

JOURNAL OF THE SENATE

Sixtieth Legislative Assembly

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Bismarck, January 15, 2007

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

The prayer was offered by Chaplain Burnie Kunz, Medcenter One, Bismarck.

The roll was called and all members were present except Senators Bowman and Krebsbach.

A quorum was declared by the President.

MOTION

SEN. CHRISTMANN MOVED that SB 2115, which is on the Eleventh order, be rereferred to the **Appropriations Committee**, which motion prevailed. Pursuant to Sen. Christmann's motion, SB 2115 was rereferred.

MOTION

SEN. CHRISTMANN MOVED that SB 2157 be returned to the Senate floor from the **Finance and Taxation Committee** for the purpose of withdrawal, which motion prevailed.

REQUEST

SEN. WARDNER REQUESTED the unanimous consent of the Senate to withdraw SB 2157. There being no objection, it was so ordered by the President.

CONSIDERATION OF AMENDMENTS

SB 2105: SEN. BEHM (Agriculture Committee) MOVED that the amendments on SJ page 79 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2040: A BILL for an Act to create and enact a new section to chapter 51-15 of the North Dakota Century Code, relating to facilitating and assisting deceptive acts or practices.

ROLL CALL

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

YEAS: Anderson; Andrist; Bakke; Behm; Christmann; Cook; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heckaman; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjem; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Bowman; Krebsbach

Engrossed SB 2040 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2044: A BILL for an Act to amend and reenact sections 39-03.1-11.3, 54-52-17.11, and 54-52-17.13 of the North Dakota Century Code, relating to supplemental retiree benefit payments under the public employees retirement system.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 44 YEAS, 1 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; Behm; Christmann; Cook; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heckaman; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething;

O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjerm; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

NAYS: Andrist

ABSENT AND NOT VOTING: Bowman; Krebsbach

SB 2044 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2048: A BILL for an Act to create and enact a new subsection to section 39-03.1-28 and a new subsection to section 54-52-26 of the North Dakota Century Code, relating to confidentiality of retirement records; and to amend and reenact subsections 7 and 8 of section 39-03.1-08.2, subsections 2 and 5 of section 39-03.1-11, sections 39-03.1-11.2, 39-03.1-30, and 54-52-02.9, subsections 2 and 5 of section 54-52-17, subsections 1, 4, 5, and 6 of section 54-52-17.4, sections 54-52-27, 54-52-28, 54-52-29, 54-52.6-09.2, and 54-52.6-10, and subsection 4 of section 54-52.6-13 of the North Dakota Century Code, relating to terms, final average salary calculations, payment of delayed retirement benefits, conversion of sick leave, temporary employee purchase of service credit, compliance with the Internal Revenue Code, employer service credit purchase, automatic refund of account balances, and vesting under the highway patrolmen's retirement and public employees retirement systems.

ROLL CALL

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

YEAS: Anderson; Andrist; Bakke; Behm; Christmann; Cook; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heckaman; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nothing; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjerm; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Bowman; Krebsbach

SB 2048 passed and the title was agreed to.

MOTION

SEN. CHRISTMANN MOVED that the absent members be excused, which motion prevailed.

MOTION

SEN. CHRISTMANN MOVED that the Senate be on the Fourth, Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 1:00 p.m., Tuesday, January 16, 2007, which motion prevailed.

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 2028, SB 2075, SB 2076, SB 2092, SB 2108, SB 2110, SCR 4001.

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 2024.

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: HCR 3015.

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 1082, HB 1134, HB 1136, HB 1139.

REPORT OF STANDING COMMITTEE

SB 2031: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2031 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2050: Government and Veterans Affairs Committee (Sen. Dever, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2050 was placed on the Sixth order on the calendar.

