

## JOURNAL OF THE SENATE

## Sixtieth Legislative Assembly

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Bismarck, February 2, 2007

The Senate convened at 12:15 p.m., with President Dalrymple presiding.

The prayer was offered by Pastor Tim Jenks, Bethel Lutheran, Bismarck.

The roll was called and all members were present except Senators Andrist, Robinson, and Tollefson.

A quorum was declared by the President.

**CONSIDERATION OF AMENDMENTS**

**SB 2179: SEN. WANZEK (Agriculture Committee) MOVED** that the amendments on SJ page 270 be adopted and then be **REREFERRED** to the **Appropriations Committee** with **DO PASS**, which motion prevailed.

**CONSIDERATION OF AMENDMENTS**

**SB 2186: SEN. J. LEE (Human Services 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 2276: SEN. HECKAMAN (Human Services Committee) MOVED** that the amendments on SJ pages 271-272 be adopted and then be **REREFERRED** to the **Appropriations Committee** with **DO PASS**, which motion prevailed.

**CONSIDERATION OF AMENDMENTS**

**SB 2326: SEN. DEVER (Human Services Committee) MOVED** that the amendments on SJ page 272 be adopted and then be **REREFERRED** to the **Appropriations Committee** with **DO PASS**, which motion prevailed.

**CONSIDERATION OF AMENDMENTS**

**SB 2347: SEN. FLAKOLL (Education Committee) MOVED** that the amendments on SJ pages 273-274 be adopted and then be **REREFERRED** to the **Appropriations Committee** with **DO PASS**, which motion prevailed.

**CONSIDERATION OF AMENDMENTS**

**SB 2379: SEN. ERBELE (Human Services Committee) MOVED** that the amendments on SJ pages 274-275 be adopted and then be **REREFERRED** to the **Appropriations Committee** with **DO PASS**, which motion prevailed.

**CONSIDERATION OF AMENDMENTS**

**SB 2384: SEN. J. LEE (Human Services Committee) MOVED** that the amendments on SJ page 275 be adopted and then be **REREFERRED** to the **Appropriations Committee** with **DO PASS**, which motion prevailed.

**CONSIDERATION OF AMENDMENTS**

**SB 2132, as engrossed: SEN. ERBELE (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.

**CONSIDERATION OF AMENDMENTS**

**SB 2143: SEN. COOK (Political Subdivisions Committee) MOVED** that the amendments on SJ page 271 be adopted and then be placed on the Eleventh order with **DO NOT PASS**, which motion prevailed.

**CONSIDERATION OF AMENDMENTS**

**SB 2320: SEN. NETHING (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.

**CONSIDERATION OF AMENDMENTS**

**SB 2154: SEN. HEITKAMP (Industry, Business and Labor 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 2410: SEN. DEVER (Human Services Committee) MOVED** that the amendments on SJ page 275 be adopted and then be placed on the Eleventh order with **DO NOT PASS**, which motion prevailed.

**MOTION**

**SEN. CHRISTMANN MOVED** that SB 2413 be returned to the Senate floor from the **Political Subdivisions Committee** and be rereferred to the **Appropriations Committee**, which motion prevailed. Pursuant to Sen. Christmann's motion, SB 2413 was rereferred.

**MOTION**

**SEN. CHRISTMANN MOVED** that after action taken on the Sixth order, SB 2252 and SB 2344 be placed on the Eleventh order, as amended, for immediate second reading and final passage, which motion prevailed.

**CONSIDERATION OF AMENDMENTS**

**SB 2252: SEN. WARNER (Human Services 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.

**SECOND READING OF SENATE BILL**

**SB 2252:** A BILL for an Act to create and enact section 26.1-36-09.12 of the North Dakota Century Code, relating to health insurance coverage for suicide-related medical services.

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

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

**ABSENT AND NOT VOTING:** Andrist; Robinson; Tollefson

Engrossed SB 2252 passed and the title was agreed to.

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**CONSIDERATION OF AMENDMENTS**

**SB 2344: SEN. G. LEE (Education Committee) MOVED** that the amendments on SJ page 273 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

**SECOND READING OF SENATE BILL**

**SB 2344:** A BILL for an Act to amend and reenact sections 15-10-17.4 and 15.1-35-08 of the North Dakota Century Code, relating to the provision of catering services by institutions of higher education and school districts.

**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 40 YEAS, 4 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

**NAYS:** Mathern; Nelson; Potter; Seymour

**ABSENT AND NOT VOTING:** Andrist; Robinson; Tollefson

Engrossed SB 2344 passed and the title was agreed to.

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#### SECOND READING OF SENATE BILL

**SB 2027:** A BILL for an Act to create and enact a new chapter to title 43 of the North Dakota Century Code, relating to the registration of practitioners of acupuncture; and to provide for a penalty.

#### 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, 28 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Behm; Erbele; Freborg; Grindberg; Hacker; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Mathern; O'Connell; Potter; Tallackson; Triplett; Warner

**NAYS:** Anderson; Bakke; Bowman; Christmann; Cook; Dever; Fiebiger; Fischer; Flakoll; Heckaman; Horne; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Nelson; Nething; Oehlke; Olafson; Pomeroy; Seymour; Stenehjerm; Taylor; Urlacher; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Andrist; Robinson; Tollefson

SB 2027 lost.

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#### SECOND READING OF SENATE BILL

**SB 2010:** A BILL for an Act to provide an appropriation for defraying the expenses of the insurance commissioner; to provide an appropriation to the legislative council; to provide for fund transfers; to provide for making payments of insurance premiums tax collections to fire departments; and to amend and reenact section 26.1-01-09 of the North Dakota Century Code, relating to the commissioner's salary.

#### 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 44 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Andrist; Robinson; Tollefson

Engrossed SB 2010 passed and the title was agreed to.

