

## JOURNAL OF THE SENATE

## Fifty-ninth Legislative Assembly

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Bismarck, February 7, 2005

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

The prayer was offered by Pastor Roger Gilbert, Capitol Heights Baptist Church, Bismarck.

The roll was called and all members were present.

A quorum was declared by the President.

## CORRECTION AND REVISION OF THE JOURNAL

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

Page 286, line 13, after "DO" insert "NOT"

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

## MOTION

**SEN. CHRISTMANN MOVED** that Senate Rule 329-4 be amended to read "twenty-fifth legislative day", thereby extending the deadline for referring bills to the **Appropriations Committee**, which motion prevailed.

## CONSIDERATION OF AMENDMENTS

**SB 2248: SEN. HACKER (Judiciary Committee) MOVED** that the amendments on SJ page 271 be adopted and then be **REREFERRED** to the **Appropriations Committee** with **DO PASS**, which motion prevailed.

## CONSIDERATION OF AMENDMENTS

**SB 2268: SEN. HEITKAMP (Natural Resources Committee) MOVED** that the amendments on SJ pages 272-282 be adopted and then be **REREFERRED** to the **Appropriations Committee** with **DO PASS**, which motion prevailed.

## CONSIDERATION OF AMENDMENTS

**SB 2301: SEN. J. LEE (Human Services Committee) MOVED** that the amendments on SJ pages 282-283 be adopted and then be **REREFERRED** to the **Appropriations Committee** with **DO PASS**, which motion prevailed.

## CONSIDERATION OF AMENDMENTS

**SB 2341: SEN. LYSON (Human Services Committee) MOVED** that the amendments on SJ page 283 be adopted and then be **REREFERRED** to the **Appropriations Committee** with **DO PASS**, which motion prevailed.

## CONSIDERATION OF AMENDMENTS

**SB 2342: SEN. LYSON (Human Services Committee) MOVED** that the amendments on SJ pages 283-284 be adopted and then be **REREFERRED** to the **Appropriations Committee** with **DO PASS**, which motion prevailed.

## CONSIDERATION OF AMENDMENTS

**SB 2373: SEN. TRENBEATH (Judiciary Committee) MOVED** that the amendments on SJ pages 284-285 be adopted and then be **REREFERRED** to the **Appropriations Committee** with **DO PASS**, which motion prevailed.

## CONSIDERATION OF AMENDMENTS

**SB 2032: SEN. ESPEGARD (Industry, Business and Labor Committee) MOVED** that the amendments on SJ pages 267-270 be adopted with **DO PASS**, which motion prevailed.

## MOTION

**SEN. CHRISTMANN MOVED** that Engrossed SB 2032 be rereferred to the **Appropriations Committee**, which motion prevailed. Pursuant to Sen. Christmann's motion, Engrossed SB 2032 was rereferred.

**MOTION**

**SEN. CHRISTMANN MOVED** that SB 2067, which is on the Sixth order, be laid over one legislative day, which motion prevailed.

**CONSIDERATION OF AMENDMENTS**

**SB 2062: SEN. G. LEE (Education Committee) MOVED** that the amendments on SJ page 270 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

**CONSIDERATION OF AMENDMENTS**

**SB 2176: SEN. BERCIER (Finance and Taxation Committee) MOVED** that the amendments on SJ page 271 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

**CONSIDERATION OF AMENDMENTS**

**SB 2250: SEN. KREBSBACH (Industry, Business and Labor Committee) MOVED** that the amendments on SJ pages 271-272 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

**CONSIDERATION OF AMENDMENTS**

**SB 2276: SEN. ESPEGARD (Industry, Business and Labor Committee) MOVED** that the amendments on SJ page 282 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

**CONSIDERATION OF AMENDMENTS**

**SB 2338: SEN. TRAYNOR (Natural Resources Committee) MOVED** that the amendments on SJ page 283 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

**CONSIDERATION OF AMENDMENTS**

**SB 2369: SEN. HEITKAMP (Natural Resources Committee) MOVED** that the amendments on SJ page 283 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

**CONSIDERATION OF AMENDMENTS**

**SB 2376: SEN. FREBORG (Natural Resources Committee) MOVED** that the amendments on SJ page 286 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

**CONSIDERATION OF AMENDMENTS**

**SB 2387: SEN. FAIRFIELD (Industry, Business and Labor Committee) MOVED** that the amendments on SJ pages 286-287 be adopted and then be placed on the Eleventh order with **DO NOT PASS**, which motion prevailed.

**CONSIDERATION OF AMENDMENTS**

**SB 2404: SEN. TAYLOR (Education Committee) MOVED** that the amendments on SJ page 287 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

**CONSIDERATION OF AMENDMENTS**

**SB 2171: SEN. BROWN (Human Services Committee) MOVED** that the amendments on SJ pages 270-271 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

**MOTION**

**SEN. CHRISTMANN MOVED** that the rules be suspended and that after action taken on the Sixth order, SB 2171, SB 2257, SB 2264, and SB 2371 be placed on the Eleventh order, as amended, for immediate second reading and final passage, which motion prevailed.

**SECOND READING OF SENATE BILL**

**SB 2171:** A BILL for an Act to provide for a legislative council study of the licensing of acupuncturists.

**ROLL CALL**

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

**YEAS:** Andrist; Bercier; Bowman; Brown; Christmann; Cook; Dever; Erbele; Espesgard; Every; Fairfield; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lindaas; Lyson; Mathern; Mutch; Nelson;

Nething; O'Connell; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Triplett; Urlacher; Wardner; Warner

**ABSENT AND NOT VOTING:** Lee, J.

Engrossed SB 2171 passed and the title was agreed to.

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#### CONSIDERATION OF AMENDMENTS

**SB 2257: SEN. TRENBEATH (Judiciary Committee) MOVED** that the amendments on SJ page 272 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

#### SECOND READING OF SENATE BILL

**SB 2257:** A BILL for an Act to provide for a legislative council study of the feasibility and desirability of creating a diversion program for people who have written bad checks.

#### ROLL CALL

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

**YEAS:** Andrist; Bercier; Bowman; Brown; Christmann; Cook; Dever; Erbele; Espgaard; Every; Fairfield; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; O'Connell; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Triplett; Urlacher; Wardner; Warner

Engrossed SB 2257 passed and the title was agreed to.

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#### CONSIDERATION OF AMENDMENTS

**SB 2264: SEN. ESPEGARD (Industry, Business and Labor Committee) MOVED** that the amendments on SJ page 272 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

#### SECOND READING OF SENATE BILL

**SB 2264:** A BILL for an Act to provide for a legislative council study of including payments for overtime and bonuses earned by employees for purposes of determining public employees retirement system contributions and benefits.

#### ROLL CALL

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

**YEAS:** Andrist; Bercier; Bowman; Brown; Christmann; Cook; Dever; Erbele; Espgaard; Every; Fairfield; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Mathern; Mutch; Nelson; Nething; O'Connell; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Triplett; Urlacher; Wardner; Warner

**NAYS:** Lyson

Engrossed SB 2264 passed and the title was agreed to.

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#### CONSIDERATION OF AMENDMENTS

**SB 2371: SEN. TAYLOR (Agriculture Committee) MOVED** that the amendments on SJ page 284 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

#### SECOND READING OF SENATE BILL

**SB 2371:** A BILL for an Act to create and enact a new section to chapter 19-18 of the North Dakota Century Code, relating to minimum-risk pesticides.

**ROLL CALL**

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

**YEAS:** Andrist; Bercier; Bowman; Brown; Christmann; Cook; Dever; Erbele; Espegard; Every; Fairfield; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; O'Connell; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Triplett; Urlacher; Wardner; Warner

Engrossed SB 2371 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2054:** A BILL for an Act to create and enact a new subsection to section 57-39.2-04 of the North Dakota Century Code, relating to a sales and use tax exemption for nonprescription drugs and health products; and to provide an effective date.

**ROLL CALL**

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

**YEAS:** Bercier; Every; Fairfield; Heitkamp; Krauter; Krebsbach; Lindaas; Mathern; Nelson; O'Connell; Robinson; Seymour; Tallackson; Taylor; Triplett; Warner

**NAYS:** Andrist; Bowman; Brown; Christmann; Cook; Dever; Erbele; Espegard; Fischer; Flakoll; Freborg; Grindberg; Hacker; Holmberg; Kilzer; Klein; Kringstad; Lee, G.; Lee, J.; Lyson; Mutch; Nething; Schobinger; Stenehjem; Syverson; Thane; Tollefson; Traynor; Trenbeath; Urlacher; Wardner

Engrossed SB 2054 lost.

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**VOTING INTENTION**

**SEN. KREBSBACH REQUESTED** that the journal reflect that she intended to vote NAY on Engrossed SB 2054, which request was granted.

**SECOND READING OF SENATE BILL**

**SB 2055:** 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.

**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 16 YEAS, 31 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Bercier; Every; Fairfield; Heitkamp; Krauter; Lindaas; Mathern; Nelson; O'Connell; Robinson; Schobinger; Seymour; Tallackson; Taylor; Triplett; Warner

**NAYS:** Andrist; Bowman; Brown; Christmann; Cook; Dever; Erbele; Espegard; Fischer; Flakoll; Freborg; Grindberg; Hacker; Holmberg; Kilzer; Klein; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lyson; Mutch; Nething; Stenehjem; Syverson; Thane; Tollefson; Traynor; Trenbeath; Urlacher; Wardner

Engrossed SB 2055 lost.

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**SECOND READING OF SENATE BILL**

**SB 2085:** A BILL for an Act to amend and reenact section 52-02-18 of the North Dakota Century Code, relating to performance audits of job service North Dakota.

**ROLL CALL**

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

**YEAS:** Andrist; Bercier; Bowman; Brown; Christmann; Cook; Dever; Erbele; Espegard; Every; Fairfield; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; O'Connell; Robinson; Schobinger; Seymour; Stenehjøm; Syverson; Tallackson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Triplett; Urlacher; Wardner; Warner

Engrossed SB 2085 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2232:** A BILL for an Act to create and enact section 32-19-06.2 of the North Dakota Century Code, relating to deficiency judgments on agricultural land; to amend and reenact sections 28-23-04, 28-24-02, 32-19-01, 32-19-03, 32-19-04, 32-19-06, 32-19-06.1, 32-19-07, 32-19-08, 32-19-09, 32-19-10, 32-19-11, 32-19-18, 32-19-20, 32-19-21, 32-19-22, 32-19-23, 32-19-24, 32-19-25, 32-19-26, 32-19-28, 32-19-29, 32-19-37, 32-19-38, 32-19-39, 32-19-40, and 32-19-41 and subdivision a of subsection 1 of section 35-03-09 of the North Dakota Century Code, relating to foreclosure of a mortgage; and to repeal sections 32-19-05, 32-19-12, 32-19-13, 32-19-14, 32-19-15, 32-19-16, 32-19-17, 32-19-30, 32-19-31, 32-19-32, 32-19-33, and 32-19-34 and chapter 32-19.1 of the North Dakota Century Code, relating to foreclosure of a mortgage.