Page 1, line 1, after "reenact" insert "sections 54-52-02.9 and 54-52-27," and after "54-52.1-03.2" insert a comma

Page 1, after line 4, insert:

"SECTION 1. AMENDMENT. Section 54-52-02.9 of the North Dakota Century Code is amended and reenacted as follows:

54-52-02.9. Participation by temporary employees. A temporary employee may elect, within one hundred eighty days of beginning employment, to participate in the public employees retirement system and receive credit for service after enrollment. The temporary employee shall pay monthly to the fund an amount equal to eight and twelve-hundredths percent times the temporary employee's present monthly salary. The temporary employee shall also pay the required monthly contribution to the retiree health benefit fund established under section 54-52.1-03.2 ~~one percent times the temporary employee's present monthly salary~~. This contribution must be recorded as a member contribution pursuant to section 54-52.1-03.2. An employer may not pay the temporary employee's contributions. A temporary employee may continue to participate as a temporary employee in the public employees retirement system until termination of employment or reclassification of the temporary employee as a permanent employee. A temporary employee may not purchase additional credit under section 54-52-17.4.

SECTION 2. AMENDMENT. Section 54-52-27 of the North Dakota Century Code is amended and reenacted as follows:

54-52-27. Purchase of sick leave credit. At termination of eligible employment a member is entitled to credit in the retirement system for each month of unused sick leave, as certified by the member's employer, if the member or the member's employer pays an amount equal to the member's final average salary, times the number of months of sick leave converted, times the percent of employer and employee contributions to the retirement program of the member, ~~plus one percent~~ the required contribution for the retiree health benefits program. Hours of sick leave equal to a fraction of a month are deemed to be a full month for purposes of conversion to service credit. A member may convert all of the member's certified sick leave or a part of the member's certified sick leave. All conversion payments must be made within sixty days of termination of employment and before the member receives a retirement annuity unless the member has submitted an approved payment plan to the board."

ReNUMBER accordingly

REPORT OF STANDING COMMITTEE

SB 2053: Political Subdivisions Committee (Sen. Cook, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2053 was placed on the Sixth order on the calendar.

Page 2, line 7, remove the overstrike over "~~The state auditor shall notify the executive officer of any state agency~~"

Page 2, line 8, remove the overstrike over "~~of the date, time, and location of any~~"

Page 2, remove the overstrike over line 9

Page 2, line 10, remove the overstrike over "~~or related security systems. The executive officer of~~"

Page 2, line 11, after "shall" insert "the officer's designee may" and remove the overstrike over "~~attend and observe~~"

Page 2, line 12, remove the overstrike over "~~any test during which confidential information may be accessed or controlled.~~"

Page 2, line 16, remove the overstrike over "4."

Page 2, line 23, remove the overstrike over "~~5.~~" and remove "4."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2060: Government and Veterans Affairs Committee (Sen. Dever, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2060 was placed on the Sixth order on the calendar.

Page 1, line 8, overstrike "shall" and insert immediately thereafter "is entitled to", remove "fifty", and overstrike "dollars per day for each day actually engaged" and insert immediately thereafter "compensation in an amount determined by the board for actual services rendered"

Page 1, line 9, overstrike "all members" and insert immediately thereafter "each member and employee" and overstrike the second ", and"

Page 1, line 10, overstrike "all employees thereof, shall" and insert immediately thereafter "is entitled to", overstrike the first "their", and overstrike the second "their" and insert immediately thereafter "official"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2082: Finance and Taxation Committee (Sen. Urlacher, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2082 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2083: Finance and Taxation Committee (Sen. Urlacher, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2083 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2087: Transportation Committee (Sen. G. Lee, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2087 was placed on the Sixth order on the calendar.

Page 1, replace lines 15 through 17 with:

""Biodiesel, designated B100" means a fuel comprised of mono-alkyl esters of long chain fatty acids derived from vegetable oil or animal fats that meets ASTM specification D 6751."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2098: Political Subdivisions Committee (Sen. Cook, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2098 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2106: Agriculture Committee (Sen. Flakoll, Chairman) recommends **DO NOT PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2106 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2107: Agriculture Committee (Sen. Flakoll, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2107 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2114: Agriculture Committee (Sen. Flakoll, 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 2114 was placed on the Sixth order on the calendar.

Page 1, line 21, after "for" insert "the actual direct cost of providing"

Page 1, line 23, remove "operating budget of the"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2124: Human Services Committee (Sen. J. Lee, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2124 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2161: Judiciary Committee (Sen. Nething, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2161 was referred to the **Appropriations Committee**.