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#### SECOND READING OF SENATE BILL

**SB 2150:** A BILL for an Act to create and enact a new section to chapter 53-06.1 of the North Dakota Century Code, relating to net proceeds and gaming taxes.

#### 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, 44 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Andrist; Robinson; Tollefson

SB 2150 lost.

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### SECOND READING OF SENATE BILL

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

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

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

**ABSENT AND NOT VOTING:** Andrist; Robinson; Tollefson

SB 2192 passed and the title was agreed to.

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### SECOND READING OF SENATE BILL

**SB 2266:** A BILL for an Act to create and enact sections 51-15-02.1 and 51-15-02.2 of the North Dakota Century Code, relating to an obligation to advertise upon endorsement of a check and to solicitations of payments due; to provide an effective date; and to declare an emergency.

### 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 44 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Andrist; Robinson; Tollefson

Engrossed SB 2266 passed, the title was agreed to, and the emergency clause was declared carried.

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### SECOND READING OF SENATE BILL

**SB 2279:** A BILL for an Act to create and enact a new section to chapter 15.1-27 of the North Dakota Century Code, relating to the reimbursement of school districts for special education; to amend and reenact sections 15.1-27-32, 15.1-31-04, 15.1-32-14, 15.1-32-15, and 15.1-32-19 of the North Dakota Century Code, relating to special education payments to school districts; and to repeal sections 15.1-27-10 and 15.1-32-18 of the North Dakota Century Code, relating to per student special education payments and liability for special education costs.

### 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 20 YEAS, 24 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Bakke; Behm; Fiebiger; Heckaman; Heitkamp; Horne; Krauter; Lindaas; Marcellais; Mathern; Nelson; O'Connell; Pomeroy; Potter; Seymour; Tallackson; Taylor; Triplett; Warner

**NAYS:** Bowman; Christmann; Cook; Dever; Erbele; Fischer; Flakoll; Freborg; Grindberg; Hacker; Holmberg; Kilzer; Klein; Krebsbach; Lee, G.; Lee, J.; Lyson; Nething; Oehlke; Olafson; Stenehjem; Urlacher; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Andrist; Robinson; Tollefson

SB 2279 lost.

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#### SECOND READING OF SENATE BILL

**SB 2291:** 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 individual and corporate income tax credit for a portion of property taxes, rent, and mobile home taxes paid by the taxpayer; 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 17 YEAS, 27 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Bakke; Behm; Fiebiger; Heckaman; Heitkamp; Horne; Lindaas; Marcellais; Mathern; Nelson; O'Connell; Pomeroy; Potter; Seymour; Tallackson; Taylor

**NAYS:** Bowman; Christmann; Cook; Dever; Erbele; Fischer; Flakoll; Freborg; Grindberg; Hacker; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lyson; Nething; Oehlke; Olafson; Stenehjem; Triplett; Urlacher; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Andrist; Robinson; Tollefson

SB 2291 lost.

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#### SECOND READING OF SENATE BILL

**SB 2301:** A BILL for an Act to provide for the regulation of scrap metal purchases by scrap metal dealers; 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 NOT PASS, the roll was called and there were 9 YEAS, 35 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Dever; Fischer; Kilzer; Klein; Lee, G.; Lee, J.; Lyson; Nelson; Tallackson

**NAYS:** Anderson; Bakke; Behm; Bowman; Christmann; Cook; Erbele; Fiebiger; Flakoll; Freborg; Grindberg; Hacker; Heckaman; Heitkamp; Holmberg; Horne; Krauter; Krebsbach; Lindaas; Marcellais; Mathern; Nething; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Seymour; Stenehjem; Taylor; Triplett; Urlacher; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Andrist; Robinson; Tollefson

Engrossed SB 2301 lost.

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#### SECOND READING OF SENATE BILL

**SB 2312:** A BILL for an Act to amend and reenact section 50-06-26 of the North Dakota Century Code, relating to the alternatives-to-abortion services program; to provide for reports to the legislative council; and to provide an appropriation.

#### 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 43 YEAS, 1 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Bakke; Behm; Bowman; Christmann; Cook; Dever; Erbele; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heckaman; Heitkamp; Holmberg; Horne; Kilzer; Klein;

Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Seymour; Stenehjem; Tallackson; Taylor; Triplett; Urlacher; Wanzek; Wardner; Warner

**NAYS:** Fiebiger

**ABSENT AND NOT VOTING:** Andrist; Robinson; Tollefson

SB 2312 passed and the title was agreed to.

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#### **SECOND READING OF SENATE BILL**

**SB 2316:** A BILL for an Act to create and enact a new subsection to section 39-12-17 of the North Dakota Century Code, relating to overweight vehicle penalties.

#### **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, 27 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Christmann; Dever; Erbele; Fischer; Freborg; Grindberg; Hacker; Klein; Krauter; Lyson; Marcellais; O'Connell; Tallackson; Taylor; Wanzek; Warner

**NAYS:** Anderson; Bakke; Behm; Cook; Fiebiger; Flakoll; Heckaman; Heitkamp; Holmberg; Horne; Kilzer; Krebsbach; Lee, G.; Lee, J.; Lindaas; Mathern; Nelson; Nething; Oehlke; Olafson; Pomeroy; Potter; Seymour; Stenehjem; Triplett; Urlacher; Wardner

**ABSENT AND NOT VOTING:** Andrist; Bowman; Robinson; Tollefson

SB 2316 lost.

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#### **SECOND READING OF SENATE BILL**

**SB 2325:** A BILL for an Act to amend and reenact section 57-38-29 and subsection 1 of section 57-38-30.3 of the North Dakota Century Code, relating to income tax rates for individuals, estates, and trusts; 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 2 YEAS, 41 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Grindberg; Hacker

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

**ABSENT AND NOT VOTING:** Andrist; Bowman; Robinson; Tollefson

SB 2325 lost.