**ROLL CALL**

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

**YEAS:** Andrist; Bercier; Bowman; Brown; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; O'Connell; Robinson; Schobinger; Seymour; Stenehjøm; Syverson; Tallackson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Triplett; Urlacher; Wardner; Warner

**NAYS:** Fairfield

Engrossed SB 2232 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2251:** A BILL for an Act to amend and reenact sections 12.1-23-11 and 12.1-23-12 of the North Dakota Century Code, relating to the unauthorized use of personal identifying information, penalties, and prosecution of offenses in multiple counties; jurisdiction in offenses involving conduct outside this state; and to provide a penalty.

**ROLL CALL**

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

**YEAS:** Andrist; Bercier; Bowman; Brown; Christmann; Cook; Dever; Erbele; Espegard; Every; Fairfield; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; O'Connell; Robinson; Schobinger; Seymour; Stenehjøm; Syverson; Tallackson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Triplett; Urlacher; Wardner; Warner

Engrossed SB 2251 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2314:** A BILL for an Act to amend and reenact section 57-40.3-02 of the North Dakota Century Code, relating to the motor vehicle excise tax for antique and collector's motor vehicles; and to provide an effective date.

**ROLL CALL**

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

**YEAS:** Andrist; Bercier; Bowman; Brown; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; O'Connell; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Triplett; Urlacher; Wardner; Warner

**NAYS:** Fairfield

Engrossed SB 2314 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2392:** A BILL for an Act to amend and reenact section 57-40.5-02 of the North Dakota Century Code, relating to the aircraft excise tax rate for vintage aircraft for display at a museum or airshow; and to provide an effective date.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 41 YEAS, 6 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bercier; Bowman; Brown; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heitkamp; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nething; O'Connell; Robinson; Schobinger; Stenehjem; Syverson; Tallackson; Thane; Tollefson; Traynor; Trenbeath; Triplett; Urlacher; Wardner

**NAYS:** Fairfield; Holmberg; Nelson; Seymour; Taylor; Warner

Engrossed SB 2392 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2231:** A BILL for an Act to create and enact a new section to chapter 51-12 of the North Dakota Century Code, relating to product rebates; and to provide a penalty.

**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:** Andrist; Bercier; Bowman; Brown; Christmann; Cook; Dever; Erbele; Espegard; Every; Fairfield; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; O'Connell; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Triplett; Urlacher; Wardner; Warner

SB 2231 passed and the title was agreed to.

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**MOTION**

**SEN. CHRISTMANN MOVED** that SB 2337, which is on the Eleventh order, be rereferred to the **Human Services Committee**, which motion prevailed. Pursuant to Sen. Christmann's motion, SB 2337 was rereferred.

**SECOND READING OF SENATE BILL**

**SB 2236:** A BILL for an Act to amend and reenact subsection 4 of section 4-10.6-01 and section 4-10.6-09 of the North Dakota Century Code, relating to collection of assessments on corn.

**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, 2 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bercier; Bowman; Brown; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Triplett; Urlacher; Wardner; Warner

**NAYS:** Fairfield; O'Connell

SB 2236 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2279:** A BILL for an Act to amend and reenact section 51-05.1-01.1, 60-02-03, 60-02-09, 60-02-09.1, and 60-04-06 of the North Dakota Century Code, relating to a bonding fund for auctioneers and grain warehousemen; to repeal section 60-04-03.3 of the North Dakota Century Code, relating to joinder of a surety; and to provide a continuing appropriation.

**ROLL CALL**

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

**NAYS:** Andrist; Bercier; Bowman; Brown; Christmann; Cook; Dever; Erbele; Espegard; Every; Fairfield; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; O'Connell; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Triplett; Urlacher; Wardner; Warner

SB 2279 lost.

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**SECOND READING OF SENATE BILL**

**SB 2367:** A BILL for an Act to amend and reenact subsection 1 of section 20.1-03-07 of the North Dakota Century Code, relating to nonresident small game hunting licenses.

**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 41 YEAS, 6 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bercier; Bowman; Brown; Christmann; Erbele; Espegard; Every; Fairfield; Flakoll; Freborg; Grindberg; Hacker; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mutch; Nething; O'Connell; Robinson; Schobinger; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Triplett; Urlacher; Wardner; Warner

**NAYS:** Cook; Dever; Fischer; Mathern; Nelson; Seymour

SB 2367 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2379:** 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 separation of bundled telecommunications services to identify services exempt from sales and use taxes; 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:** Andrist; Bercier; Bowman; Brown; Christmann; Cook; Dever; Erbele; Espgaard; Every; Fairfield; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; O'Connell; Robinson; Schobinger; Seymour; Stenehjerm; Syverson; Tallackson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Triplett; Urlacher; Wardner; Warner

SB 2379 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2405:** A BILL for an Act to amend and reenact subsection 3 of section 49-16-01.1 of the North Dakota Century Code, relating to insurance requirements in leases between railroads and grain and potato warehouses.

**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:** Andrist; Bercier; Bowman; Brown; Christmann; Cook; Dever; Erbele; Espgaard; Every; Fairfield; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; O'Connell; Robinson; Schobinger; Seymour; Stenehjerm; Syverson; Tallackson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Triplett; Urlacher; Wardner; Warner

SB 2405 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2106:** A BILL for an Act to amend and reenact subsection 3 of section 52-01-03 of the North Dakota Century Code, relating to exchange of information between job service North Dakota and other state agencies.

**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, 3 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bercier; Bowman; Brown; Christmann; Cook; Dever; Erbele; Espgaard; Every; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; O'Connell; Robinson; Schobinger; Seymour; Stenehjerm; Syverson; Tallackson; Thane; Tollefson; Traynor; Trenbeath; Triplett; Urlacher; Wardner

**NAYS:** Fairfield; Taylor; Warner

SB 2106 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2122:** A BILL for an Act to create and enact chapters 59-09, 59-10, 59-11, 59-12, 59-13, 59-14, 59-15, 59-16, 59-17, 59-18, 59-19, and 59-20 of the North Dakota Century Code, relating to adoption of the uniform trust code and charitable trusts; to amend and reenact section 3-02-05, subsection 24 of section 10-33-21, sections 10-33-105, 23-21.1-03, 30.1-18-03, 30.1-20-13, 38-10-12, and 38-13-01 of the North Dakota Century Code, relating to trusts; to repeal chapters 30.1-33, 30.1-34, 59-01, 59-02, 59-03, 59-04, 59-04.2, and 59-05 of the North Dakota Century Code, relating to trusts; and to provide for retroactive 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 0 YEAS, 46 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**NAYS:** Andrist; Bercier; Bowman; Brown; Christmann; Cook; Dever; Erbele; Espegard; Every; Fairfield; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heitkamp; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; O'Connell; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Triplett; Urlacher; Wardner; Warner

**ABSENT AND NOT VOTING:** Holmberg

SB 2122 lost.

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**SECOND READING OF SENATE CONCURRENT RESOLUTION**

**SCR 4031:** A concurrent resolution directing the Legislative Council to study the feasibility and desirability of adopting the Uniform Trust Code.

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO PASS.

SCR 4031 was declared adopted, and the title was agreed to on a voice vote.

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**SECOND READING OF SENATE BILL**

**SB 2134:** A BILL for an Act to amend and reenact section 49-05-02 of the North Dakota Century Code, relating to unreasonable charges and refunds by a utility company.

**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 10 YEAS, 37 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Bercier; Fairfield; Lindaas; Lyson; Mathern; Nelson; O'Connell; Taylor; Triplett; Warner

**NAYS:** Andrist; Bowman; Brown; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Mutch; Nething; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Thane; Tollefson; Traynor; Trenbeath; Urlacher; Wardner

SB 2134 lost.

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**MOTION**

**SEN. CHRISTMANN MOVED** that the Senate stand in recess until 4:30 p.m., which motion prevailed.

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

**SECOND READING OF SENATE BILL**

**SB 2143:** A BILL for an Act to create and enact a new chapter 41-01 and section 41-01-09 of the North Dakota Century Code, relating to Uniform Commercial Code Article 1 - General Provisions; to amend and reenact subdivision b of subsection 2 of section 9-16-02, subsection 4 of section 9-16-15, subdivision b of subsection 1 of section 41-02-03, subsection 1 of section 41-02-09, subsection 3 of section 41-02.1-03, subsection 4 of section 41-02.1-49, subsection 2 of section 41-02.1-66, subsection 1 of section 41-02.1-67, subsection 2 of section 41-02.1-75, subsection 1 of section 41-02.1-76, subdivisions d and j of subsection 1 of section 41-03-03, subsection 3 of section 41-04-04, subsection 1 of section 41-04.1-05, subsection 1 of section 41-04.1-06, subsection 2 of section 41-04.1-12, subsection 3 of section 41-05-03, subdivision e of subsection 1 of section 41-07-02, section 41-07-06, subdivision k of subsection 1 of section 41-08-02, subdivision ss of subsection 1 of section 41-09-02, and section 47-15.1-02 of the North Dakota Century Code, relating to chapter 41-01

and references to chapter 41-01; and to repeal chapter 41-01 and sections 41-02-15 and 41-02.1-16 of the North Dakota Century Code, relating to Uniform Commercial Code general provisions, contracts, and leases.

#### 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 1 YEA, 45 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Mathern

**NAYS:** Andrist; Bercier; Bowman; Brown; Christmann; Cook; Dever; Erbele; Espegard; Every; Fairfield; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heitkamp; Holmberg; Kilzer; Klein; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mutch; Nelson; Nething; O'Connell; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Triplett; Urlacher; Wardner; Warner

**ABSENT AND NOT VOTING:** Krauter

SB 2143 lost.

