternate firefighters relief association plan benefits; to provide for retroactive application; and to declare an emergency.

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

Sens. Grindberg, Flakoll, Klein and Rep. Berg introduced:

SB 2348: A BILL for an Act to amend and reenact section 57-39.2-04.3 of the North Dakota Century Code, relating to a sales and use tax exemption for purchases of computer and telecommunications equipment by a new primary sector business; and to provide an effective date.

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

Sens. Grindberg, Flakoll and Rep. Clark introduced:

SB 2349: A BILL for an Act to create and enact a new section to chapter 19-02.1 of the North Dakota Century Code, relating to limitations on punitive damages.

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

Sen. Grindberg and Rep. Meyer introduced:

SB 2350: A BILL for an Act to amend and reenact subsection 14 of section 20.1-01-02 of the North Dakota Century Code, relating to guides and outfitters.

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

Sens. Grindberg, Krauter and Rep. DeKrey introduced:

SB 2351: A BILL for an Act to create and enact a new section to chapter 20.1-03 of the North Dakota Century Code, relating to requirements for guides or outfitters.

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

Sen. Naaden introduced:

SB 2352: A BILL for an Act to create and enact a new section to chapter 51-14.1 of the North Dakota Century Code, relating to disclosure of credit card account numbers; to amend and reenact section 51-14.1-05 of the North Dakota Century Code, relating to the penalty for disclosing credit card account numbers; and to provide a penalty.

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

Sen. Tallackson and Reps. Dalrymple, Gorder, Nicholas introduced:

SB 2353: A BILL for an Act to repeal section 19-10-03.1 of the North Dakota Century Code, relating to alcohol-blended gasoline sale notices.

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

Sens. Kelsh, O'Connell and Reps. DeKrey, Guleson, Lundgren introduced:

SB 2354: A BILL for an Act to amend and reenact section 15-40.1-06 of the North Dakota Century Code, relating to the calculation and application of the school district equalization factor.

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

Sens. Solberg, Christmann, Kinnoin and Reps. Brusegaard, Kempenich, Solberg introduced:

SB 2355: A BILL for an Act to create and enact a new section to chapter 42-04 of the North Dakota Century Code, relating to livestock production on existing farms.

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

Sen. Bowman introduced:

SB 2356: A BILL for an Act to create and enact a multistate agricultural marketing commission; to provide an appropriation; and to provide an effective date.

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

Sen. Christmann introduced:

SB 2357: A BILL for an Act to amend and reenact subdivision g of subsection 5 of section 39-24-09 and section 39-24-11 of the North Dakota Century Code, relating to prohibited operation of snowmobiles and penalties governing the operation of snowmobiles.

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

Sens. Wardner, Kinnoin, Urlacher and Reps. DeKrey, Froelich, Nicholas introduced:

SB 2358: A BILL for an Act to create and enact a new section to chapter 57-15 and a new subsection to section 57-15-06.7 of the North Dakota Century Code, relating to creating county levy authority for automation and telecommunications.

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

Sens. Wardner, Kinnoin, Lyson and Reps. Kempenich, Meyer, Wald introduced:

SB 2359: A BILL for an Act to create and enact a new section to chapter 38-08 of the North Dakota Century Code, relating to oil and gas production payments.

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

Sens. Wardner, Krebsbach and Reps. D. Johnson, Klein introduced:

SB 2360: A BILL for an Act to amend and reenact sections 12-46-05, 12-47-07, 15-02-01, 15-02-04, 18-01-01, 20.1-02-06, 20.1-02-08, 25-01-04, 27-03-02, 37-15-07, 37-18-07, subsection 3 of section 37-18.1-03, sections 39-03-06, 44-03-01, 49-01-03, 54-11-07, 54-23.3-04, 54-44-03, subsection 2 of section 54-52-04, sections 55-02-01.1, 61-03-02, 65-02-02, and 65-04-30 of the North Dakota Century Code, relating to bonds required of state officers; and to repeal sections 6-01-12, 15-12-06, 20.1-02-12, 27-04-02, 44-01-13, 54-06-11, 54-09-06, 54-10-03, 54-11-14, 54-18-08, and 57-01-01 of the North Dakota Century Code, relating to bonds required of state officers.

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

Sens. Thompson, Bercier, Klein and Reps. Schmidt, Solberg, L. Thoreson introduced:

SB 2361: A BILL for an Act to create and enact a new subsection to section 53-06.2-01, a new subsection to section 53-06.2-04, a new subsection to section 53-06.2-05, and a new section to chapter 53-06.2 of the North Dakota Century Code, relating to definitions, funds administered by the racing commission, and a continuing appropriation; to amend and reenact subsections 1, 2, and 3 of section 53-06.2-11 of the North Dakota Century Code, relating to the use of racing funds; and to provide an expiration date.

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

Sens. Kilzer, O'Connell, Wanzek and Reps. Boehm, Kerzman introduced:

SB 2362: A BILL for an Act to create and enact two new sections to chapter 12.1-16 of the North Dakota Century Code, relating to the prevention of assisted suicide.