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#### **SECOND READING OF SENATE BILL**

**SB 2393:** A BILL for an Act to provide a student loan reduction for certain residents.

#### **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 19 YEAS, 24 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Bakke; Behm; Fiebiger; Heckaman; Heitkamp; Horne; Krauter; Lindaas; Marcellais; Mathern; Nelson; O'Connell; Pomeroy; Potter; Seymour; Tallackson; Taylor; Warner

**NAYS:** Christmann; Cook; Dever; Erbele; Fischer; Flakoll; Freborg; Grindberg; Hacker; Holmberg; Kilzer; Klein; Krebsbach; Lee, G.; Lee, J.; Lyson; Nething; Oehlke; Olafson; Stenehjem; Triplett; Urlacher; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Andrist; Bowman; Robinson; Tollefson

SB 2393 lost.

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#### MOTION

**SEN. CHRISTMANN MOVED** that SB 2412, which is on the Eleventh order, be laid over one legislative day, which motion prevailed.

#### SECOND READING OF SENATE BILL

**SB 2416:** A BILL for an Act to amend and reenact subdivision b of subsection 2 of section 57-62-02 of the North Dakota Century Code, relating to coal development fund allocations between coal-producing and non-coal-producing counties; and to provide an 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 12 YEAS, 31 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Christmann; Erbele; Fischer; Freborg; Hacker; Holmberg; Klein; Krebsbach; Lyson; Tallackson; Urlacher; Wardner

**NAYS:** Anderson; Bakke; Behm; Cook; Dever; Fiebiger; Flakoll; Grindberg; Heckaman; Heitkamp; Horne; Kilzer; Krauter; Lee, G.; Lee, J.; Lindaas; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Seymour; Stenehjem; Taylor; Triplett; Wanzek; Warner

**ABSENT AND NOT VOTING:** Andrist; Bowman; Robinson; Tollefson

SB 2416 lost.

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#### 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 2022, SB 2104, SB 2165, SB 2295, SB 2318, SB 2411.

#### MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)

**MR. PRESIDENT:** The House has passed and your favorable consideration is requested on: HB 1179, HB 1229, HB 1256, HB 1265.

#### MOTION

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

#### MOTION

**SEN. CHRISTMANN MOVED** that the Senate be on the Fourth, Fifth, and Thirteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 1:00 p.m., Monday, February 5, 2007, which motion prevailed.

#### REPORT OF STANDING COMMITTEE

**SB 2032: 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** (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2032 was placed on the Sixth order on the calendar.

Page 1, line 4, remove the second "and" and after "57-15-31" insert ", 57-20-07.1, and 57-32-03"

Page 1, line 5, after "limitations" insert "and contents of property tax statements"

Page 1, line 10, replace "\$74,054,859" with "\$100,177,634"

Page 1, line 14, replace "\$35,897,132" with "\$48,771,743"

Page 1, line 15, replace "\$38,157,727" with "\$51,405,891"

Page 1, line 24, replace "2005" with "2006"

Page 2, line 9, replace "2005" with "2006"

Page 2, line 14, replace "adjusted combined education levy in" with "total amount available for allocation for the budget year"

Page 2, line 15, remove "dollars for each school district"

Page 2, line 18, remove "The school district property tax relief allocation for each school district must"

Page 2, remove lines 19 through 24

Page 2, line 25, remove "b."

Page 2, line 26, remove "after applying the"

Page 2, line 27, remove "adjustment factor under subdivision a"

Page 2, line 30, replace "c." with "b."

Page 8, line 8, after "eighteen" insert "five", remove the overstrike over "percent", and remove "two percentage points more than the percentage increase in"

Page 8, remove line 9

Page 8, line 10, remove "States department of labor, bureau of labor statistics, for the most recent full calendar year."

Page 9, line 10, after "eighteen" insert "five", remove the overstrike over "percent", and remove "of two"

Page 9, remove lines 11 through 13

Page 9, line 14, remove "year" and after "permitted" insert "without voter approval"

Page 10, after line 24, insert:

**"SECTION 7. AMENDMENT.** Section 57-20-07.1 of the North Dakota Century Code is amended and reenacted as follows:

**57-20-07.1. County treasurer to mail real estate tax statement.** On or before December twenty-sixth of each year, the county treasurer shall mail a real estate tax statement to the owner of each parcel of real property at the owner's last-known address. The statement must be provided in a manner that allows the taxpayer to retain a printed record of the obligation for payment of taxes and special assessments as provided in the statement. If a parcel of real property is owned by more than one individual, the county treasurer shall send only one statement to one of the owners of that property. Additional copies of the tax statement will be sent to the other owners upon their request and the furnishing of their names and addresses to the county treasurer. ~~Such tax statements~~ The tax statement must include a dollar valuation of the true and full value as defined by law of the property and the total mill levy applicable. The tax statement must include the statement "State-paid school district property tax relief" and the dollar amount of the property tax reduction for the parcel under section 57-01-20. Failure of an owner to receive a statement will not relieve that owner of liability, nor extend the discount privilege past the February fifteenth deadline.