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#### SECOND READING OF SENATE CONCURRENT RESOLUTION

**SCR 4032:** A concurrent resolution directing the Legislative Council to study the feasibility and desirability of adopting Revised Article 1 of the Uniform Commercial Code, General Provisions.

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO PASS.

SCR 4032 was declared adopted, and the title was agreed to on a voice vote.

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#### SECOND READING OF SENATE BILL

**SB 2187:** A BILL for an Act to create and enact sections 26.1-27-02.1 and 26.1-27-03.1 of the North Dakota Century Code, relating to the definition of home state and bond requirements for third-party administrators; to amend and reenact section 26.1-27-03 of the North Dakota Century Code, relating to fees for acting as a third-party administrator and the penalties for acting without a third-party administrator license; to repeal section 26.1-27-04 of the North Dakota Century Code, relating to the waiver of third-party registration requirements; and to provide a penalty.

#### 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:** Andrist; Bercier; Bowman; Brown; Christmann; Cook; Dever; Erbele; Espegard; Every; Fairfield; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heitkamp; Holmberg; Kilzer; Klein; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; O'Connell; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Triplett; Urlacher; Wardner; Warner

**ABSENT AND NOT VOTING:** Krauter

SB 2187 passed and the title was agreed to.

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#### SECOND READING OF SENATE BILL

**SB 2229:** A BILL for an Act to establish a renewable energy development commission; to create and enact a new section to chapter 19-10, three new sections to chapter 54-44.4, three new subsections to section 57-38-30.3, and six new sections to chapter 57-38 of the North Dakota Century Code, relating to the ethanol content of gasoline, state purchasing of energy, and corporate and individual income tax credits for renewable energy use; to amend and reenact section 19-10-03.1 of the North Dakota

Century Code, relating to the ethanol content of gasoline; to provide a transfer; to provide a continuing appropriation; 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 16 YEAS, 30 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Bercier; Espégard; Every; Fairfield; Heitkamp; Lindaas; Mathern; Nelson; O'Connell; Robinson; Seymour; Syverson; Tallackson; Taylor; Thane; Warner

**NAYS:** Andrist; Bowman; Brown; Christmann; Cook; Dever; Erbele; Fischer; Flakoll; Freborg; Grindberg; Hacker; Holmberg; Kilzer; Klein; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lyson; Mutch; Nething; Schobinger; Stenehjerm; Tollefson; Traynor; Trenbeath; Triplett; Urlacher; Wardner

**ABSENT AND NOT VOTING:** Krauter

SB 2229 lost.

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#### SECOND READING OF SENATE BILL

**SB 2241:** A BILL for an Act to provide for rights of organization and representation of state employees, collective bargaining negotiations between the state of North Dakota and its employees, a state employment relations board, and public employment relations.

#### 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 15 YEAS, 31 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Bercier; Every; Fairfield; Heitkamp; Lindaas; Mathern; Nelson; O'Connell; Robinson; Seymour; Syverson; Tallackson; Taylor; Triplett; Warner

**NAYS:** Andrist; Bowman; Brown; Christmann; Cook; Dever; Erbele; Espégard; Fischer; Flakoll; Freborg; Grindberg; Hacker; Holmberg; Kilzer; Klein; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lyson; Mutch; Nething; Schobinger; Stenehjerm; Thane; Tollefson; Traynor; Trenbeath; Urlacher; Wardner

**ABSENT AND NOT VOTING:** Krauter

SB 2241 lost.

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#### SECOND READING OF SENATE BILL

**SB 2245:** A BILL for an Act to amend and reenact subsection 3 of section 14-02.4-02, subsection 5 of section 14-02.5-01, subsection 4 of section 34-01-20, sections 34-05-01.1 and 34-05-01.2, subsection 8 of section 34-05-01.3, and sections 34-07-05, 34-14-11, 34-14-12, and 34-14-13 of the North Dakota Century Code, relating to a name change from the department of labor to the department of labor and human rights.

#### 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 36 YEAS, 10 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Bercier; Cook; Dever; Erbele; Espégard; Every; Fairfield; Flakoll; Grindberg; Hacker; Heitkamp; Holmberg; Kilzer; Klein; Krebsbach; Kringstad; Lee, J.; Lindaas; Mathern; Mutch; Nelson; Nething; O'Connell; Robinson; Seymour; Stenehjerm; Syverson; Tallackson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Triplett; Wardner; Warner

**NAYS:** Andrist; Bowman; Brown; Christmann; Fischer; Freborg; Lee, G.; Lyson; Schobinger; Urlacher

**ABSENT AND NOT VOTING:** Krauter

SB 2245 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2272:** A BILL for an Act to amend and reenact subsection 1 of section 57-02-01 of the North Dakota Century Code, relating to the definition of agricultural property for property tax assessment and classification purposes; 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 22 YEAS, 24 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bowman; Christmann; Dever; Erbele; Fairfield; Freborg; Hacker; Heitkamp; Klein; Lindaas; Mathern; Nelson; O'Connell; Robinson; Seymour; Syverson; Tallackson; Taylor; Thane; Trenbeath; Triplett

**NAYS:** Bercier; Brown; Cook; Espegard; Every; Fischer; Flakoll; Grindberg; Holmberg; Kilzer; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lyson; Mutch; Nothing; Schobinger; Stenehjem; Tollefson; Traynor; Urlacher; Wardner; Warner

**ABSENT AND NOT VOTING:** Krauter

SB 2272 lost.

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**SECOND READING OF SENATE BILL**

**SB 2285:** A BILL for an Act to amend and reenact section 23-11-29 of the North Dakota Century Code, relating to payments in lieu of taxes on certain housing authority property; to provide an appropriation; 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 4 YEAS, 42 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Fairfield; Lyson; Thane; Warner

**NAYS:** Andrist; Bercier; Bowman; Brown; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heitkamp; Holmberg; Kilzer; Klein; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Mathern; Mutch; Nelson; Nothing; O'Connell; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Tollefson; Traynor; Trenbeath; Triplett; Urlacher; Wardner

**ABSENT AND NOT VOTING:** Krauter

SB 2285 lost.

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**SECOND READING OF SENATE BILL**

**SB 2329:** A BILL for an Act to create and enact two new sections to chapter 43-02.2 of the North Dakota Century Code, relating to licensure of accredited business accountants; and to amend and reenact subdivision b of subsection 2 of section 10-19.1-50, subdivision a of subsection 1 of section 10-19.1-85, subdivision a of subsection 1 of section 10-32-52, subdivision b of subsection 2 of section 10-32-86, subdivision b of subsection 2 of section 10-33-45, section 43-02.2-02, subsection 5 of section 43-02.2-03, subsections 1 and 3 of section 43-02.2-06, section 43-02.2-08, subdivision c of subsection 1 of section 43-02.2-09, and section 43-02.2-12 of the North Dakota Century Code, relating to accredited business accountants.

**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 9 YEAS, 37 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bowman; Brown; Erbele; Freborg; Hacker; Klein; Lyson; Trenbeath

**NAYS:** Bercier; Christmann; Cook; Dever; Espgaard; Every; Fairfield; Fischer; Flakoll; Grindberg; Heitkamp; Holmberg; Kilzer; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Mathern; Mutch; Nelson; Nething; O'Connell; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Traynor; Triplett; Urlacher; Wardner; Warner

**ABSENT AND NOT VOTING:** Krauter

SB 2329 lost.

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### SECOND READING OF SENATE BILL

**SB 2330:** A BILL for an Act to create and enact a new subsection to section 57-35.3-05 of the North Dakota Century Code, relating to financial institutions tax refundable credits for tax overpayments; 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 25 YEAS, 21 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Bowman; Brown; Christmann; Dever; Erbele; Espgaard; Fairfield; Fischer; Flakoll; Freborg; Grindberg; Hacker; Kilzer; Klein; Kringstad; Lee, G.; Lyson; Mutch; Nething; Schobinger; Tallackson; Thane; Traynor; Triplett; Warner

**NAYS:** Andrist; Bercier; Cook; Every; Heitkamp; Holmberg; Krebsbach; Lee, J.; Lindaas; Mathern; Nelson; O'Connell; Robinson; Seymour; Stenehjem; Syverson; Taylor; Tollefson; Trenbeath; Urlacher; Wardner

**ABSENT AND NOT VOTING:** Krauter

SB 2330 passed and the title was agreed to.

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### MOTION

**SEN. CHRISTMANN MOVED** that SB 2330 be rereferred to the **Appropriations Committee**, which motion prevailed. Pursuant to Sen. Christmann's motion, SB 2330 was rereferred.

### 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 2026, SB 2042, SB 2094, SB 2215, SB 2246, SB 2261, SB 2347, SCR 4019.

### MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)

**MR. PRESIDENT:** The House has passed and your favorable consideration is requested on: HB 1043, HB 1165, HB 1170, HB 1193, HB 1240, HB 1392, HB 1419, HB 1427, HB 1432, HB 1433, HB 1453.

### MOTION

**SEN. CHRISTMANN MOVED** that the Senate be on the Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 12:30 p.m., Tuesday, February 8, 2005, which motion prevailed.

### REPORT OF STANDING COMMITTEE

**SB 2058, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2058 was placed on the Eleventh order on the calendar.

### REPORT OF STANDING COMMITTEE

**SB 2099: Transportation Committee (Sen. Trenbeath, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2099 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "create and enact a new subsection to section 39-06-03.1 and a new"

Page 1, remove lines 2 and 3

Page 1, line 4, remove "license for a nonresident alien; to"

Page 1, line 6, after the first comma insert "and" and remove ", and subsection 4 of section 39-20-05"

Page 1, line 10, after the comma insert "and"

Page 1, line 11, remove ", and admissibility of regularly kept records"

Page 1, remove lines 15 through 23

Page 2, remove lines 1 and 2

Page 6, line 31, after "ordinance" insert ", with the last violation or suspension"

Page 7, line 1, after "concentration" insert "of"

Page 7, remove lines 17 through 30

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2115: Natural Resources Committee (Sen. Lyson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2115 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for a legislative council study of the process to negotiate and quantify reserved water rights.

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

**SECTION 1. LEGISLATIVE COUNCIL STUDY - RESERVED WATER RIGHTS.** The legislative council shall consider studying, during the 2005-06 interim, the process to negotiate and quantify reserved water rights. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixtieth legislative assembly."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2137: Transportation Committee (Sen. Trenbeath, Chairman)** recommends **DO NOT PASS** (5 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2137 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2141: Transportation Committee (Sen. Trenbeath, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2141 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2155: Natural Resources Committee (Sen. Lyson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2155 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new section to chapter 61-01 of the North Dakota Century Code, relating to findings and declaration of policy of the legislative assembly concerning the use of ground water for irrigation.