REPORT OF STANDING COMMITTEE

SB 2168: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends **DO PASS** (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2168 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4004: Judiciary Committee (Sen. Nething, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4004 was placed on the Eleventh order on the calendar.

FIRST READING OF SENATE BILLS

Sens. Wanzek, Flakoll, Robinson and Reps. Boe, Headland, D. Johnson introduced:

SB 2179: A BILL for an Act to provide an appropriation for the mitigation of crop damage by blackbirds.

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

Sens. Klein, Wanzek, Wardner and Reps. Belter, Brandenburg, Pollert introduced:

SB 2180: A BILL for an Act to amend and reenact sections 6-09.17-01, 6-09.17-02, 6-09.17-03, and 6-09.17-04 of the North Dakota Century Code, relating to the biofuel partnership in assisting community expansion fund; and to provide a continuing appropriation.

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

Sens. Lyson, Dever, Potter and Reps. Carlisle, Martinson introduced:

SB 2191: A BILL for an Act to amend and reenact subsections 7 and 8 of section 37-28-02 and section 37-28-03 of the North Dakota Century Code, relating to veterans' bonuses.

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

Sen. Nething introduced:

SB 2192: A BILL for an Act to create and enact five new subsections to section 6-01-02 and a new section to chapter 6-08 of the North Dakota Century Code, relating to the legal recognition of electronic records and signatures.

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

Sens. Holmberg, Hacker, Nething, Triplett and Reps. Owens, Schneider introduced:

SB 2193: A BILL for an Act to create and enact a new subsection to section 34-11.1-05 of the North Dakota Century Code, relating to prohibiting state agencies and political subdivisions from restricting employee access to the legislative assembly; and to provide a penalty.

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

Sens. Olafson, G. Lee and Rep. Charging introduced:

SB 2194: A BILL for an Act to amend and reenact section 44-08-21 of the North Dakota Century Code, relating to recalls of elected officials of political subdivisions.

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

Sens. Hacker, Lindaas, Warner and Reps. Dahl, Dosch, Hawken introduced:

SB 2195: A BILL for an Act to amend and reenact section 51-28-01 of the North Dakota Century Code, relating to telephone solicitations.

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

Sens. Hacker, Klein, J. Lee and Reps. Boe, Heller, Potter introduced:

SB 2196: A BILL for an Act to create and enact section 44-06-13.2 of the North Dakota Century Code, relating to disciplinary proceedings for a notary public; and to amend and

reenact sections 44-06-02, 44-06-12, and 44-06-13.1 of the North Dakota Century Code, relating to notary commissions and to prohibited acts by a notary public.

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

Sens. Wardner, Grindberg, Seymour and Reps. Carlisle, Monson, Mueller introduced:

SB 2197: A BILL for an Act to create and enact a new section to chapter 15-20.1 of the North Dakota Century Code, relating to an elementary student entrepreneurship grant program; and to provide an appropriation.

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

Sens. Heitkamp, Freborg, Lyson and Reps. DeKrey, Hanson, Wall introduced:

SB 2198: A BILL for an Act to amend and reenact section 20.1-03-35 of the North Dakota Century Code, relating to the use of social security numbers on game and fish licenses and permits.

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

Sens. Nething, Grindberg, Tallackson and Reps. Hawken, Kaldor, Martinson introduced:

SB 2199: A BILL for an Act to provide an appropriation to the agriculture commissioner to defray the expenses for expanding the pride of dakota program.

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

Sens. Heitkamp, Freborg, Lyson and Reps. DeKrey, Hanson, Wall introduced:

SB 2201: A BILL for an Act to create and enact a new section to chapter 20.1-08 of the North Dakota Century Code, relating to establishing a North Dakota hunter educators association antelope license raffle.

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

Sens. Cook, Heitkamp, Lyson, Urlacher and Reps. Belter, Drovdal introduced:

SB 2202: A BILL for an Act to create and enact section 57-39.2-26.3 of the North Dakota Century Code, relating to allocation of sales and use tax collections by retailers registered with the streamlined sales tax central registration system to the North Dakota taxpayer relief fund; to amend and reenact section 57-39.2-26 of the North Dakota Century Code, relating to allocation of sales and use tax revenues; and to provide an effective date.