**SECTION 8. AMENDMENT.** Section 57-32-03 of the North Dakota Century Code is amended and reenacted as follows:

**57-32-03. Tax statements prepared by state tax commissioner - When due and delinquent.** On or before the thirty-first day of March in each year, the tax commissioner shall provide each company assessed under the provisions of this chapter a statement of its taxes due for the preceding year, with the valuations and taxes assessed in each case. The tax statement must include the statement "State-paid school district property tax relief" and the dollar amount of the property tax reduction under section 57-01-20 which applies against the taxes due for the preceding



year. Such taxes are due upon the fifteenth day of April next following the date of the statement of taxes due. The taxes become delinquent on the first day of May next following the due date and, if not paid on or before said date, are subject to a penalty of two percent and, on June first following delinquency, an additional penalty of two percent and, on July first following delinquency, an additional penalty of two percent and, an additional penalty of two percent on October fifteenth following delinquency. From and after January first of the year following the year in which the taxes became due and payable, simple interest at the rate of twelve percent per annum upon the principal of the unpaid taxes must be charged until such taxes and penalties are paid, with such interest charges to be prorated to the nearest full month for a fractional year of delinquency. All the provisions of the law respecting delinquency of personal property assessments generally so far as may be consistent with the provisions of this chapter are applicable equally to the assessments and taxes provided for in this chapter."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

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

Page 1, line 9, after "board" insert ", not to exceed one hundred dollars per day,"

Page 1, line 21, remove ", rules adopted under this chapter,", overstrike the first "or", and overstrike "the state plumbing code, or"

Page 1, line 22, overstrike "who fails to do any act required by said code,"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2169: Political Subdivisions Committee (Sen. Cook, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2169 was placed on the Sixth order on the calendar.

Page 1, line 16, replace "an" with "a billed detail"

Page 8, line 16, replace "twenty-four hours" with "two business days"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2191: Government and Veterans Affairs Committee (Sen. Dever, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (5 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2191 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 amend and reenact section 37-28-03 of the North Dakota Century Code, relating to the payment of military adjustment compensation.

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

**SECTION 1. AMENDMENT.** Section 37-28-03 of the North Dakota Century Code is amended and reenacted as follows:

**37-28-03. Payment of adjusted compensation for domestic and foreign service.** Each national guard or reserve component resident veteran mobilized stateside is entitled to fifty dollars for each month or major fraction thereof for domestic service, not to exceed nine hundred dollars. Each active component veteran who is a resident of North Dakota, and who was a resident of North Dakota at the time of initial enlistment into the armed forces, is entitled to fifty dollars for each month or major fraction of a month for stateside service since September 11, 2001, not to exceed nine hundred dollars. Each national guard, reserve, or active component resident veteran of foreign service who received the expeditionary medal or campaign badge is entitled to one hundred dollars for each month or major fraction thereof, not to exceed one

thousand eight hundred dollars. Combined totals for stateside and foreign service may not exceed one thousand eight hundred dollars. If the veteran received a purple heart for foreign service, the veteran is entitled to a payment of two thousand five hundred dollars in lieu of monthly payments for adjusted compensation. If the veteran is deceased, the veteran's beneficiary is entitled to any payments under this chapter to which the veteran would have been entitled. Applications for adjusted compensation may be filed with the adjutant general through June 30, ~~2007~~ 2009, or in the case of a soldier mobilized on June 30, ~~2007~~ 2009, not later than six months after the end of the mobilization period of service."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2194: Political Subdivisions Committee (Sen. Cook, Chairman)** recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2194 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2200: Education Committee (Sen. Freborg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (3 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2200 was placed on the Sixth order on the calendar.

Page 1, line 11, after the fifth comma insert "and" and remove ", 15.1-27-36,"

Page 1, line 12, remove "15.1-27-37, and 15.1-27-38"

Page 1, line 14, after the first comma insert "and" and remove ", and teacher compensation payments"

Page 1, line 16, after "increases" insert "; to provide for future determinations of average daily membership"

Page 5, line 24, replace "0.067" with "0.063"

Page 14, line 19, after "5." insert "In determining the amount to which a school district is entitled under this section, the superintendent of public instruction may not include any payments received by the district as a result of Public Law No. 81-874 [64 Stat. 1100; 20 U.S.C. 236 et seq.] and may not include in the district's average daily membership students who are dependents of members of the armed forces and students who are dependents of civilian employees of the department of defense."

6."

Page 14, line 23, replace "seventy-five" with "fifty"

Page 15, line 18, overstrike "twenty-mile [32.2-kilometer]" and insert immediately thereafter "fifteen-mile [24.1-kilometer]"

Page 20, line 20, replace "fifty-five" with "fifty"

Page 20, line 23, replace "fifty-five" with "fifty"

Page 20, line 29, replace "sixty" with "fifty-five"

Page 21, line 2, replace "sixty" with "fifty-five"

Page 30, line 29, remove "A" and overstrike "student whose application is"

Page 30, overstrike line 30

Page 31, line 1, remove "3."

Page 31, line 8, remove ". The"

Page 31, line 9, remove "superintendent of public instruction shall reimburse the student's school district of residence" and overstrike "a"

Page 31, line 10, overstrike "maximum each school year of", remove "four", and overstrike "and one-half times the state average per student"

Page 31, line 11, overstrike "elementary or high school cost, depending on the student's enrollment level"

Page 31, line 14, after "~~purpose~~" insert ". The superintendent of public instruction shall reimburse the student's school district of residence for all excess costs, as defined in section 15.1-32-18"

Page 35, line 27, replace "'Excess" with "For the 2007-09 biennium, 'excess'" and replace "four" with "three"

Page 35, line 29, after the underscored period insert "For the 2009-11 biennium, 'excess costs' are those that exceed three times the state average cost of education per student and which are incurred by the special education students identified in subsection 1. Beginning with the 2011-13 biennium, 'excess costs' are those that exceed two and one-half times the state average cost of education per student and which are incurred by the special education students identified in subsection 1."

Page 36, line 1, replace "All" with "Except as provided in subsection 5, all"

Page 36, after line 3, insert:

"5. If a school district's unreimbursed costs for providing services to the special education students identified in subsection 1 exceed two percent of the district's total annual expenditures per high-cost special education student, the superintendent of public instruction shall reimburse the district for any amount expended in excess of two percent of the district's total annual budget."