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

**SECTION 1.** A new section to chapter 61-01 of the North Dakota Century Code is created and enacted as follows:

**Findings and declaration of policy - Use of ground water for irrigation.** The legislative assembly finds that the use of ground water for irrigation purposes is vitally important to the economic future of this state. The reliance on processing plants for the consistent quality resulting from irrigation is an important factor in preserving this state's reputation for quality agricultural production. Therefore, it is declared necessary and in the public interest that the state by and through the state water commission strongly discourages the conversion of agricultural water permits to any other use. Further, the legislative assembly declares that any feasible or reasonable alternative supply of water be made available for municipal or domestic use to enable the continued use of ground water for irrigated agriculture and agricultural processing."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2170: Finance and Taxation Committee (Sen. Urlacher, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2170 was placed on the Sixth order on the calendar.

Page 1, line 20, after "1991" insert ", and before July 1, 2005" and remove the overstrike over "for a"

Page 1, line 21, remove the overstrike over "~~period of ten years from the date the incremental production begins~~" and after the period insert "The incremental production from a tertiary recovery project that has been certified as a qualified project by the industrial commission subsequent to June 30, 2005, is exempt from any taxes imposed under this chapter."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2196: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2196 was placed on the Sixth order on the calendar.

Page 1, line 17, replace the second "the" with "technology" and remove "of collection of these optional contributions"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2205: Transportation Committee (Sen. Trenbeath, Chairman)** recommends **DO PASS** (5 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2205 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2206: Education Committee (Sen. Freborg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2206 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide a statement of legislative intent regarding the allocation of certain funding appropriated to higher education institutions.

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

**SECTION 1. LEGISLATIVE INTENT - HIGHER EDUCATION EQUITY AND PARITY FUNDING.** It is the intent of the legislative assembly that any increase in funding provided from the general fund for higher education institutions is to be allocated on the following priority basis:

1. First, until all institutions are funded at least sixty-five percent of their individual ninety-five percent peer benchmark, any additional funding must be allocated sixty percent to parity to be distributed proportionately to all institutions and forty percent to equity, with the equity funding to be distributed as follows:

- a. First, the funds must be distributed to the institution that is furthest from the sixty-five percent target until that institution reaches the funding level of the next institution that is furthest from the sixty-five percent target.
  - b. Next, the funds must be distributed proportionately to those two institutions until the institutions reach the funding level of the next institution that is furthest from the sixty-five percent target.
  - c. Next, the funds must be distributed proportionately to those three institutions until the institutions reach the funding level of the next institution that is furthest from the sixty-five percent target.
  - d. The funds shall continue to be distributed proportionately to institutions in the same manner until all institutions reach the level of sixty-five percent of their individual ninety-five percent peer benchmark.
2. Second, until all institutions are funded at least seventy-five percent of their individual ninety-five percent peer benchmark, additional funding must be allocated seventy percent to parity to be distributed proportionately to all institutions and thirty percent to equity, with the equity funding to be distributed proportionately to institutions in the same manner as described in subsection 1 until all institutions reach the level of seventy-five percent of their individual ninety-five percent peer benchmark.
  3. Third, after all institutions are funded at a level equal to at least seventy-five percent of their ninety-five percent peer benchmarks, additional funding must be allocated eighty percent to parity to be distributed proportionately to all institutions and twenty percent to equity, to be distributed according to the long-term finance plan adopted by the state board of higher education."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2207: Transportation Committee (Sen. Trenbeath, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2207 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2208: Transportation Committee (Sen. Trenbeath, Chairman)** recommends **DO PASS** (4 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). SB 2208 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2227: Finance and Taxation Committee (Sen. Urlacher, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2227 was placed on the Sixth order on the calendar.

Page 1, line 3, after "jurisdiction" insert "; and to declare an emergency"

Page 13, after line 26, insert:

"**SECTION 9. EMERGENCY.** This Act is declared to be an emergency measure."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2234: Political Subdivisions Committee (Sen. Cook, Chairman)** recommends **DO PASS** (3 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). SB 2234 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2240: Finance and Taxation Committee (Sen. Urlacher, 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 2240 was placed on the Sixth order on the calendar.

Page 3, line 23, after "shall" insert "file a claim for the exemption before February first and"

Page 4, line 2, after the first "the" insert "income tax" and replace "and" with "for only those taxable years for which income is a qualifying factor under this subsection. The authorization must also include permission for the tax commissioner to"

Page 4, line 4, after the underscored period insert "Every claim of exemption under this subsection must be forwarded to the tax commissioner for examination of relevant income tax return information."

(b) The assessor shall forward to the tax commissioner a copy of every claim of exemption and supporting affidavits filed under this subdivision. The tax commissioner shall provide for random review of at least fifty percent of claims of exemption to verify income eligibility. The tax commissioner shall notify the assessor of any claim of exemption for which the tax commissioner finds the claimant is ineligible. If the tax commissioner has not notified the assessor that a claimant is ineligible within thirty days after the tax commissioner has received a copy of the claim of exemption, the claimant is deemed eligible for the exemption."

Page 4, line 5, replace "(b)" with "(c)"

Page 4, line 9, remove the underscored period

Page 4, remove lines 10 through 13

Page 4, line 14, remove "years"

ReNUMBER accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2254: Transportation Committee (Sen. Trenbeath, Chairman)** recommends **DO PASS** (4 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). SB 2254 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2255: Transportation Committee (Sen. Trenbeath, 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 2255 was placed on the Sixth order on the calendar.

Page 1, line 3, replace "section" with "sections 39-04-19, 39-04.2-03, 39-04.2-04, and" and after "to" insert "registration fees, funding for public transportation, and"

Page 1, line 4, after the semicolon insert "to repeal section 7 of chapter 12 of the 2003 Session Laws, relating to registration fee allocation;"

Page 1, after line 5, insert:

**"SECTION 1. AMENDMENT.** Section 39-04-19 of the North Dakota Century Code is amended and reenacted as follows:

**39-04-19. Motor vehicle registration fees and mile tax.** Motor vehicles required to pay registration fees or a mile tax shall pay the following fees:

1. Nonresidents electing to pay mile tax in lieu of registration, when authorized to do so by the department, shall pay a fee of twenty dollars for a trip permit which is valid for a period of seventy-two hours. All fees collected under the provisions of this subsection must be credited to the highway construction fund.
2. Motor vehicles required to be registered in this state must be furnished license plates upon the payment of the following annual fees; however, if a motor vehicle, including a motorcycle or trailer, first becomes subject to registration other than at the beginning of the registration period, such fees

must be prorated on a monthly basis. The minimum fee charged hereunder must be five dollars:

a. Passenger motor vehicles:

Gross Weights	YEARS REGISTERED				
	1st, 2nd, 3rd, 4th, 5th, and 6th Years	7th, 8th, and 9th Years	10th, 11th, and 12th Years	13th and Subsequent Years	
Less than 3,200	<del>\$60</del> <u>\$67.50</u>	<del>\$52</del> <u>\$59.50</u>	<del>\$44</del> <u>\$51.50</u>	<del>\$36</del> <u>\$43.50</u>	
3,200 - 4,499	<del>80</del> <u>87.50</u>	<del>68</del> <u>75.50</u>	<del>56</del> <u>63.50</u>	<del>44</del> <u>51.50</u>	
4,500 - 4,999	<del>98</del> <u>105.50</u>	<del>84</del> <u>88.50</u>	<del>66</del> <u>73.50</u>	<del>50</del> <u>57.50</u>	
5,000 - 5,999	<del>129</del> <u>136.50</u>	<del>107</del> <u>114.50</u>	<del>85</del> <u>92.50</u>	<del>63</del> <u>70.50</u>	
6,000 - 6,999	<del>162</del> <u>169.50</u>	<del>133</del> <u>140.50</u>	<del>104</del> <u>111.50</u>	<del>76</del> <u>83.50</u>	
7,000 - 7,999	<del>195</del> <u>202.50</u>	<del>159</del> <u>166.50</u>	<del>124</del> <u>131.50</u>	<del>89</del> <u>96.50</u>	
8,000 - 8,999	<del>228</del> <u>235.50</u>	<del>186</del> <u>193.50</u>	<del>144</del> <u>151.50</u>	<del>102</del> <u>109.50</u>	
9,000 and over	<del>264</del> <u>268.50</u>	<del>212</del> <u>219.50</u>	<del>164</del> <u>171.50</u>	<del>115</del> <u>122.50</u>	

A house car is subject to registration at the rates prescribed for other vehicles under this subdivision modified by using the weight applicable to a vehicle whose weight is forty percent of that of the house car, but not using a weight of less than four thousand pounds [1814.35 kilograms].

b. Schoolbuses, buses for hire, buses owned and operated by religious, charitable, or nonprofit organizations and used exclusively for religious, charitable, or other public nonprofit purposes, and trucks or combination trucks and trailers, including commercial and noncommercial trucks, except those trucks or combinations of trucks and trailers which qualify for registration under subsection 5:

Gross Weights	YEARS REGISTERED				
	1st Through 6th Years	7th Through 9th Years	10th Through 12th Years	13th Through 19th Years	20th and Subsequent Years
Not over 4,000	<del>\$58</del> <u>\$65.50</u>	<del>\$45</del> <u>\$52.50</u>	<del>\$40</del> <u>\$47.50</u>	<del>\$37</del> <u>\$44.50</u>	<del>\$36</del> <u>\$43.50</u>
4,001 - 6,000	<del>63</del> <u>70.50</u>	<del>50</del> <u>57.50</u>	<del>44</del> <u>51.50</u>	<del>38</del> <u>45.50</u>	<del>37</del> <u>44.50</u>
6,001 - 8,000	<del>68</del> <u>75.50</u>	<del>55</del> <u>62.50</u>	<del>48</del> <u>55.50</u>	<del>39</del> <u>46.50</u>	<del>38</del> <u>45.50</u>
8,001 - 10,000	<del>73</del> <u>80.50</u>	<del>60</del> <u>67.50</u>	<del>52</del> <u>59.50</u>	<del>44</del> <u>48.50</u>	<del>40</del> <u>47.50</u>
10,001 - 12,000	<del>78</del> <u>85.50</u>	<del>65</del> <u>72.50</u>	<del>56</del> <u>63.50</u>	<del>43</del> <u>50.50</u>	<del>42</del> <u>49.50</u>
12,001 - 14,000	<del>83</del> <u>90.50</u>	<del>70</del> <u>77.50</u>	<del>60</del> <u>67.50</u>	<del>46</del> <u>53.50</u>	<del>45</del> <u>52.50</u>
14,001 - 16,000	<del>88</del> <u>95.50</u>	<del>75</del> <u>82.50</u>	<del>64</del> <u>71.50</u>	<del>49</del> <u>56.50</u>	<del>48</del> <u>55.50</u>
16,001 - 18,000	<del>93</del> <u>100.50</u>	<del>80</del> <u>87.50</u>	<del>68</del> <u>75.50</u>	<del>54</del> <u>58.50</u>	<del>50</del> <u>57.50</u>
18,001 - 20,000	<del>96</del> <u>103.50</u>	<del>83</del> <u>90.50</u>	<del>70</del> <u>77.50</u>	<del>52</del> <u>59.50</u>	<del>54</del> <u>58.50</u>

