

## JOURNAL OF THE SENATE

## Fifty-sixth Legislative Assembly

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Bismarck, February 2, 1999

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

The prayer was offered by Pastor Timothy Megorden, Christus Rex Lutheran Campus Center, UND, Grand Forks.

The roll was called and all members were present except Senators Fischer and Wanzek.

A quorum was declared by the President.

## MOTION

**SEN. ST. AUBYN MOVED** that Engrossed SB 2347, which is on the Eleventh order, be rereferred to the **Government and Veterans Affairs Committee**, which motion prevailed. Pursuant to Sen. St. Aubyn's motion, Engrossed SB 2347 was rereferred.

## MOTION

**SEN. D. MATHERN MOVED** that the Senate reconsider its action whereby SB 2355 passed, which motion prevailed on a verification vote.

## MOTION

**SEN. G. NELSON MOVED** that SB 2355 be rereferred to the **Agriculture Committee**, which motion prevailed. Pursuant to Sen. G. Nelson's motion, SB 2355 was rereferred.

## CONSIDERATION OF AMENDMENTS

**SB 2131, as engrossed: SEN. W. STENEHJEM (Government and Veterans Affairs Committee) MOVED** that the amendments on SJ page 210 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

## CONSIDERATION OF AMENDMENTS

**SB 2291: SEN. W. STENEHJEM (Government and Veterans Affairs Committee) MOVED** that the amendments on SJ page 211 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

## CONSIDERATION OF AMENDMENTS

**SB 2313: SEN. DEMERS (Government and Veterans Affairs Committee) MOVED** that the amendments on SJ page 211 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

## CONSIDERATION OF AMENDMENTS

**SB 2373: SEN. FREBORG (Natural Resources Committee) MOVED** that the amendments on SJ page 211 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

## SECOND READING OF SENATE BILL

**SB 2036:** A BILL for an Act to amend and reenact sections 50-06-14.4 and 50-24.5-01 of the North Dakota Century Code, relating to assisted living facilities; to require the preparation of a recommendation by the department of human services and the department of health; to provide an effective date; and to provide an expiration 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 47 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Fischer; Wanzek

Engrossed SB 2036 passed and the title was agreed to.

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### SECOND READING OF SENATE BILL

**SB 2200:** A BILL for an Act to require the health council to monitor swimming pool safety.

#### 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 30 YEAS, 17 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Bowman; Christmann; Cook; DeMers; Flakoll; Grindberg; Holmberg; Kelsh; Kilzer; Krauter; Krebsbach; Kringstad; Lee; Lyson; Mathern, T.; Mutzenberger; Nelson, C.; Nelson, G.; Redlin; Robinson; Sand; St. Aubyn; Stenehjem, W.; Tallackson; Thane; Thompson; Traynor; Urlacher; Wardner; Watne

**NAYS:** Andrist; Bercier; Freborg; Heitkamp; Kinnoin; Klein; Kroeplin; Lindaas; Mathern, D.; Mutch; Naaden; Nething; O'Connell; Schobinger; Solberg; Stenehjem, B.; Tomac

**ABSENT AND NOT VOTING:** Fischer; Wanzek

Engrossed SB 2200 passed and the title was agreed to.

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### SECOND READING OF SENATE BILL

**SB 2201:** A BILL for an Act to provide minimum lifeguard qualifications and lifeguard equipment standards; 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 NOT PASS, the roll was called and there were 1 YEA, 46 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** O'Connell

**NAYS:** Andrist; Bercier; Bowman; Christmann; Cook; DeMers; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Kinnoin; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Mutzenberger; Naaden; Nelson, C.; Nelson, G.; Nething; Redlin; Robinson; Sand; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Tallackson; Thane; Thompson; Tomac; Traynor; Urlacher; Wardner; Watne

**ABSENT AND NOT VOTING:** Fischer; Wanzek

SB 2201 lost.

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### SECOND READING OF SENATE BILL

**SB 2214:** A BILL for an Act to amend and reenact subsection 3 of section 65-05-08 and sections 65-05-09, 65-05-10, and 65-05.2-01 of the North Dakota Century Code, relating to maximum wage-loss benefits payable by the workers compensation bureau and the waiting period for supplementary workers compensation benefits; to provide for a study of long-term benefits; 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 47 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Fischer; Wanzek

Engrossed SB 2214 passed and the title was agreed to.

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#### SECOND READING OF SENATE BILL

**SB 2257:** A BILL for an Act to create and enact a new section to chapter 15-40.1 of the North Dakota Century Code, relating to the distribution of per student special education payments after closure of a school district; 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 47 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Fischer; Wanzek

Engrossed SB 2257 passed, the title was agreed to, and the emergency clause was declared carried.

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#### SECOND READING OF SENATE BILL

**SB 2280:** A BILL for an Act to amend and reenact sections 11-18-01, 11-18-06, 11-18-07, 11-18-10, 11-18-11, 35-03-11, 35-03-16, 35-22-15, 35-22-16, 35-27-12, 40-50.1-14, 40-50.1-17, 47-19-10, 47-29-04, and subsection 2 of section 52-04-12 of the North Dakota Century Code, relating to the recording of documents by the register of deeds; and to repeal section 19-08-07 of the North Dakota Century Code, relating to recording of bottle brands.

#### 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, 2 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Fischer; Wanzek

Engrossed SB 2280 passed and the title was agreed to.