Page 44, after line 21, insert:

**"SECTION 48. MILITARY INSTALLATION SCHOOL DISTRICTS - ELIGIBILITY FOR STATE AID AND EQUITY PAYMENTS.** If at any time the board of a United States military installation school district assumes responsibility for the direct provision of education to its students, the superintendent of public instruction shall include all students being educated by the board in the district's average daily membership, both for purposes of determining any state aid to which the district is entitled and for purposes of determining any equity payments to which the district is entitled under section 15.1-27-11."

Page 44, line 23, after the third comma insert "and" and remove ", 15.1-27-36, 15.1-27-37, and 15.1-27-38"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2202: Finance and Taxation Committee (Sen. Urlacher, Chairman)** recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2202 was rereferred to the **Appropriations Committee**.

#### REPORT OF STANDING COMMITTEE

**SB 2232: Government and Veterans Affairs Committee (Sen. Dever, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2232 was placed on the Sixth order on the calendar.

Page 2, line 27, overstrike "home"

Page 3, after line 4, insert:

"k. The applicant's motor vehicle operator's license number or nondriver identification number, if available."

Page 4, line 20, replace "or" with "and"

Page 4, line 21, remove "not"

Page 4, line 22, remove ", as was previously determined by the precinct election board,"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2237: Government and Veterans Affairs Committee (Sen. Dever, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2237 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "subsection 3 of section 16.1-02-09 and" and after "sections" insert "16.1-02-07, 16.1-02-09,"

Page 1, line 2, after "16.1-02-13" insert a comma

Page 1, after line 3, insert:

**"SECTION 1. AMENDMENT.** Section 16.1-02-07 of the North Dakota Century Code is amended and reenacted as follows:

**16.1-02-07. Reporting changes of names - Changes to records in the central voter file.** The state court administrator shall provide for the regular reporting to the secretary of state the name, address, date of birth, and county of residence, if available, of each individual eighteen years of age or older whose name was changed by divorce or any order or decree of the court since the last report. Within sixty days after receiving the report, the secretary of state shall make the name changes in the central voter file and notify by mail each individual whose name was changed that the individual's name has been changed accordingly in the central voter file. The secretary of state shall prepare and distribute a list of those individuals to each county auditor. Any individual who has obtained a protection order under section 14-07.1-03 or who is protected by a disorderly conduct restraining order under section 12.1-31.2-01 must be listed in the central voter file with a "secured active" designation. A "secured active" designation means a record maintained as an active voter for pollbook purposes, but otherwise is an exempt record. The state court administrator or the bureau of criminal investigation shall make available upon request of the secretary of state the name of each individual who has obtained such an order.

Page 1, line 4, replace "Subsection 3 of section" with "Section"

Page 1, replace lines 6 through 9 with:

**"16.1-02-09. Department of transportation to report updates to the secretary of state - Changes to records in the central voter file.**

1. The department of transportation shall report regularly to the secretary of state any relevant changes and updates to records maintained by the department of transportation which may require changes and updates to be made to records of individuals contained in the central voter file.
2. The county auditor may change the designation of individuals contained in the central voter file whose change of address can be confirmed by the United States postal service. The secretary of state may provide each county auditor with periodic reports on any individual whose change of address can be confirmed by the United States postal service.
3. ~~If an individual makes a written request to the county auditor for removal of the individual's record from the central voter file, the county auditor shall change the designation of the individual contained in the central voter file to "inactive".~~
4. If a qualified elector makes a written request to the county auditor for inclusion in the central voter file, the county auditor shall collect the required information from the individual and add the individual's name to the central voter file with the designation of "inactive".

Page 1, line 14, after "of" insert "a record designated "secured active" and"

Page 1, line 15, overstrike "is an" and insert immediately thereafter "are" and overstrike "record" and insert immediately thereafter "records"

Page 2, line 1, remove the overstrike over "~~The complete mailing address of the individual, if different from the individual's~~"

Page 2, remove the overstrike over line 2

Page 2, line 3, remove the overstrike over "4."

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

Page 2, line 8, remove the overstrike over "6:" and remove "5."

Page 2, line 21, after the period insert "An individual's record that is designated as "secured active" is an exempt record and is not available to any candidate, political party, or political committee for any purpose."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2244: Transportation Committee (Sen. G. Lee, Chairman)** recommends **DO NOT PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2244 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2246: Political Subdivisions Committee (Sen. Cook, Chairman)** recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2246 was rereferred to the **Appropriations Committee**.

#### REPORT OF STANDING COMMITTEE

**SB 2255: Judiciary Committee (Sen. Nething, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2255 was placed on the Sixth order on the calendar.

Page 2, line 7, after "technology" insert "or include a carrier network record"

Page 3, line 5, remove the second "or"

Page 3, line 6, after "51-15" insert ", or other valid legal process"

Page 3, line 9, after "agency" insert "as authorized by law"

Page 3, line 13, after "agents" insert "or contractors"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2272: Government and Veterans Affairs Committee (Sen. Dever, Chairman)** recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2272 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2275: Transportation Committee (Sen. G. Lee, Chairman)** recommends **DO NOT PASS** (4 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). SB 2275 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2281: Natural Resources Committee (Sen. Lyson, Chairman)** recommends **DO NOT PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2281 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2282: Transportation Committee (Sen. G. Lee, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (4 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). SB 2282 was placed on the Sixth order on the calendar.