Gross Weights	YEARS REGISTERED		
	1st, 2nd, 3rd, 4th, 5th, 6th, and 7th Years	8th, 9th, 10th, 11th, and 12th Years	13th and Subsequent Years
20,001 - 22,000	<del>\$126</del> <u>\$133.50</u>	<del>\$100</del> <u>\$107.50</u>	<del>\$87</del> <u>\$94.50</u>
22,001 - 26,000	<del>178</del> <u>185.50</u>	<del>148</del> <u>155.50</u>	<del>132</del> <u>139.50</u>
26,001 - 30,000	<del>239</del> <u>246.50</u>	<del>197</del> <u>204.50</u>	<del>175</del> <u>182.50</u>
30,001 - 34,000	<del>305</del> <u>312.50</u>	<del>250</del> <u>257.50</u>	<del>222</del> <u>229.50</u>
34,001 - 38,000	<del>366</del> <u>373.50</u>	<del>299</del> <u>306.50</u>	<del>265</del> <u>272.50</u>
38,001 - 42,000	<del>427</del> <u>434.50</u>	<del>348</del> <u>355.50</u>	<del>307</del> <u>314.50</u>
42,001 - 46,000	<del>488</del> <u>495.50</u>	<del>396</del> <u>403.50</u>	<del>350</del> <u>357.50</u>
46,001 - 50,000	<del>549</del> <u>556.50</u>	<del>445</del> <u>452.50</u>	<del>393</del> <u>400.50</u>
50,001 - 54,000	<del>610</del> <u>617.50</u>	<del>493</del> <u>500.50</u>	<del>436</del> <u>443.50</u>
54,001 - 58,000	<del>670</del> <u>677.50</u>	<del>542</del> <u>549.50</u>	<del>479</del> <u>486.50</u>
58,001 - 62,000	<del>731</del> <u>738.50</u>	<del>591</del> <u>598.50</u>	<del>522</del> <u>529.50</u>
62,001 - 66,000	<del>791</del> <u>798.50</u>	<del>640</del> <u>647.50</u>	<del>565</del> <u>572.50</u>
66,001 - 70,000	<del>852</del> <u>859.50</u>	<del>689</del> <u>696.50</u>	<del>608</del> <u>615.50</u>
70,001 - 74,000	<del>912</del> <u>919.50</u>	<del>738</del> <u>745.50</u>	<del>651</del> <u>658.50</u>
74,001 - 78,000	<del>973</del> <u>980.50</u>	<del>787</del> <u>794.50</u>	<del>694</del> <u>701.50</u>
78,001 - 82,000	<del>1,033</del> <u>1,040.50</u>	<del>836</del> <u>843.50</u>	<del>737</del> <u>744.50</u>
82,001 - 86,000	<del>1,094</del> <u>1,101.50</u>	<del>885</del> <u>892.50</u>	<del>780</del> <u>787.50</u>
86,001 - 90,000	<del>1,154</del> <u>1,161.50</u>	<del>934</del> <u>941.50</u>	<del>823</del> <u>830.50</u>
90,001 - 94,000	<del>1,215</del> <u>1,222.50</u>	<del>983</del> <u>990.50</u>	<del>866</del> <u>873.50</u>
94,001 - 98,000	<del>1,275</del> <u>1,282.50</u>	<del>1,032</del> <u>1,039.50</u>	<del>909</del> <u>916.50</u>

98,001 - 102,000	<del>4,657</del> 1,664.50	<del>4,368</del> 1,375.50	<del>4,180</del> 1,187.50
102,001 - 105,500	<del>4,779</del> 1,786.50	<del>4,473</del> 1,480.50	<del>4,267</del> 1,274.50

c. Motorcycles, fifteen dollars.

3. Motor vehicles acquired by disabled veterans under the provisions of Public Law 79-663 [38 U.S.C. 3901] are exempt from the payment of state sales or use tax and, if paid, such veterans are entitled to a refund. This exemption also applies to any passenger motor vehicle or pickup truck not exceeding ten thousand pounds [4535.92 kilograms] gross weight but shall apply to no more than two such motor vehicles owned by a disabled veteran at any one time.
4. Every trailer, semitrailer, and farm trailer required to be registered under this chapter must be furnished registration plates upon the payment of a twenty dollar annual fee. Every trailer, semitrailer, or farm trailer not required to be registered under this chapter must be furnished an identification plate upon the payment of a fee of five dollars. Upon the request of a person with a trailer or farm trailer to whom a registration or identification plate is provided under this subsection, the department shall provide a plate of the same size as provided for a motorcycle. The department shall provide notification of this option to the person before the replacement or issuance of the plate.
5. Trucks or combinations of trucks and trailers weighing more than twenty thousand but not more than one hundred five thousand five hundred pounds [more than 9071.84 but not more than 47854.00 kilograms] which are used as farm vehicles only, are entitled to registration under the following fee schedule and the provisions of this subsection. Farm vehicles are considered, for the purpose of this subsection, as trucks or combinations of trucks and trailers weighing more than twenty thousand but not more than one hundred five thousand five hundred pounds [more than 9071.84 but not more than 47854.00 kilograms] owned, or leased for at least one year by a bona fide resident farmer who uses the vehicles exclusively for transporting the farmer's own property or other property on a farm work exchange basis with other farmers between farms and the usual local trading places but not in connection with any commercial retail or wholesale business being conducted from those farms, nor otherwise for hire. In addition to the penalty provided in section 39-04-41, any person violating this subsection shall license for the entire license period the farm vehicle at the higher commercial vehicle rate in accordance with the weight carried by the farm vehicle at the time of the violation.

Gross Weights	YEARS REGISTERED				
	1st, 2nd, 3rd, 4th, 5th, and 6th Years	7th and 8th Years	9th and 10th Years	11th and Subsequent Years	
20,001 - 22,000	<del>\$98</del> \$105.50	<del>\$84</del> \$91.50	<del>\$70</del> \$77.50	<del>\$52</del> \$59.50	
22,001 - 24,000	<del>403</del> 110.50	<del>88</del> 95.50	<del>73</del> 80.50	<del>54</del> 61.50	
24,001 - 26,000	<del>444</del> 118.52	<del>94</del> 101.50	<del>77</del> 84.50	<del>56</del> 63.50	
26,001 - 28,000	<del>422</del> 129.50	<del>402</del> 109.50	<del>83</del> 90.50	<del>60</del> 67.50	
28,001 - 30,000	<del>434</del> 138.50	<del>410</del> 117.50	<del>89</del> 96.50	<del>64</del> 71.50	
30,001 - 32,000	<del>446</del> 153.50	<del>423</del> 130.50	<del>400</del> 107.50	<del>73</del> 80.50	
32,001 - 34,000	<del>456</del> 163.50	<del>434</del> 138.50	<del>406</del> 113.50	<del>77</del> 84.50	
34,001 - 36,000	<del>466</del> 173.50	<del>439</del> 146.50	<del>412</del> 119.50	<del>84</del> 88.50	
36,001 - 38,000	<del>476</del> 183.50	<del>447</del> 154.50	<del>418</del> 125.50	<del>85</del> 92.50	
38,001 - 40,000	<del>486</del> 193.50	<del>455</del> 163.50	<del>424</del> 131.50	<del>89</del> 96.50	
40,001 - 42,000	<del>496</del> 203.50	<del>463</del> 170.50	<del>430</del> 137.50	<del>93</del> 100.50	
42,001 - 44,000	<del>206</del> 213.50	<del>474</del> 178.50	<del>436</del> 143.50	<del>97</del> 104.50	
44,001 - 46,000	<del>216</del> 223.50	<del>479</del> 186.50	<del>442</del> 149.50	<del>104</del> 108.50	
46,001 - 48,000	<del>226</del> 233.50	<del>487</del> 194.50	<del>448</del> 155.50	<del>105</del> 112.50	
48,001 - 50,000	<del>236</del> 243.50	<del>495</del> 202.50	<del>454</del> 161.50	<del>109</del> 116.50	
50,001 - 52,000	<del>256</del> 263.50	<del>213</del> 220.50	<del>470</del> 177.50	<del>123</del> 130.50	
52,001 - 54,000	<del>266</del> 273.50	<del>224</del> 228.50	<del>476</del> 183.50	<del>127</del> 134.50	
54,001 - 56,000	<del>276</del> 283.50	<del>229</del> 236.50	<del>482</del> 189.50	<del>134</del> 138.50	
56,001 - 58,000	<del>286</del> 293.50	<del>237</del> 244.50	<del>488</del> 195.50	<del>136</del> 142.50	
58,001 - 60,000	<del>296</del> 303.50	<del>245</del> 252.50	<del>494</del> 201.50	<del>139</del> 146.50	
60,001 - 62,000	<del>306</del> 313.50	<del>253</del> 260.50	<del>200</del> 207.50	<del>143</del> 150.50	
62,001 - 64,000	<del>316</del> 323.50	<del>264</del> 268.50	<del>206</del> 213.50	<del>147</del> 154.50	
64,001 - 66,000	<del>326</del> 333.50	<del>269</del> 276.50	<del>212</del> 219.50	<del>154</del> 158.50	