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

Sens. G. Lee, Heitkamp and Rep. Carlson introduced:

SB 2203: A BILL for an Act to create and enact two new sections to chapter 61-24 of the North Dakota Century Code, relating to expanding the construction contracting, bidding, and project delivery system for the Red River valley water supply project.

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

Sens. Hacker, Holmberg, Lyson and Reps. Dahl, Delmore, N. Johnson introduced:

SB 2204: A BILL for an Act to amend and reenact sections 5-01-08, 5-01-09, 5-02-06, and 14-10-06 of the North Dakota Century Code, relating to immunity from criminal liability for consumption of alcoholic beverages by an individual under twenty-one years of age and mitigating factors for other individuals.

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

Sens. Fischer, J. Lee, Mathern and Reps. Hawken, Price, Weisz introduced:

SB 2205: A BILL for an Act to create and enact a new section to chapter 50-09 of the North Dakota Century Code, relating to employment of special assistant attorneys general; to amend and reenact sections 14-09-09.10 and 35-34-01, subsection 3 of section 50-01.2-00.1, sections 50-03-10 and 50-09-01, subsection 16 of section 50-09-02, and sections 50-09-03, 50-09-08, 50-09-33, 50-24.1-03.1, and 50-24.1-03.2 of the North Dakota Century Code, relating to state administration of the child support enforcement program; to repeal section 50-09-34 of the North Dakota Century Code, relating to administration of child support enforcement activities; to provide for a transfer of employees and equipment; to provide for payment and transfer of unused leave; to provide for a transfer of budgeted funds and unexpended child support incentive funds; to provide an appropriation; and to provide a continuing appropriation.

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

Sens. Taylor, Wanzek and Reps. D. Johnson, S. Meyer introduced:

SB 2206: A BILL for an Act to amend and reenact sections 36-09-17, 36-09-20, 36-09-20.1, 36-09-22, and 36-09-23 of the North Dakota Century Code, relating to penalties imposed for violation of brand laws.

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

Sens. Fischer, Cook and Reps. D. Johnson, Weisz introduced:

SB 2207: A BILL for an Act to provide for assistance to parents in resolution of disputes in cases involving custody and support of children; to provide for a report; to provide an appropriation; and to provide an expiration date.

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

Sens. Oehlke, Taylor and Reps. Boe, Brandenburg, S. Kelsh introduced:

SB 2208: A BILL for an Act to amend and reenact subdivision b of subsection 15 of section 57-02-08 of the North Dakota Century Code, relating to the farm home property tax exemption when a disaster declaration is in effect; and to provide an effective date.

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

Sens. Klein, Fischer, Taylor and Reps. Froelich, Porter, Wieland introduced:

SB 2209: A BILL for an Act to amend and reenact subsection 4 of section 53-06.2-05, subsection 1 of section 53-06.2-07, subsection 4 of section 53-06.2-08, section 53-06.2-10.1, and subsection 2 of section 53-06.2-13 of the North Dakota Century Code, relating to the attorney general's approval of licensing and auditing of parimutuel wagering.

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

Sens. J. Lee, Krebsbach and Reps. Kaldor, Porter, Price introduced:

SB 2210: A BILL for an Act to create and enact a new section to chapter 13-01 of the North Dakota Century Code, relating to the amount of late payment charges and finance charges on medical bills; and to amend and reenact sections 13-01-14 and 13-01-15 of the North Dakota Century Code, relating to the amount of late payment charges on medical bills.

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

Sens. J. Lee, Dever, Heckaman and Reps. Pietsch, Price introduced:

SB 2211: A BILL for an Act to provide an appropriation to the department of human services for assistive technology services.

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

Sens. J. Lee, Dever and Reps. Pietsch, Price introduced:

SB 2212: A BILL for an Act to amend and reenact sections 23-06.5-10 and 23-06.5-17 of the North Dakota Century Code, relating to health care directives.

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

Sens. Lyson, Anderson, Heitkamp and Reps. Carlisle, Thoreson introduced:

SB 2213: A BILL for an Act to amend and reenact section 62.1-02-01 of the North Dakota Century Code, relating to possession of firearms by offenders.