Page 1, line 3, after the first comma insert "and" and remove ", a new subsection to section 57-38-30.3, and a"

Page 1, line 4, remove "new section to chapter 57-43.1"

Page 1, line 5, remove "motor vehicle fuel"

Page 1, line 6, remove "tax on ethanol-blended fuel,"

Page 2, line 26, replace "40,000" with "25,000"

Page 2, line 27, replace "80,000" with "38,500"

Page 2, line 28, replace "120,000" with "50,000"

Page 2, line 29, replace "160,000" with "65,000"

Page 3, line 1, replace "**E10 fuel and E85**" with "**ethanol-blended**"

Page 3, line 2, remove "based upon the following"

Page 3, line 3, remove "schedule in cents per gallon of the taxpayer's direct costs incurred after December 31, 2006,"

Page 3, line 4, after "the" insert "retail"

Page 3, line 17, remove "of the taxpayer's direct costs incurred after December 31, 2006,"

Page 3, line 18, replace "ten" with "two"

Page 3, remove lines 24 through 31

Page 4, line 6, replace "This" with "Sections 5 and 6 of this" and replace "is" with "are"

Page 4, line 8, replace "through" with "for taxable years beginning before January 1, 2013"

Page 4, line 9, remove "December 31, 2012"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2288: Agriculture Committee (Sen. Flakoll, Chairman) recommends AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2288 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "and a new subsection to section 57-38-30.3"

Page 1, line 3, replace "a renewable" with "an", replace "policy," with "independence research", remove the second comma, and remove "for installation of geothermal,"

Page 1, line 4, remove "solar, or wind energy devices under the simplified method of computing income tax"

Page 1, line 5, remove "4-14.1-01.1," and replace ", 6-09.17-01, 6-09.17-02, 6-09.17-03, 6-09.17-04," with "and"

Page 1, line 6, remove ", and 57-38.6-03"

Page 1, line 7, remove ", expansion of the biodiesel partnership in assisting community expansion"

Page 1, line 8, remove "program," and remove "and the agricultural business"

Page 1, line 9, remove "investment tax credit", after the second semicolon insert "and", and remove "; and to"

Page 1, line 10, remove "provide an effective date"

Page 1, remove lines 12 through 16

Page 2, remove lines 3 through 30

Page 3, remove lines 1 through 31

Page 4, remove lines 1 through 12

Page 4, remove lines 28 through 30

Page 5, remove lines 1 and 2

Page 5, line 10, after the underscored period insert "House Bill No. 1020 (2007) includes four hundred thousand dollars for the agricultural experiment station and three hundred thousand dollars for the extension service to support the activities of the perennial biomass production initiative at the biomass energy center."

Page 5, line 19, remove the overstrike over "~~forty~~" and remove "fifty"

Page 5, line 26, after "renewable" insert "and traditional fossil-based"

Page 5, line 27, remove "renewable" and after "supplies" insert "that can be produced and secured within the state to assist the nation in reducing its dependence on foreign energy sources"

Page 5, line 28, remove "for farmers"

Page 5, line 29, remove "and other residents" and replace "rural" with "economic"

Page 5, line 30, after the first underscored comma insert "and" and replace ", improves the environment" with ". Growth of the renewable energy industry in this state improves the environment and encourages the state's competitiveness"

Page 5, line 31, remove "and encourages a renewable energy industry within this state that is competitive"

Page 6, line 2, replace "renewable" with "North Dakota-produced" and after "sources" insert ", including biodiesel, biomass, coal, ethanol, geothermal, hydroelectric, hydrogen, natural gas, oil, solar, and wind."

Page 6, line 4, replace "**Renewable energy**" with "**Energy independence**"

Page 6, line 5, remove "renewable" and after "energy" insert "independence"

Page 6, line 6, remove "renewable" and after "energy" insert "independence"

Page 6, line 7, remove "renewable" and after "energy" insert "independence"

Page 6, remove line 9

Page 6, line 10, replace "c." with "b."

Page 6, line 11, replace "d." with "c."

Page 6, line 13, replace "e." with "d."

Page 6, line 15, replace "f." with "e."

Page 6, line 17, replace "g." with "f."

Page 6, after line 18, insert:

"g. A member with a substantial interest in the lignite industry recommended by the lignite energy council and appointed by the governor representing lignite interests.

h. A member with a substantial interest in the petroleum industry recommended by the North Dakota petroleum council and appointed by the governor representing petroleum interests."

Page 6, line 19, replace "h." with "i.", replace "Two" with "One", and replace "members" with "member"

Page 6, line 23, replace "council shall select its" with "commissioner of commerce shall serve as" and remove "from among its members"

Page 6, line 27, replace "Four" with "Five"

Page 8, line 27, replace "**Renewable energy**" with "**Energy independence**" and remove "renewable"

Page 8, line 28, after "energy" insert "independence" and remove "renewable"

Page 8, line 29, after "energy" insert "independence"

Page 8, line 31, remove "Five million dollars of the initial twenty million dollars placed in the"

Page 9, remove lines 1 through 30

Page 10, remove lines 1 through 31

Page 11, remove lines 1 through 8

Page 11, line 10, replace "\$17,000,000" with "\$3,000,000"

Page 11, line 11, after the comma insert "and \$17,000,000 in special funds, or so much of the sum as may be necessary,"

Page 11, line 12, remove "renewable", after "energy" insert "independence", and replace "13" with "7"

Page 11, remove lines 14 through 20

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2314: Transportation Committee (Sen. G. Lee, Chairman)** recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (4 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). SB 2314 was rereferred to the **Appropriations Committee**.

#### REPORT OF STANDING COMMITTEE

**SB 2319: Judiciary Committee (Sen. Nething, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2319 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2324: 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** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2324 was placed on the Sixth order on the calendar.

Page 1, line 7, remove the overstrike over "~~sixty-five~~" and remove "sixty-two"

Page 1, line 18, replace "fourteen" with "nine" and overstrike "five"

Page 1, line 19, overstrike "hundred"

Page 1, line 22, replace "fourteen" with "nine" and overstrike "five"

Page 1, line 23, overstrike "hundred", remove the overstrike over "~~ten~~", and remove "eighteen"

Page 2, line 3, remove the overstrike over "~~ten~~" and remove "eighteen"

Page 2, line 4, replace "twenty-two" with "twelve" and overstrike "five"

Page 2, line 5, overstrike "hundred"

Page 2, line 8, replace "twenty-two" with "twelve" and overstrike "five"

Page 2, line 9, overstrike "hundred", remove the overstrike over "~~thirteen~~", and remove "twenty-six"

Page 2, line 13, remove the overstrike over "~~thirteen~~" and remove "twenty-six"

Page 2, line 14, replace "thirty" with "fifteen" and overstrike "five"



Page 2, line 15, overstrike "hundred"

Page 5, line 4, after "2006" insert ", for ad valorem property taxes and for taxable years beginning after December 31, 2007, for mobile home taxes"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2332: Natural Resources Committee (Sen. Lyson, Chairman)** recommends **DO NOT PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2332 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2333: Political Subdivisions Committee (Sen. Cook, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (3 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2333 was placed on the Sixth order on the calendar.