66,001 - 68,000	<del>336</del> 343.50	<del>277</del> 284.50	<del>248</del> 225.50	<del>155</del> 162.50
68,001 - 70,000	<del>346</del> 353.50	<del>285</del> 292.50	<del>224</del> 231.50	<del>159</del> 166.50
70,001 - 72,000	<del>356</del> 363.50	<del>293</del> 300.50	<del>230</del> 237.50	<del>163</del> 170.50
72,001 - 74,000	<del>366</del> 373.50	<del>304</del> 308.50	<del>236</del> 243.50	<del>167</del> 174.50
74,001 - 76,000	<del>376</del> 383.50	<del>309</del> 316.50	<del>242</del> 249.50	<del>171</del> 178.50
76,001 - 78,000	<del>386</del> 393.50	<del>317</del> 324.50	<del>248</del> 255.50	<del>175</del> 182.50
78,001 - 80,000	<del>396</del> 403.50	<del>325</del> 332.50	<del>254</del> 261.50	<del>179</del> 186.50
80,001 - 82,000	<del>406</del> 413.50	<del>333</del> 340.50	<del>260</del> 267.50	<del>183</del> 190.50
82,001 - 84,000	<del>416</del> 423.50	<del>355</del> 362.50	<del>303</del> 310.50	<del>259</del> 266.50
84,001 - 86,000	<del>436</del> 443.50	<del>372</del> 379.50	<del>317</del> 324.50	<del>271</del> 278.50
86,001 - 88,000	<del>456</del> 463.50	<del>389</del> 396.50	<del>331</del> 338.50	<del>283</del> 290.50
88,001 - 90,000	<del>476</del> 483.50	<del>406</del> 413.50	<del>345</del> 352.50	<del>295</del> 302.50
90,001 - 92,000	<del>496</del> 503.50	<del>423</del> 430.50	<del>359</del> 366.50	<del>307</del> 314.50
92,001 - 94,000	<del>516</del> 523.50	<del>440</del> 447.50	<del>373</del> 380.50	<del>319</del> 326.50
94,001 - 96,000	<del>536</del> 543.50	<del>457</del> 464.50	<del>387</del> 394.50	<del>331</del> 338.50
96,001 - 98,000	<del>556</del> 563.50	<del>474</del> 481.50	<del>401</del> 408.50	<del>343</del> 350.50
98,001 - 100,000	<del>576</del> 583.50	<del>491</del> 498.50	<del>415</del> 422.50	<del>355</del> 362.50
100,001 - 102,000	<del>596</del> 603.50	<del>508</del> 515.50	<del>429</del> 436.50	<del>367</del> 374.50
102,001 - 104,000	<del>616</del> 623.50	<del>525</del> 532.50	<del>443</del> 450.50	<del>379</del> 386.50
104,001 - 105,500	<del>636</del> 643.50	<del>542</del> 549.50	<del>457</del> 464.50	<del>391</del> 398.50

6. A motor vehicle registered in subsection 5 may be used for custom combining operations by displaying identification issued by the department and upon payment of a fee of twenty-five dollars.

**SECTION 2. AMENDMENT.** Section 39-04.2-03 of the North Dakota Century Code is amended and reenacted as follows:

**39-04.2-03. Additional registration fee - Deposit in fund.** At the time of registering a motor vehicle subject to registration under section 39-04-19, the owner shall pay to the director in addition to the registration fee a fee of ~~two~~three dollars for each motor vehicle registered. The fee must be deposited with the state treasurer, who shall credit the fee to the public transportation fund.

**SECTION 3. AMENDMENT.** Section 39-04.2-04 of the North Dakota Century Code is amended and reenacted as follows:

**39-04.2-04. Distribution of funds.**

1. Moneys appropriated by the legislative assembly to the public transportation fund must be disbursed under guidelines issued by the director. The funds must be used by transportation providers to establish and maintain public transportation, especially for the elderly and handicapped, and may be used to contract to provide public transportation, as matching funds to procure money from other sources for public transportation and for other expenditures authorized by the director.
2. Following authorization of the director, the state treasurer shall pay the public transportation funds to transportation providers in each county. Each county shall receive ~~twelve~~twelve ~~eighteen~~eighteen thousand ~~two~~two ~~three~~three hundred dollars plus one dollar and fifty cents per capita of population in the county, based upon the latest regular or special official federal census. Each year the director shall increase or decrease the one dollar and fifty cents per capita amount in order to distribute all funds appropriated for the biennium. If there are multiple transportation providers in one county, then the base amount of ~~twelve~~twelve ~~eighteen~~eighteen thousand ~~two~~two ~~three~~three hundred dollars must be divided equally among the providers and the additional per capita amount must be based upon the percentage of elderly and handicapped ridership provided by each transportation provider within the county.
3. Unless otherwise provided by law, any moneys remaining in the fund at the end of each biennium must be retained in the public transportation fund for redistribution."

Page 1, after line 20, insert:

**"SECTION 6. REPEAL.** Section 7 of chapter 12 of the 2003 Session Laws is repealed."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2273: Judiciary Committee (Sen. Traynor, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2273 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2274: Transportation Committee (Sen. Trenbeath, 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 2274 was placed on the Sixth order on the calendar.

Page 1, line 3, replace the first comma with "and" and remove "39-12-05,"

Page 1, line 16, remove the overstrike over "d.—A violation of subsection", after "2" insert "1", and remove the overstrike over "~~of section 39-12-02, a fee of one hundred dollars.~~"

Page 1, after line 16, insert:

"e. A violation of subdivision d of subsection 1 of section 39-12-04, a fee of one hundred dollars."

Page 3, remove lines 21 through 31

Page 4, remove lines 1 through 14

Page 4, line 23, remove "as shown by the"

Page 4, line 24, remove "manufacturer on the tire sidewall"

Page 6, line 17, remove "as shown by the manufacturer on the tire sidewall"

Page 6, line 22, remove "as shown by the manufacturer on the tire sidewall"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2312: Human Services Committee (Sen. J. Lee, Chairman)** recommends **DO NOT PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2312 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2313: Judiciary Committee (Sen. Traynor, Chairman)** recommends **DO NOT PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2313 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2331: Transportation Committee (Sen. Trenbeath, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2331 was placed on the Sixth order on the calendar.

Page 1, line 2, after "portable" insert "telecommunications"

Page 1, line 11, remove "wireless" and after "device" insert "to access commercial mobile service"

Page 1, line 12, replace "if that device is portable for the device's intended use and" with "which"

Page 1, line 24, replace "that" with "to access commercial mobile service which"

Page 3, line 26, after "device" insert "to access commercial mobile service"

Page 4, line 3, after "a" insert "portable telecommunications" and replace "that is portable for the device's intended use and" with "to access commercial mobile service"

Page 4, line 4, remove "while in the vehicle"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2333: Education Committee (Sen. Freborg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2333 was placed on the Sixth order on the calendar.

Page 1, line 3, replace "section" with "sections" and after "15.2-12-26" insert "and 15.1-31-07"

Page 1, line 4, after "districts" insert "and attendance in schools in bordering states"

Page 1, line 16, replace "one year" with "eighteen months"

Page 2, line 18, replace "one-sixth" with "one-fourth"

Page 2, line 26, replace "one-fifth" with "one-half"

Page 3, line 4, replace "one-fourth" with "three-fourths"

Page 3, line 10, remove "may"

Page 3, remove lines 11 through 28

Page 3, line 29, remove "through grade twelve"

Page 5, after line 4, insert:

**"SECTION 5. AMENDMENT.** Section 15.1-31-07 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-31-07. Students not subject to this chapter.** If a student, as a result of a school district dissolution or reorganization, resides in a district other than the one the student chooses to attend at the time of the dissolution or reorganization, the student is not subject to this chapter and may attend school in the chosen school district, including a school district in a bordering state. Notwithstanding section 15.1-28-03, the superintendent of public instruction shall forward payments from the state tuition fund made on behalf of the student to the student's chosen school district, unless the chosen school district is in a bordering state. The student may not be considered a student in average daily membership in the student's school district of residence for purposes of section 15.1-31-02."

Re-number accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2339: Transportation Committee (Sen. Trenbeath, 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 2339 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "subsection 4 of section 39-21-18 and"

Page 1, line 2, remove "strobe lights on schoolbuses and"

Page 1, remove lines 5 through 19

Re-number accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2368: Transportation Committee (Sen. Trenbeath, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2368 was placed on the Sixth order on the calendar.

Page 1, line 16, replace "at least the cost of" with "the nonprofit organization has collected and submitted to the director applications and" and after "for" insert "at least"

Page 1, line 17, remove "is prepaid by that nonprofit organization"

Page 1, line 22, remove "verification"

Page 1, line 23, remove the first "of" and replace "an annual" with "a"

Page 2, line 1, remove "if paid to the director"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2384: Judiciary Committee (Sen. Traynor, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2384 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2397: Political Subdivisions Committee (Sen. Cook, Chairman)** recommends **DO NOT PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2397 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2409: 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 2409 was rereferred to the **Appropriations Committee**.

#### REPORT OF STANDING COMMITTEE

**SB 2410: Human Services Committee (Sen. J. Lee, Chairman)** recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2410 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SCR 4017: Agriculture Committee (Sen. Flakoll, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4017 was placed on the Sixth order on the calendar.

Page 1, line 6, after the fourth comma insert "the Dominican Republic,"

Page 1, line 13, after "Valley" insert "and western North Dakota"

Page 2, line 2, after the second comma insert "each member of the Montana Congressional Delegation, any member of the Minnesota Congressional Delegation who serves constituents along the border between North Dakota and Minnesota,"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SCR 4020: Agriculture Committee (Sen. Flakoll, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4020 was placed on the Sixth order on the calendar.

Page 1, line 25, after "evaluated" insert ", and to open the border with Canada at such time as the opening of our export markets"

Renumber accordingly

#### FIRST READING OF HOUSE BILLS

**HB 1086:** A BILL for an Act to amend and reenact section 62.1-02-04 of the North Dakota Century Code, relating to a private security officer's possession of a firearm in a retail liquor establishment or gaming site.

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

**HB 1163:** A BILL for an Act to create and enact a new subsection to section 6-01-17.1 of the North Dakota Century Code, relating to a fee for an application to merge by two or more credit unions; to amend and reenact subdivision g of subsection 1 of section 6-01-04.3 and sections 6-06-05, 6-06-06.1, 6-06-08, 6-06-12, 6-06-13, 6-06-13.1, 6-06-14, 6-06-19, 6-06-20, 6-06-21, 6-06-26, and 6-08-15 of the North Dakota Century Code, relating to the use of the phrases credit union and corporate central credit union, the issuance of certificates of deposit, reports by credit unions, interest rate determinations, credit union board membership, credit union organization, credit union volunteers, credit union credit committee meetings, credit union loan and borrowing limitations, credit union committee loans, credit union reserve funds, credit union dividends, and slander against financial institutions; and to repeal sections 6-06-21.1 and 6-06-39 of the North Dakota Century Code, relating to credit union reserve funds and share scaledowns.