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

Sens. Lyson, Heitkamp, Krauter and Reps. Carlisle, Delmore, S. Meyer introduced:

SB 2214: A BILL for an Act to amend and reenact section 2-02-02, subdivision c of subsection 4 of section 2-06-16, section 2-06-20, subsection 7 of section 6-09-15, subsection 7 of section 10-13-03, subsection 1 of section 11-09.1-05, sections 11-36-17 and 15-09-05, subsection 8 of section 15.1-09-33, subsection 7 of section 20.1-02-05, subsection 13 of section 23-11-11, sections 24-01-18, 24-05-09, 24-17-09, and 32-15-01, subsections 22, 36, 59, 66, 67, and 68 of section 40-05-01, subsection 19 of section 40-05-02, section 40-05-11, subsection 1 of section 40-05.1-06, sections 40-22-38, 40-34-01, and 40-34-15, subsection 1 of section 40-35-03, section 40-39-02, subsection 1 of section 40-49-12, section 40-58-02, subsection 3 of section 40-58-07, subsection 3 of section 40-61-03, subsection 4 of section 40-61-05, sections 48-02.1-05 and 49-17.2-18, subsection 3 of section 49-19-01, sections 49-19-12 and 54-17-10, subsection 8 of section 54-17.2-03, sections 54-18-04 and 61-02-22, subsection 6 of section 61-07-01, subsections 7 and 8 of section 61-07-03, subsection 3 of section 61-07-16, and sections 61-21-19, 61-21-64, 61-21.1-06, and 61-35-49 of the North Dakota Century Code, relating to the exercise of the power of eminent domain; and to repeal section 40-58-08 of the North Dakota Century Code, relating to the use of eminent domain for urban renewal.

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

Sens. Fiebiger, Bakke, Oehlke and Rep. S. Kelsh introduced:

SB 2215: A BILL for an Act to create and enact a new section to chapter 57-38 and a new subsection to section 57-38-30.3 of the North Dakota Century Code, relating to an income tax credit for dependent care expenses; and to provide an effective date.

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

Sen. Holmberg introduced:

SB 2216: A BILL for an Act to create and enact a new section to chapter 32-19 of the North Dakota Century Code, relating to payment to redeem; and to amend and reenact section 32-19-22 of the North Dakota Century Code, relating to the service of notice before foreclosure.

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

Sen. Holmberg introduced:

SB 2217: A BILL for an Act to amend and reenact section 43-01-18 of the North Dakota Century Code, relating to abstractor fees.

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

Sen. Holmberg introduced:

SB 2218: A BILL for an Act to amend and reenact section 26.1-20-05 of the North Dakota Century Code, relating to title insurance.

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

Sen. Holmberg introduced:

SB 2219: A BILL for an Act to amend and reenact section 47-04.1-05 of the North Dakota Century Code, relating to descriptions of condominium units in conveyances.

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

Sen. Holmberg introduced:

SB 2220: A BILL for an Act to amend and reenact section 11-18-01 of the North Dakota Century Code, relating to recording of instruments by the county recorder.

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

Sen. Holmberg introduced:

SB 2221: A BILL for an Act to create and enact a new section to chapter 28-20 of the North Dakota Century Code, relating to the effect of bankruptcy on a judgment lien; to amend and reenact section 47-18-18 of the North Dakota Century Code, relating to declaration of a homestead; and to repeal sections 28-20-30, 28-20-31, and 28-20-32 of the North Dakota Century Code, relating to cancellation of judgment against bankrupts, service in bankruptcy proceedings, and affidavits in bankruptcy proceedings.

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

Sen. Holmberg introduced:

SB 2222: A BILL for an Act to amend and reenact sections 28-24-01, 28-24-02, 28-24-03, 28-24-04, 28-24-05, 28-24-06, 28-24-07, 28-24-10, 28-24-13, and 28-24-14 of the North Dakota Century Code, relating to redemption of property.

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

Sen. Holmberg introduced:

SB 2223: A BILL for an Act to create and enact a new section to chapter 35-03 of the North Dakota Century Code, relating to the satisfaction of a mortgage by an assignee; and to provide for application.