Page 1, line 1, after "new" insert "subsection to" and replace "to chapter 54-17" with "54-17-07.3"

Page 1, line 3, after the first semicolon insert "to provide for a report to the legislative council;"

Page 1, line 6, after "new" insert "subsection to" and replace "to chapter 54-17" with "54-17-07.3"

Page 1, replace lines 8 and 9 with "A"

Page 1, line 10, remove "shall establish and administer a"

Page 1, line 16, replace "2." with "a.", replace "commission's" with "commission shall establish the eligibility criteria and", and replace "financial assistance under" with "the"

Page 1, line 17, remove "this", after "program" insert "which at a minimum", and remove "provide"

Page 1, replace lines 18 through 23 with:

- (1) Require a local grant match from private or public funding or in-kind contributions which may not exceed forty-five percent of the gap between the cost of construction and the appraised value of the new construction;
- (2) Provide that the local grant match may not include state funds;  
and
- (3) Require an application for assistance under this program to include evidence of community support for the new construction project.

- b. The maximum assistance provided to any person or family under this program may not exceed forty-five percent of the gap between the cost of the construction and the appraised value of the new construction. Assistance provided under this program may be provided to a person or family of low to moderate income or to any other person or family in a developing community in the state to address an unmet housing need or to alleviate a housing shortage."

Page 2, remove lines 1 through 9

Page 2, line 10, replace "3." with "c."

Page 2, line 18, after the period insert "The housing finance agency may not be construed to be a general fund agency because of the appropriation made by this section."

**SECTION 3. EXPIRATION DATE.** Section 1 of this Act is effective through July 31, 2011, and after that date is ineffective."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2335: Agriculture Committee (Sen. Flakoll, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2335 was placed on the Sixth order on the calendar.

Page 1, line 2, after "state" insert "; and to require a report to the legislative assembly"

Page 1, after line 11, insert:

**"SECTION 2. REPORT TO LEGISLATIVE ASSEMBLY.** The agriculture commissioner shall provide a written report to the senate and house of representatives agriculture committees before December 15, 2008, which must summarize activities undertaken by the agriculture commissioner pursuant to the appropriation in section 1 of this Act."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2336: Human Services Committee (Sen. J. Lee, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2336 was placed on the Sixth order on the calendar.

Page 1, line 1, after "new" insert "subdivision to subsection 1 of section 14-09-09.7 and a new"

Page 1, line 2, replace "health care" with "other medical support"

Page 1, line 3, remove "costs", replace "sections" with "section", after the first comma insert "subsection 3 of section 14-09-08.11, section", and remove "and 14-09-09"

Page 1, line 5, replace "health care costs" with "other medical support"

Page 1, line 11, replace "health care costs" with "other medical support"

Page 1, line 12, replace "Liability" with "Responsibility"

Page 1, line 13, replace "health care costs" with "other medical support" and replace "guidelines" with "rules adopted"

Page 1, line 14, remove "established" and remove "under section 14-09-09.7"

Page 1, line 15, replace "parent" with "party"

Page 2, after line 2, insert:

**"SECTION 2. AMENDMENT.** Subsection 3 of section 14-09-08.11 of the North Dakota Century Code is amended and reenacted as follows:

3. ~~Withholding~~ Unless otherwise provided by the public authority in compliance with rules promulgated by the secretary of the United States department of health and human services, withholding required by an order issued under section 14-09-09.15 must be satisfied before any payment is made to the insurer. If the amount remaining is insufficient to pay the obligor's share of premiums for health insurance coverage, the obligor may authorize additional withholding to pay the obligor's share. If the obligor does not authorize additional withholding, and the health insurance coverage will lapse as a result, the employer must promptly inform the public authority of the insufficiency.

Page 2, replace lines 15 through 31 with:

**"SECTION 4.** A new subdivision to subsection 1 of section 14-09-09.7 of the North Dakota Century Code is created and enacted as follows:

Include consideration of an obligated party's responsibility for health insurance coverage or other medical support under section 14-09-08.10."

Page 3, line 4, replace "health care costs" with "other medical support"

Page 3, line 10, replace "health care costs" with "other medical support"

Page 3, line 16, replace "guidelines" with "rules"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2349: Government and Veterans Affairs Committee (Sen. Dever, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2349 was placed on the Sixth order on the calendar.

Page 1, line 8, replace "\$50,000" with "\$25,000"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2357: Judiciary Committee (Sen. Nething, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2357 was placed on the Sixth order on the calendar.

Page 1, line 15, remove the overstrike over "Juvenile", remove "Juvenile offenders", remove the overstrike over "adults", and replace "adult offenders" with ", except that an adult held under a delinquency proceeding may be held with juveniles and a juvenile transferred or waived to adult court on a felony criminal offense may be housed with adults in a jail or regional correctional facility"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2360: Transportation Committee (Sen. G. Lee, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2360 was placed on the Sixth order on the calendar.

Page 1, line 13, remove the overstrike over "proof of a"

Page 1, line 14, remove the overstrike over "minimum of", remove "a one-time payment of one thousand five", overstrike "hundred" and insert immediately thereafter "fifty", and remove the overstrike over "applicants" and insert immediately thereafter "and a one-time payment of one thousand five hundred"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2362: 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** (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2362 was placed on the Sixth order on the calendar.