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

**HB 1164:** A BILL for an Act to amend and reenact sections 6-03-13.3, 6-03-38, and 6-03-59 of the North Dakota Century Code, relating to approval of banking facilities, investment by banks, and loan limitation to one borrower or concern.

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

**HB 1166:** A BILL for an Act to create and enact a new chapter to title 38 of the North Dakota Century Code, relating to the interstate mining compact.

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

**HB 1167:** A BILL for an Act to amend and reenact section 60-02-11, subsection 6 of section 60-02-16, sections 60-02-17, 60-02-24, 60-02-30, 60-02-31, and 60-02-32, and subsection 4 of section 60-02-40 of the North Dakota Century Code, relating to the conversion of warehouse scale tickets, termination of warehouse storage contracts, and filing of monthly reports; and to repeal section 60-02-37 of the North Dakota Century Code, relating to notification to the public service commission of the destruction of a warehouse.

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

**HB 1168:** A BILL for an Act to amend and reenact section 6-01-07.1 of the North Dakota Century Code, relating to confidentiality of department of financial institutions records.

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

**HB 1175:** A BILL for an Act to amend and reenact sections 11-13-12, 11-18-02, and 40-63-05, subsection 4 of section 57-02-01, subsection 3 of section 57-02-08.3, and sections 57-06-19, 57-12-09, 57-14-08, and 57-55-01 of the North Dakota Century Code, relating to liens noted in auditor's certificates on deeds and other instruments for the transfer of property, recording of certain instruments related to the transfer of property affected by liens, the status of property tax exemptions within renaissance zones, the definition of centrally assessed property, duties of recorders regarding property upon which liens have been created under the homestead credit for special exemptions, references to true and full value for ad valorem assessments, duties of special assessors to notify real estate owners when reassessing land and improved property, and the definition of utility services as applied to the taxation of mobile homes; to repeal sections 57-06-17 and 57-45-03 of the North Dakota Century Code, relating to the allocation of the assessment of operative property constituting a single and continuous property and the furnishing of lists of lands added to or taken from tax rolls; and to provide an effective date.

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

**HB 1176:** A BILL for an Act to amend and reenact section 10-04-02, subsection 1 of section 10-04-03, sections 10-04-05 and 10-04-06, subsections 2 and 3 of section 10-04-07.1, sections 10-04-08 and 10-04-08.3, subsection 2 of section 10-04-08.4, sections 10-04-09 and 10-04-10, subsections 1 and 2 of section 10-04-10.3, sections 10-04-11, 10-04-12, 10-04-15, and 10-04-16, subsection 1 of section 10-04-16.1, section 10-04-17, and subsections 1 and 2 of section 10-04-18 of the North Dakota Century Code, relating to definitions under the securities laws, securities exemptions and exempt transactions, registration and sale of securities, and registration of broker-dealers, agents, investment advisers, and investment adviser representatives; and to repeal section 10-04-07 of the North Dakota Century Code, relating to securities registration by description.

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

**HB 1178:** A BILL for an Act to amend and reenact sections 26.1-26.6-01, 26.1-26.6-02, 26.1-26.6-03, 26.1-26.6-04, 26.1-26.6-05, 26.1-26.6-06, 26.1-26.6-07, 26.1-26.6-08, and 26.1-26.6-09 of the North Dakota Century Code, relating to bail bond agents.

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

**HB 1180:** A BILL for an Act to amend and reenact section 36-21.1-09 of the North Dakota Century Code, relating to the raffling of livestock.

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

**HB 1182:** A BILL for an Act to amend and reenact subsection 2 of section 57-15-28.1 of the North Dakota Century Code, relating to use of political subdivision levies for insurance reserve funds for political subdivision workforce safety and insurance premiums; and to provide an effective date.

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

**HB 1186:** A BILL for an Act to amend and reenact section 37-17.1-10 of the North Dakota Century Code, relating to violation of a local burning ban; and to provide a penalty.



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

**HB 1188:** A BILL for an Act to create and enact a new subsection to section 28-01-18 of the North Dakota Century Code, relating to a two-year statute of limitations for an action resulting from a breach of duty with respect to a real estate transaction.

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

**HB 1192:** A BILL for an Act to create and enact a new section to chapter 12-63 of the North Dakota Century Code, relating to part-time peace officer authority, licensing, standards, and training; and to amend and reenact section 12-63-01 of the North Dakota Century Code, relating to the definition of peace officer.

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

**HB 1195:** A BILL for an Act to create and enact a new section to chapter 52-04 and sections 52-04-08.1 and 52-04-08.2 of the North Dakota Century Code, relating to definitions, employer restructuring activities, and transfers of unemployment insurance tax account reserve history; to amend and reenact section 52-04-08 of the North Dakota Century Code, relating to transfer of unemployment insurance employer experience history to successor entities and the transfer of workforce to other entities; and to provide a penalty.

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

**HB 1196:** A BILL for an Act to create and enact a new section to chapter 39-29 of the North Dakota Century Code, relating to all-terrain vehicles registered as motorcycles; to amend and reenact sections 39-29-09 and 39-29-12 of the North Dakota Century Code, relating to the operation of all-terrain vehicles; and to provide a penalty.

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

**HB 1197:** A BILL for an Act to amend and reenact section 11-23-05 of the North Dakota Century Code, relating to the deadline for county budget preparation.

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

**HB 1198:** A BILL for an Act to provide for a legislative council study of reemployment processes and costs and an appropriate method for providing a limitation on the total average number of job-attached unemployment insurance claimants.

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

**HB 1199:** A BILL for an Act to amend and reenact section 65-02-03.1 of the North Dakota Century Code, relating to appointment of the workforce safety and insurance board of directors; and to provide for application.

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

**HB 1201:** A BILL for an Act to create and enact section 28-32-31.1 of the North Dakota Century Code, relating to the right of an occupational or professional licensee to demand resolution of a complaint, grievance, or request for disciplinary action filed with the licensing authority.

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

**HB 1202:** A BILL for an Act to amend and reenact subsection 15 of section 52-06-02 of the North Dakota Century Code, relating to when individuals are disqualified for unemployment compensation benefits.

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

**HB 1205:** A BILL for an Act to amend and reenact section 62.1-04-03 of the North Dakota Century Code, relating to concealed weapon permit testing.

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

**HB 1209:** A BILL for an Act to amend and reenact subsection 15 of section 57-02-08 of the North Dakota Century Code, relating to nonfarm income limitations for the farm residence property tax exemption; and to provide an effective date.

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

**HB 1211:** A BILL for an Act to amend and reenact section 12.1-23-11 of the North Dakota Century Code, relating to unauthorized use of personal identifying information of a deceased individual; and to provide a penalty.

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

**HB 1212:** A BILL for an Act to amend and reenact section 43-41-11 of the North Dakota Century Code, relating to groundless complaints made to the board of social work examiners.

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

**HB 1214:** 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 conditions of probation for sexual offenders.  
Was read the first time and referred to the **Judiciary Committee**.

**HB 1218:** A BILL for an Act to amend and reenact section 24-02-07.3 of the North Dakota Century Code, relating to the hiring of prequalified consultants by the department of transportation.  
Was read the first time and referred to the **Government and Veterans Affairs Committee**.

**HB 1219:** A BILL for an Act to amend and reenact sections 51-28-02 and 57-40.6-07 of the North Dakota Century Code, relating to the use of unpublished names and telephone numbers for automated emergency notifications.  
Was read the first time and referred to the **Judiciary Committee**.

**HB 1221:** A BILL for an Act to amend and reenact sections 40-40-06 and 40-40-09 of the North Dakota Century Code, relating to the final city budget deadline.  
Was read the first time and referred to the **Political Subdivisions Committee**.

**HB 1228:** A BILL for an Act to amend and reenact section 15.1-07-12 of the North Dakota Century Code, relating to the disbursement of moneys by a school district business manager.  
Was read the first time and referred to the **Education Committee**.

**HB 1229:** A BILL for an Act to create and enact a new subsection to section 39-01-15 of the North Dakota Century Code, relating to mobility-impaired parking permits; and to declare an emergency.  
Was read the first time and referred to the **Transportation Committee**.

**HB 1230:** A BILL for an Act to amend and reenact section 15.1-22-01 of the North Dakota Century Code, relating to the provision of kindergarten programs.  
Was read the first time and referred to the **Education Committee**.

**HB 1232:** A BILL for an Act to create and enact a new section to chapter 15.1-09 of the North Dakota Century Code, relating to stipends for student teachers.  
Was read the first time and referred to the **Education Committee**.

**HB 1233:** A BILL for an Act to amend and reenact section 15.1-09-33 of the North Dakota Century Code, relating to school board membership dues.  
Was read the first time and referred to the **Education Committee**.

**HB 1236:** A BILL for an Act to amend and reenact section 15.1-09-31 of the North Dakota Century Code, relating to the publication of school board proceedings.  
Was read the first time and referred to the **Education Committee**.

**HB 1237:** A BILL for an Act to amend and reenact section 15.1-32-14 of the North Dakota Century Code, relating to the forwarding of special education per student payments.  
Was read the first time and referred to the **Education Committee**.

**HB 1241:** A BILL for an Act to provide for limited liability for a food producer, processor, manufacturer, packer, distributor, carrier, holder, seller, marketer, trade association, or advertiser for a claim of injury resulting from weight gain, obesity, or any health condition related to weight gain.  
Was read the first time and referred to the **Judiciary Committee**.

**HB 1245:** A BILL for an Act to amend and reenact sections 39-12-01 and 39-12-03 and subsection 2 of section 39-12-05.3 of the North Dakota Century Code, relating to weight limitations.  
Was read the first time and referred to the **Transportation Committee**.

**HB 1247:** A BILL for an Act to amend and reenact sections 4-10.3-03 and 4-10.3-04 of the North Dakota Century Code, relating to the dry bean council and dry bean districts; and to provide for application.  
Was read the first time and referred to the **Agriculture Committee**.