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

Sens. Grindberg, Dever, Hacker and Reps. Hawken, Keiser, Owens introduced:

SB 2224: A BILL for an Act to create and enact a new subsection to section 57-38-30.3 and chapter 57-38.7 of the North Dakota Century Code, relating to an angel fund investment income tax credit; and to provide an effective date.

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

Sens. Grindberg, Bowman, Tollefson and Reps. S. Kelsh, Svedjan, Wrangham introduced:

SB 2225: A BILL for an Act to amend and reenact subsection 2 of section 53-06.1-12, subsections 15, 16, and 17 of section 57-39.2-01, section 57-39.2-02.1, and subsections 5, 6, and 7 of section 57-40.2-01 of the North Dakota Century Code, relating to the excise tax upon gross proceeds of licensed gaming organizations for pull tabs and bingo cards and elimination of sales and use taxes for bingo cards; and to provide an effective date.

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

Sens. Grindberg, O'Connell, Wanzek and Reps. Klein, Pietsch, Ruby introduced:

SB 2226: A BILL for an Act to create and enact section 5-03-08.1 of the North Dakota Century Code, relating to allocation of wholesale taxes on wine for a state grape and wine program; to amend and reenact section 5-03-08 of the North Dakota Century Code, relating to allocation of beer and liquor wholesale taxes; to provide a continuing appropriation; 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. Heckaman, Bakke and Reps. Delmore, D. Johnson, Nelson, Vig introduced:

SB 2227: A BILL for an Act to amend and reenact section 15.1-12-15 of the North Dakota Century Code, relating to duties of boards of reorganized school districts.

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

Sen. Klein and Rep. DeKrey introduced:

SB 2228: A BILL for an Act to amend and reenact section 4-35-21.1 of the North Dakota Century Code, relating to reports of loss incurred through pesticide application.

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

Sens. Erbele, Heitkamp and Reps. Brandenburg, Headland introduced:

SB 2229: A BILL for an Act to amend and reenact section 20.1-01-07 and subsection 10 of section 20.1-02-05 of the North Dakota Century Code, relating to driving offroad for hunting purposes.

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

Sens. Oehlke, Dever and Rep. L. Meier introduced:

SB 2230: A BILL for an Act to amend and reenact sections 16.1-11.1-01, 16.1-11.1-02, 16.1-11.1-03, 16.1-11.1-04, and 16.1-11.1-06 of the North Dakota Century Code, relating to mail ballot elections.

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

Sens. Oehlke, Dever and Rep. Potter introduced:

SB 2231: A BILL for an Act to amend and reenact section 16.1-14-20 of the North Dakota Century Code, relating to presidential electors.

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

Sens. Oehlke, Dever, Triplett and Rep. L. Meier introduced:

SB 2232: A BILL for an Act to amend and reenact sections 16.1-07-03 and 16.1-07-04, subsection 3 of section 16.1-07-05, subsections 1 and 2 of section 16.1-07-06, subsections 4 and 5 of section 16.1-07-08.1, section 16.1-07-09, and subdivision c of subsection 2 of section 16.1-07-15 of the North Dakota Century Code, relating to absentee voting.

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

Sen. Dever and Rep. L. Meier introduced:

SB 2233: A BILL for an Act to amend and reenact subsection 7 of section 16.1-06-04, sections 16.1-06-10.1 and 16.1-06-11, subsection 2 of section 16.1-06-17, and sections 16.1-06-18, 16.1-06-19, 16.1-06-20, 16.1-06-21, 16.1-06-22, and 16.1-06-23 of the North Dakota Century Code, relating to election ballots and voting systems.

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

Sens. Dever, Triplett and Reps. L. Meier, Potter introduced:

SB 2234: A BILL for an Act to amend and reenact subsections 1 and 2 of section 16.1-11-06, section 16.1-11-10, subdivision a of subsection 2 of section 16.1-11-11, subdivision a of subsection 1 of section 16.1-11-16, subsection 1 of section 16.1-11-21, subsection 2 of section 16.1-11-26, and section 16.1-11-32 of the North Dakota Century Code, relating to primary elections; and to repeal section 16.1-11-07 of the North Dakota Century Code, relating to presidential preference contests.