Page 1, line 9, after "expenses" insert "paid"

Page 2, line 4, after "expenses" insert "paid"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2367: Natural Resources Committee (Sen. Lyson, Chairman)** recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2367 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2369: Natural Resources Committee (Sen. Lyson, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2369 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2380: Finance and Taxation Committee (Sen. Urlacher, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2380 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2383: Government and Veterans Affairs Committee (Sen. Dever, Chairman)** recommends **DO NOT PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2383 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2385: Human Services Committee (Sen. J. Lee, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2385 was placed on the Sixth order on the calendar.

Page 1, line 1, after "district" insert "or nonpublic school"

Page 1, line 5, replace "\$3,000,000" with "\$1,000,000"

Page 1, line 7, after "district" insert "or nonpublic school"

Page 1, line 9, replace "section" with "Act" and after "district" insert "or nonpublic school"

Page 1, line 21, replace "section" with "Act" and replace "school district" with "recipient"

Page 1, line 22, replace "school district" with "recipient"

Page 1, after line 23, insert:

- "3. A recipient may use a grant awarded under this Act to directly employ one or more individuals for the purpose of providing school district nursing services or a recipient may contract for the provision of school district nursing services with public or private entities.
4. Grants under this Act may not supplant existing school nursing services offered during the 2006-07 school year but may be used to enhance existing school nursing services.
5. For the purposes of this Act, a recipient may be a single school district, a group of school districts, a nonpublic school, or an educational association governed by a joint powers agreement."

Page 2, remove lines 1 and 2

Page 2, line 3, replace "4." with "6."

Page 2, line 4, replace "section 1" with "this Act"

Page 2, after line 5, insert:

- "7. The state department of health shall report to the legislative council during the 2007-08 interim regarding grants provided under this Act."

Re-number accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2386: Agriculture Committee (Sen. Flakoll, Chairman)** recommends **DO NOT PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2386 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2387: Political Subdivisions Committee (Sen. Cook, Chairman)** recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (4 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2387 was rereferred to the **Appropriations Committee**.

**REPORT OF STANDING COMMITTEE**

**SB 2391: Agriculture Committee (Sen. Flakoll, Chairman)** recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2391 was referred to the **Appropriations Committee**.

**REPORT OF STANDING COMMITTEE**

**SB 2399: Government and Veterans Affairs Committee (Sen. Dever, Chairman)** recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2399 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2401: Education Committee (Sen. Freborg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2401 was placed on the Sixth order on the calendar.

Page 1, line 4, after "1." insert "a." and replace "each" with "the first"

Page 1, line 8, replace "a. Fifty" with "(1) Sixty"

Page 1, line 10, replace "b. One dollar" with "(2) Eighty cents"

Page 1, line 12, replace "c. Sixty" with "(3) Forty"

Page 1, after line 13, insert:

- "b. During the second year of the 2007-09 biennium, the superintendent of public instruction shall distribute to each school district the same amount the district received under this section for transportation services provided during the first year of the biennium."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2403: Human Services Committee (Sen. J. Lee, Chairman)** recommends **DO NOT PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2403 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2404: Education Committee (Sen. Freborg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2404 was placed on the Sixth order on the calendar.

Page 1, line 9, replace "except that no more than one institution" with "or by any combination of any federally recognized Indian tribes."

Page 1, remove line 10

Page 1, line 12, after "for" insert "nonbeneficiary"

Page 1, line 13, replace "who do not qualify for federal assistance under the provisions of the Tribally Controlled" with an underscored period

Page 1, remove line 14

Page 1, line 17, remove "for whom federal subsidies are unavailable under the"

Page 1, line 18, remove "Tribally Controlled Community College Assistance Act of 1978"

Page 2, line 12, replace "institution's operating and maintenance expenses" with "expenditures of the grant funds received by the institution, a copy of the institution's latest audit report."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2406: Transportation Committee (Sen. G. Lee, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and

**BE REREFERRED** to the **Appropriations Committee** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2406 was placed on the Sixth order on the calendar.

Page 1, line 6, after "vehicle" insert "or load"

Page 1, line 8, after "a" insert "noncommercial"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2408: Agriculture Committee (Sen. Flakoll, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2408 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 relating to school district transportation grants for biodiesel fuel usage; and to provide an appropriation.

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

##### SECTION 1. TRANSPORTATION GRANTS - DISTRIBUTION.

1. During the first year of the 2007-09 biennium, the superintendent of public instruction shall calculate the payment to which each school district is entitled based on the state transportation formula as it existed on June 30, 2001, except that the superintendent shall:
  - a. Provide reimbursement for in-city mileage at the rate of fifty cents for schoolbuses having a capacity of ten or more students; and
  - b. Provide reimbursement for vehicles having a capacity of nine or fewer students and for transporting students who live outside the incorporated limits of a city at the rate of forty cents per mile.
2. During the second year of the 2007-09 biennium, the superintendent of public instruction shall distribute to each school district the same amount the district received under this section for transportation services provided during the first year of the biennium, except the superintendent shall increase the reimbursement by five cents for each mile driven by a diesel-powered bus if the district demonstrates that at least five percent of all no. 2 diesel used for the transportation of students, either by the district directly or through contractual arrangements, is one hundred percent biodiesel, otherwise known as B100.

**SECTION 2. APPROPRIATION.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$750,000, or so much of the sum as may be necessary, to the superintendent of public instruction for the purpose of providing grants to school districts using biodiesel fuel, for the biennium beginning July 1, 2007, and ending June 30, 2009."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SCR 4014: Government and Veterans Affairs Committee (Sen. Dever, Chairman)** recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4014 was placed on the Eleventh order on the calendar.

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

**William R. Horton, Secretary**