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

Sens. Klein, Krauter and Reps. DeKrey, Weisz introduced:

SB 2363: A BILL for an Act to provide for the establishment of a nonpoint source management program trust fund; to provide an appropriation; and to provide a continuing appropriation.

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

Sens. Fischer, Flakoll, Klein and Reps. Koppelman, B. Thoreson introduced:

SB 2364: A BILL for an Act to create and enact a new section to chapter 43-15 of the North Dakota Century Code, relating to parenteral pharmacists; and to amend and reenact section 43-15-01 of the North Dakota Century Code, relating to pharmacy definitions.

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

Sens. Wanzek, Mutch, Naaden and Rep. Brusegaard introduced:

SB 2365: A BILL for an Act to create and enact a new section to chapter 23-25 of the North Dakota Century Code, relating to state department of health odor readings.

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

Sens. Naaden, Christmann, Mutch and Rep. Brusegaard introduced:

SB 2366: A BILL for an Act to amend and reenact subsection 14 of section 23-29-03 of the North Dakota Century Code, relating to the definition of solid waste.

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

Sen. Nething introduced:

SB 2367: A BILL for an Act to amend and reenact subsection 7 of section 25-03.3-01 of the North Dakota Century Code, relating to the definition of sexually dangerous individual.

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

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Sens. Nething, B. Stenehjem and Rep. Carlisle introduced:

SCR 4015: A concurrent resolution directing the Legislative Council to study the adult correctional system in North Dakota, including its functions, responsibilities, funding, and operation, and the causes of past and projected future increases in the state's adult inmate population, including the impact of sentencing laws.

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

Sens. Holmberg, Cook, C. Nelson and Reps. Berg, Delmore, Drovdal introduced:

SCR 4016: A concurrent resolution for the amendment of subsection 2 of section 6 of article VIII of the Constitution of North Dakota, relating to the membership of the state board of higher education.

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

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

REPORT OF STANDING COMMITTEE

SB 2104: Finance and Taxation Committee (Sen. Urlacher, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2104 was placed on the Sixth order on the calendar.

Page 1, line 21, overstrike "shall" and insert immediately thereafter "may"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2157: Political Subdivisions Committee (Sen. Lee, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2157 was placed on the Sixth order on the calendar.

Page 1, line 9, replace "Lot 2" with "Lots 2 and 3" and replace "Northeast Quarter" with "North Half"

Page 1, line 10, replace "(NE 1/4)" with "(N 1/2)"

Page 1, line 24, replace "190.61 feet to a point on the" with "91.71 feet; thence S0°18'53"W, 130.00 feet; thence N89°41'07"W, 98.90 feet to the point of beginning of a 1°04'59" curve to the left, said curve having a chord bearing of S84°19'00"W and a chord length of 1105.50 feet and said point being 440.00 feet, measured at right angles, from the centerline of the median of said Interstate 94; thence, along said curve to the left and parallel with the centerline of the median of said Interstate 94, an arc length of 1107.52 feet to a point on the northeasterly line of Auditor's Lot 5-3; thence N32°22'27"W, along said northeasterly line of Auditor's Lot 5-3, 106.76 feet to the point of beginning of a 1°03'47" curve to the right, said curve having a chord bearing of N84°06'58"E and a chord length of 1163.90 feet and said point being 340.00 feet, measured at right angles from the centerline of the median of said Interstate 94; thence, along said curve to the right and parallel with the centerline of the median of said Interstate 94, an arc length of 1166.18 feet; thence N0°18'53"E, 130.00 feet to a point on the southerly right-of-way line of said Interstate 94 that is 210.00 feet, measured at right angles, from the centerline of the median of said Interstate 94; thence, S89°41'07"E, along said southerly right-of-way line, 190.61 feet to the point of beginning. Said tract of land contains 3.34 acres more or less."

Page 2, remove lines 1 through 6

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2158: Transportation Committee (Sen. B. Stenehjem, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). SB 2158 was placed on the Sixth order on the calendar.

Page 1, line 16, remove the overstrike over "~~rule~~" and remove "policy"

Page 1, line 18, remove the overstrike over "~~rules~~" and remove "policy"

Page 1, line 21, remove the overstrike over "~~except that the rules~~" and remove ". The policy"

Page 2, line 24, remove the overstrike over "~~rules~~" and remove "policy"

Page 3, line 1, remove the overstrike over "~~rules~~" and remove "policy"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2173: Transportation Committee (Sen. B. Stenehjem, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2173 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "alcohol, tobacco, or"

Page 1, line 4, remove "**alcohol, tobacco, or**"

Page 1, line 7, remove "any alcoholic beverage or place that primarily sells alcoholic beverages, tobacco,"

Page 1, line 8, remove the first "or"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2184: Transportation Committee (Sen. B. Stenehjem, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2184 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1106: Finance and Taxation Committee (Sen. Urlacher, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1106 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1109: Finance and Taxation Committee (Sen. Urlacher, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1109 was placed on the Fourteenth order on the calendar.

The Senate stood adjourned pursuant to Senator St. Aubyn's motion.

WILLIAM C. PARKER, Secretary