

## JOURNAL OF THE SENATE

## Sixty-second Legislative Assembly

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Bismarck, January 10, 2011

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

The prayer was offered by Chaplain Dan Sweeney, Bismarck Police Department, Bismarck.

The roll was called and all members were present except Senator Stenehjem.

A quorum was declared by the President.

## POINT OF PERSONAL PRIVILEGE

**SEN. TAYLOR** rose on a point of personal privilege.

## REMARKS OF SENATOR TAYLOR

**MR. PRESIDENT:** After observing a national moment of silence this morning for a tragedy far from our state but weighing closely on our minds, let the record of the North Dakota Senate reflect our condolences to the families of the victims of the brutal attack in Arizona and to the family of Representative Gabrielle Giffords, who was targeted for no fault except that she was willing to act as a servant of her congressional district and our country.

Like us, Representative Giffords had served as a state legislator in both the Arizona House and Senate, and her path to public service had crossed closely with a former member of our own chamber. We condemn the senseless violence against a fellow legislator so dedicated to civil public discourse.

On behalf of all North Dakotans, our thoughts and prayers are with the families of the victims of the horrific attack. Let us pray that such tragedies cease to be.

## MOTION

**SEN. SCHNEIDER MOVED** that the remarks of Sen. Taylor be printed in the Journal, which motion prevailed.

## CONSIDERATION OF AMENDMENTS

**SB 2035: SEN. DEVER (Human Services Committee) MOVED** that the amendments on SJ page 53 be adopted and then be **REREFERRED** to the **Appropriations Committee** with **DO PASS**, which motion prevailed on a voice vote.

## 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 1039, HB 1090, HB 1095.

## MOTION

**SEN. KLEIN MOVED** that the Senate be on the Ninth order of business and at the conclusion of that order, the Senate stand adjourned until 1:00 p.m., Tuesday, January 11, 2011, which motion prevailed.

## FIRST READING OF SENATE BILLS

Sens. Heckaman, Andrist, Nodland and Reps. Devlin, Guggisberg, Klein introduced:

**SB 2157:** A BILL for an Act to create and enact a new subdivision to subsection 2 of section 39-06.1-06 and a new paragraph to subdivision a of subsection 3 of section 39-06.1-10 of the North Dakota Century Code, relating to the fee and demerit points for entering a road closed due to hazardous conditions.

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

Sens. Krebsbach, Olafson, Larsen and Reps. Keiser, N. Johnson, Kingsbury introduced:

**SB 2158:** A BILL for an Act to amend and reenact subsections 2, 4, and 5 of section 6-08-16 and subsections 4, 5, and 6 of section 6-08-16.2 of the North Dakota Century Code, relating to issuing a check with nonsufficient funds or without an account; and to

provide a penalty.

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

Sens. Klein, Miller, Murphy and Reps. Weisz, Pollert, Damschen introduced:

**SB 2159:** 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 a sales and use tax exemption for purchases made by a contractor, subcontractor, or builder on behalf of a nonprofit hospital; to amend and reenact section 57-40.2-03.3 of the North Dakota Century Code, relating to a use tax exemption for untaxed materials used by a contractor under contract with a nonprofit hospital; and to provide an effective date.

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

Sens. Krebsbach, Flakoll, Mathern and Reps. Sanford, N. Johnson, Streyle introduced:

**SB 2160:** A BILL for an Act to create and enact subsection 4 to section 57-35.3-05 of the North Dakota Century Code, relating to a financial institutions tax credit for charitable gifts to qualified endowments by financial institutions; to amend and reenact sections 57-35.3-07 and 57-38-01.21 of the North Dakota Century Code, relating to the tax credit for charitable gifts, planned gifts, or endowments; and to provide an effective date.

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

Sens. Nodland, Andrist, G. Lee and Rep. Steiner introduced:

**SB 2162:** A BILL for an Act to create and enact section 57-38-29.4 of the North Dakota Century Code, relating to a long-term care insurance premium individual income tax credit; to amend and reenact subdivision p of subsection 7 of section 57-38-30.3 of the North Dakota Century Code, relating to a long-term care insurance premiums individual income tax credit; to repeal section 57-38-29.3 of the North Dakota Century Code, relating to the long-term care insurance partnership plan premiums individual income tax credit; and to provide an effective date.

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

Sen. Nodland and Rep. Ruby introduced:

**SB 2165:** A BILL for an Act to amend and reenact subsection 9 of section 39-05-22 of the North Dakota Century Code, relating to the department of motor vehicle record retention.

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

Sens. Klein, Nodland and Reps. Kaldor, Wieland introduced:

**SB 2168:** A BILL for an Act to amend and reenact subsection 3 of section 11-18-05 of the North Dakota Century Code, relating to fees for electronic data extracted from recorded instruments.

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

Sens. Murphy, Lyson, Nodland, Schneider and Reps. R. Kelsch, S. Meyer introduced:

**SB 2169:** A BILL for an Act to create and enact a new section to chapter 54-03 of the North Dakota Century Code, relating to audio recording of floor sessions of the legislative assembly.

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

Sen. Cook and Rep. Belter introduced:

**SB 2170:** A BILL for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code, relating to the imposition of individual income taxes and employer income tax withholding for mobile workforce employees; to amend and reenact subsection 1 of section 57-38-59 of the North Dakota Century Code, relating to the imposition of individual income taxes and employer income tax withholding for mobile workforce employees; and to provide an effective date.

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

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

**William R. Horton, Secretary**