**HB 1251:** A BILL for an Act to amend and reenact section 28-26-01 of the North Dakota Century Code, relating to attorney's fees in frivolous cases.  
Was read the first time and referred to the **Judiciary Committee**.

**HB 1253:** A BILL for an Act to create and enact a new subdivision to subsection 1 of section 45-22-21.1 of the North Dakota Century Code, relating to the registration of limited liability partnerships; and to amend and reenact subsection 3 of section 45-22-03 of the North Dakota Century Code, relating to the registration of limited liability partnerships.

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

**HB 1258:** A BILL for an Act to create and enact two new sections to chapter 43-20 of the North Dakota Century Code, relating to a scope of practice and continuing education requirements for dental assistants; and to amend and reenact subsection 2 of section 43-20-05, sections 43-20-06, 43-20-12, and 43-20-12.1, subsection 3 of section 43-28-01, subsection 2 of section 43-28-02, subsection 3 of section 43-28-06, subsection 2 of section 43-28-10, sections 43-28-12.2, 43-28-17, and 43-28-18, subsection 2 of section 43-28-22, and subsection 9 of section 43-28-25 of the North Dakota Century Code, relating to the regulation of dentists, dental hygienists, and dental assistants.

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

**HB 1262:** A BILL for an Act to amend and reenact section 12.1-17-01 of the North Dakota Century Code, relating to simple assault.

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

**HB 1263:** A BILL for an Act to amend and reenact section 57-15-17.1 of the North Dakota Century Code, relating to school district property tax levies for mercury and other hazardous substance abatement or removal; to provide for a transfer; and to provide an effective date.

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

**HB 1264:** A BILL for an Act to amend and reenact section 4-05.1-16 of the North Dakota Century Code, relating to the state board of agricultural research and education.

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

**HB 1265:** A BILL for an Act to amend and reenact sections 15.1-20-02, 15.1-23-13, 15.1-23-14, and 15.1-23-15 of the North Dakota Century Code, relating to home education of students with developmental disabilities.

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

**HB 1266:** A BILL for an Act to create and enact a new subsection to section 54-52.6-02 of the North Dakota Century Code, relating to returning to employment after retirement under the public employees retirement system defined contribution retirement plan; and to amend and reenact subsection 1 of section 54-52-05 of the North Dakota Century Code, relating to returning to employment after retirement under the public employees retirement system defined benefit retirement plan.

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

**HB 1274:** A BILL for an Act to amend and reenact section 61-24.3-07 of the North Dakota Century Code, relating to southwest pipeline water delivery rates and charges for large industrial users; and to declare an emergency.

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

**HB 1283:** A BILL for an Act to amend and reenact subsection 5 of section 49-22-03 of the North Dakota Century Code, relating to siting of energy conversion facilities; and to declare an emergency.

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

**HB 1284:** A BILL for an Act to create and enact a new section to chapter 51-12 of the North Dakota Century Code, relating to the deceptive use of a musical performer's name.

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

**HB 1286:** A BILL for an Act to create and enact a new subsection to section 44-04-18.10 and a new subsection to section 44-04-19.2 of the North Dakota Century Code, relating to the release of confidential records disclosed to another entity and the sequestering of competitors in a competitive selection or hiring process; and to amend and reenact subsection 2 of section 28-32-33, subsection 6 of section 39-08-13, subsection 8 of section 44-04-17.1, section 44-04-18, subsection 2 of section 44-04-18.1, sections 44-04-18.4, 44-04-18.12, and 44-04-19.1, subsections 5 and 6 of section 44-04-20, and section 44-04-21.1 of the North Dakota Century Code, relating to discovery in adjudicative proceedings, providing copies of records, fees for copies, release of bidding records, litigation and investigatory records, meeting notices, and violations.

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

**HB 1287:** A BILL for an Act to create and enact a new section to chapter 19-03.1 of the North Dakota Century Code, relating to ingesting a controlled substance; and to provide a penalty.

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

**HB 1288:** A BILL for an Act to create and enact a new section to chapter 29-32.1 of the North Dakota Century Code, relating to the performance of DNA testing under the Uniform Post-Conviction Procedure Act.

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

**HB 1289:** A BILL for an Act to amend and reenact section 25-03.3-03, subsection 4 of section 25-03.3-03.1, and sections 25-03.3-05, 25-03.3-11, and 25-03.3-13 of the North Dakota Century Code, relating to making evidence presented at a commitment hearing, preliminary hearing, or commitment proceeding of a sexually dangerous individual open, notice to the attorney general, and the release of medically identifiable health information.

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

**HB 1290:** A BILL for an Act to create and enact a new section to chapter 19-03.1 of the North Dakota Century Code, relating to bail bonds.

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

**HB 1293:** A BILL for an Act to create and enact a new section to chapter 12.1-29 of the North Dakota Century Code, relating to hiring an individual to engage in sexual activity; and to provide a penalty.

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

**HB 1299:** A BILL for an Act to amend and reenact section 39-09-02 of the North Dakota Century Code, relating to speed limitations.

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

**HB 1300:** A BILL for an Act to amend and reenact section 54-10-14 of the North Dakota Century Code, relating to exemptions from audit requirements for certain political subdivisions.

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

**HB 1305:** A BILL for an Act to amend and reenact paragraph 2 of subdivision b of subsection 2 of section 51-25-02 of the North Dakota Century Code, relating to release of escrow funds deposited by tobacco product manufacturers; and to provide a savings clause.

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

**HB 1313:** A BILL for an Act to amend and reenact sections 12.1-20-03, 12.1-20-03.1, and 12.1-32-06.1 of the North Dakota Century Code, relating to sentencing of sexual offenders; and to provide a penalty.

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

**HB 1324:** A BILL for an Act to create and enact a new section to chapter 49-05 of the North Dakota Century Code, relating to advance determination of prudence for a public utility's proposed new construction, lease, or improvement of an energy conversion facility, renewable energy facility, transmission facility, or proposed energy purchase contract.

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

**HB 1325:** A BILL for an Act to amend and reenact section 5-01-16 of the North Dakota Century Code, relating to interstate sales of wine.

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

**HB 1326:** A BILL for an Act to create and enact a new section to chapter 36-01 of the North Dakota Century Code, relating to the possession of live venomous reptiles; and to provide a penalty.

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

**HB 1327:** A BILL for an Act to create and enact a new subsection to section 39-29-09 of the North Dakota Century Code, relating to the operation of all-terrain vehicles; and to declare an emergency.

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

**HB 1336:** A BILL for an Act to amend and reenact section 65-04-15 and subsection 4 of section 65-04-33 of the North Dakota Century Code, relating to reporting of employer and employee zip codes for commerce purposes; and to repeal section 54-60-08 of the North Dakota Century Code, relating to publishing of employer and employee zip codes.

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

**HB 1337:** A BILL for an Act to amend and reenact subsection 2 of section 28-32-10 of the North Dakota Century Code, relating to notice of administrative agency rulemaking to members of the legislative assembly who were sponsors of legislation to be implemented by the rules; and to provide an effective date.

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

**HB 1346:** A BILL for an Act to amend and reenact section 19-03.4-08 of the North Dakota Century Code, relating to retail sale of a methamphetamine precursor drug; and to provide a penalty.

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

**HB 1348:** A BILL for an Act to amend and reenact sections 14-07.1-01, 14-07.1-10, and 14-07.1-12 of the North Dakota Century Code, relating to domestic violence arrest procedures and reports.

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

**HB 1355:** A BILL for an Act to amend and reenact sections 37-15-07, 37-15-08, 37-15-14.1, 37-15-16, 37-15-17, 37-15-18, 37-15-19, 37-15-21, and 37-18.1-04 of the North Dakota Century Code, relating to the title of the administrator of the veterans' home.

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

**HB 1357:** A BILL for an Act to amend and reenact subsection 4 of section 39-12-02 of the North Dakota Century Code, relating to longer combination vehicle permits.

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

**HB 1358:** A BILL for an Act to amend and reenact section 15.1-15-12 of the North Dakota Century Code, relating to the applicability of teacher and administrator contracts; and to repeal section 15.1-15-03 of the North Dakota Century Code, relating to the employment of teachers and administrators after January first.

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

**HB 1387:** A BILL for an Act to amend and reenact section 15-10-37 of the North Dakota Century Code, relating to the technology occupations student loan repayments.

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

**HB 1412:** A BILL for an Act to amend and reenact subsection 1 of section 39-29-01 and subsection 10 of section 39-29-09 of the North Dakota Century Code, relating to passengers on all-terrain vehicles; and to declare an emergency.

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

**HB 1413:** A BILL for an Act to amend and reenact sections 5-01-08 and 5-02-06 of the North Dakota Century Code, relating to an underage person in a licensed alcohol establishment.

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

**HB 1418:** A BILL for an Act to amend and reenact section 12.1-29-03 of the North Dakota Century Code, relating to prostitution; and to provide a penalty.

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

**HB 1429:** A BILL for an Act to amend and reenact sections 15.1-09-08, 16.1-09-02, and 40-21-07 of the North Dakota Century Code, relating to the filing of statement of interests by candidates.

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

**HB 1430:** A BILL for an Act to amend and reenact subdivisions d and e of subsection 2 of section 16.1-07-15 of the North Dakota Century Code, relating to early voting.

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

**HB 1431:** A BILL for an Act to amend and reenact sections 16.1-04-03 and 16.1-05-01 and subdivision a of subsection 1 of section 16.1-05-02 of the North Dakota Century Code, relating to precincts, polling places, and election officers.

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

**HB 1434:** A BILL for an Act to create and enact a new section to chapter 15.1-02 of the North Dakota Century Code, relating to amendment of the state accountability plan under the No Child Left Behind Act.

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

**HB 1452:** A BILL for an Act to amend and reenact section 16.1-02-02, subsection 1 of section 16.1-02-03, and sections 16.1-02-07, 16.1-02-10, 16.1-02-12, and 16.1-02-13 of the North Dakota Century Code, relating to the central voter file; and to repeal section 16.1-02-08 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**.

**HB 1491:** A BILL for an Act to create and enact a new section to chapter 65-05.1 of the North Dakota Century Code, relating to the establishment of a workforce safety and insurance educational revolving loan fund; and to provide a continuing appropriation.

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

**HB 1504:** A BILL for an Act to amend and reenact subsection 27 of section 65-01-02 of the North Dakota Century Code, relating to workers' compensation coverage of marriage counseling.

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

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

**William R. Horton, Secretary**