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

Sens. Dever, Potter, Triplett and Rep. L. Meier introduced:

SB 2235: A BILL for an Act to amend and reenact section 16.1-06-15 of the North Dakota Century Code, relating to the security of the voting system programming and random testing of voting systems after an election.

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

Sen. Dever and Rep. Potter introduced:

SB 2236: A BILL for an Act to amend and reenact sections 40-09-03 and 40-21-07 of the North Dakota Century Code, relating to municipal elections.

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

Sens. J. Lee, Dever, Triplett and Rep. L. Meier introduced:

SB 2237: A BILL for an Act to amend and reenact subsection 3 of section 16.1-02-09 and sections 16.1-02-13 and 16.1-02-15 of the North Dakota Century Code, relating to the central voter file.

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

Sens. J. Lee, Dever and Rep. L. Meier introduced:

SB 2238: A BILL for an Act to amend and reenact section 16.1-05-01, subsection 5 of section 16.1-05-02, subsections 3, 4, and 5 of section 16.1-05-04, and subsections 4 and 5 of section 16.1-05-06 of the North Dakota Century Code, relating to election officers.

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

Sens. J. Lee, Dever and Rep. Potter introduced:

SB 2239: A BILL for an Act to amend and reenact subsection 1 of section 16.1-13-17 and sections 16.1-13-22 and 16.1-13-27 of the North Dakota Century Code, relating to general election provisions.

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

Sens. Bakke, Heckaman, Wardner and Reps. Delmore, Potter, Wolf introduced:

SB 2240: A BILL for an Act to amend and reenact subsection 5 of section 15.1-27-07 of the North Dakota Century Code, relating to per student payments for kindergarten students.

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

Sens. Anderson, Lyson and Rep. Williams introduced:

SB 2241: A BILL for an Act to amend and reenact subsection 3 of section 12.1-32-07 of the North Dakota Century Code, relating to the conditions of probation.

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

Sens. Cook, Anderson, Nething and Reps. Aarsvold, Kretschmar, Wrangham introduced:

SB 2242: A BILL for an Act to amend and reenact subdivision a of subsection 6 of section 32-12.1-02 of the North Dakota Century Code, relating to the definition of a political subdivision under laws governing claims against political subdivisions.

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

Sens. Nething, Erbele, Heckaman and Reps. Carlisle, Pollert introduced:

SB 2243: A BILL for an Act to provide an appropriation to the department of corrections and rehabilitation to provide funding for community service supervision grants.

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

Sens. Heitkamp, Cook, Tollefson and Reps. Amerman, DeKrey, Martinson introduced:

SB 2244: A BILL for an Act to amend and reenact subdivision i of subsection 2 of section 39-04-18 of the North Dakota Century Code, relating to exemption from vehicle registration fees for military personnel.

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

Sens. Heitkamp, Cook, Tollefson and Reps. DeKrey, Martinson, Schneider introduced:

SB 2245: A BILL for an Act to create and enact a new section to chapter 57-38 and a new subsection to section 57-38-30.3 of the North Dakota Century Code, relating to an income tax credit for higher education costs; and to provide an effective date.

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

Sens. Krebsbach, Heitkamp, Wardner and Reps. Boehning, Glassheim, D. Johnson introduced:

SB 2246: A BILL for an Act to amend and reenact subsection 2 of section 44-08-04 of the North Dakota Century Code, relating to reimbursement of lodging expenses and allowances for meals for state and political subdivision officers and employees.

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

Sens. Wanzek, Klein, O'Connell and Reps. D. Johnson, Onstad, Weisz introduced:

SB 2247: A BILL for an Act to amend and reenact subsection 9 of section 60-02.1-01 of the North Dakota Century Code, relating to roving grain buyers.

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

Sens. Hacker, Nelson, Stenehjem and Reps. Dahl, Delmore, L. Meier introduced:

SB 2248: A BILL for an Act to amend and reenact sections 29-03-01.1 and 29-03-09 of the North Dakota Century Code, relating to persons liable for prosecution in this state and the venue of certain offenses.

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

Sens. Grindberg, Anderson, Lyson and Reps. Guleson, D. Johnson, Martinson introduced:

SB 2249: A BILL for an Act to provide appropriations to the state board for career and technical education for a higher education curriculum design and development and a workforce training grant program.

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

Sens. Heitkamp, Freborg and Rep. S. Meyer introduced:

SB 2250: A BILL for an Act to amend and reenact section 20.1-04-07 of the North Dakota Century Code, relating to youth spring wild turkey hunting licenses.

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

Sens. Heitkamp, Freborg and Reps. S. Meyer, Nelson introduced:

SB 2251: A BILL for an Act to amend and reenact section 20.1-04-07 of the North Dakota Century Code, relating to a wild turkey hunting license raffle and auction.

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

Sens. Mathern, Seymour and Reps. Price, Kerzman introduced:

SB 2252: A BILL for an Act to create and enact a new section to chapter 54-52.1 of the North Dakota Century Code, relating to public employees retirement system health insurance coverage of suicide-related medical services; to require a report regarding coverage of suicide-related medical services; and to provide an expiration date.

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

Sen. Klein and Rep. Weisz introduced:

SB 2253: A BILL for an Act to create and enact a new section to chapter 57-39.2 of the North Dakota Century Code, relating to sales and use tax refunds for purchases by contractors for tax-exempt entities; to repeal section 57-40.2-03.3 of the North Dakota Century Code, relating to use tax payments by contractors; and to provide an effective date.

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

Sen. Mathern introduced:

SB 2254: A BILL for an Act to create and enact a new section to chapter 36-01 of the North Dakota Century Code, relating to hunting on nontraditional livestock and farmed elk facilities; to amend and reenact sections 36-25-05 and 36-25-08 of the North Dakota Century Code, relating to escape and identification of farmed elk; and to provide a penalty.

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

Sens. Olafson, Hacker, Lindaas and Reps. Gulleeson, Koppelman introduced:

SB 2255: A BILL for an Act to create and enact chapter 51-34 of the North Dakota Century Code, relating to the unauthorized or fraudulent procurement, sale, or receipt of telephone records; to provide a penalty; to provide an effective date; and to declare an emergency.

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

Sens. Fiebiger, Mathern, Nething and Reps. Schneider, Zaiser introduced:

SB 2256: A BILL for an Act to create and enact a new section to chapter 12.1-20 of the North Dakota Century Code, relating to sex offenders on school property; and to provide a penalty.

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

Sens. Heitkamp, Nething and Reps. Amerman, DeKrey introduced:

SB 2257: A BILL for an Act to create and enact a new section to chapter 65-02 of the North Dakota Century Code, relating to creation of an advisory board for workforce safety and insurance; to amend and reenact subsection 1 of section 21-10-01, subsections 7 and 13 of section 65-01-02, sections 65-02-01, 65-02-30, and 65-04-19.3, subdivision b of subsection 3 of section 65-05-29, and section 65-05.1-08 of the North Dakota Century Code, relating to reference to the workforce safety and insurance board of directors; and to repeal sections 65-02-03.1, 65-02-03.2, and 65-02-03.3 of the North Dakota Century Code, relating to the workforce safety and insurance board of directors.

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

Sens. Erbele, Heitkamp, Wardner and Reps. Dietrich, Gulleeson, Kretschmar introduced:

SB 2273: A BILL for an Act to create and enact a new section to chapter 23-11 of the North Dakota Century Code, relating to housing authority project bidding; and to amend and reenact sections 23-11-11, 23-11-20, 23-11-21, and subsection 3 of section 23-11-24 of the North Dakota Century Code, relating to housing authorities.

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

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Sens. J. Lee, Robinson and Rep. Price introduced:

SCR 4008: A concurrent resolution directing the Legislative Council to study issues affecting the delivery of child welfare services in the state, including staffing patterns in county social services offices, supervision standards for child welfare staff, funding from state and federal sources, and the viability of joint powers agreements among counties in support of effective child welfare services.

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

Sen. Heitkamp and Rep. Nelson introduced:

SCR 4009: A concurrent resolution to create and enact a new section to article XI of the Constitution of North Dakota, relating to the ethanol content of gasoline and the biodiesel content of diesel fuel.

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

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

William R. Horton, Secretary