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#### SECOND READING OF SENATE BILL

**SB 2282:** A BILL for an Act to amend and reenact section 15-39.1-19.1 of the North Dakota Century Code, relating to participation in the teachers' fund for retirement by retired persons who have resumed teaching; to provide an effective date; and to provide an expiration 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 47 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bercier; Bowman; Christmann; Cook; DeMers; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Kinnoin; Klein; Krauter; Krebsbach; Kringstad; Kroepflin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Mutzenberger;

Naaden; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Tallackson; Thane; Thompson; Tomac; Traynor; Urlacher; Wardner; Watne

**ABSENT AND NOT VOTING:** Fischer; Wanzek

Engrossed SB 2282 passed and the title was agreed to.

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#### SECOND READING OF SENATE BILL

**SB 2288:** A BILL for an Act to amend and reenact subsection 1 of section 14-08.1-05 of the North Dakota Century Code, relating to treatment of child support arrears as judgments; 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 47 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Fischer; Wanzek

Engrossed SB 2288 passed, the title was agreed to, and the emergency clause was declared carried.

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#### SECOND READING OF SENATE BILL

**SB 2346:** A BILL for an Act to suspend mill levy limitations for cities, counties, school districts, and park districts; 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 17 YEAS, 30 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Andrist; DeMers; Flakoll; Grindberg; Holmberg; Kilzer; Krebsbach; Kringstad; Lee; Lyson; Nelson, C.; Nething; Robinson; St. Aubyn; Stenehjem, W.; Tallackson; Traynor

**NAYS:** Bercier; Bowman; Christmann; Cook; Freborg; Heitkamp; Kelsh; Kinnoin; Klein; Krauter; Kroepflin; Lindaas; Mathern, D.; Mathern, T.; Mutch; Mutzenberger; Naaden; Nelson, G.; O'Connell; Redlin; Sand; Schobinger; Solberg; Stenehjem, B.; Thane; Thompson; Tomac; Urlacher; Wardner; Watne

**ABSENT AND NOT VOTING:** Fischer; Wanzek

Engrossed SB 2346 lost.

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#### SECOND READING OF SENATE BILL

**SB 2093:** A BILL for an Act to create and enact a new chapter to title 49 of the North Dakota Century Code, relating to licensing of telecommunications resellers; and to amend and reenact sections 49-02-01.1, 49-03.1-02, and 49-21-01 of the North Dakota Century Code, relating to jurisdiction of the public service commission, excluding telecommunications resellers from certificate of public convenience and necessity requirements, and definitions applicable to telecommunications resellers.

#### 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, 2 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Fischer; Wanzek

SB 2093 lost.

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#### MOTION

**SEN. ST. AUBYN MOVED** that SB 2175, which is on the Eleventh order, be laid over one legislative day, which motion prevailed.

#### SECOND READING OF SENATE BILL

**SB 2215:** A BILL for an Act to amend and reenact section 15-10-02 of the North Dakota Century Code, relating to membership of the state board of higher education; and to repeal sections 15-10-01.1, 15-10-03, 15-10-04, 15-10-05, 15-10-06, 15-18-03, 15-18-04.2, 15-18-05, 15-55-18, 15-55-19, and subsection 11 of section 57-15-06.7 of the North Dakota Century Code, relating to assumption of jurisdiction over junior colleges, appointments and membership of the state board of higher education, and tax levies for the financing of residual or other junior college fiscal obligations.

#### 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, 2 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Fischer; Wanzek

SB 2215 passed and the title was agreed to.

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#### SECOND READING OF SENATE BILL

**SB 2268:** A BILL for an Act create and enact a new section to chapter 15-40.1 of the North Dakota Century Code, relating to supplemental per student payments.

#### 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 13 YEAS, 34 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bercier; Heitkamp; Holmberg; Kelsh; Kinnoin; Krebsbach; Kroepflin; Lindaas; O'Connell; Stenehjem, W.; Tallackson; Thane

**NAYS:** Bowman; Christmann; Cook; DeMers; Flakoll; Freborg; Grindberg; Kilzer; Klein; Krauter; Kringstad; Lee; Lyson; Mathern, D.; Mathern, T.; Mutch; Mutzenberger; Naaden; Nelson, C.; Nelson, G.; Nething; Redlin; Robinson; Sand; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Thompson; Tomac; Traynor; Urlacher; Wardner; Watne

**ABSENT AND NOT VOTING:** Fischer; Wanzek

SB 2268 lost.

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**SECOND READING OF SENATE BILL**

**SB 2283:** A BILL for an Act to amend and reenact section 28-26-04 of the North Dakota Century Code, relating to attorney's fees in actions to collect debts or enforce obligations in commercial loan transactions.

**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, 2 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Fischer; Wanzek

SB 2283 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2315:** A BILL for an Act to adopt the Uniform Preservation of Private Business Records Act.

**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, 2 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Fischer; Wanzek

SB 2315 passed and the title was agreed to.

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

**MADAM PRESIDENT:** The House has passed and your favorable consideration is requested on: HB 1136, HB 1153, HB 1155, HB 1161, HB 1175, HB 1176, HB 1178, HB 1211, HB 1238, HB 1284, HB 1307, HB 1332, HB 1333, HB 1367.

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

**MADAM PRESIDENT:** The House has passed unchanged: SCR 4008.

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

**MR. SPEAKER:** The President has signed and your signature is respectfully requested on: SCR 4008.

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

**MR. SPEAKER:** The President has signed: HB 1054.

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

**MR. SPEAKER:** The Senate has passed and your favorable consideration is requested on: SB 2058, SB 2125, SB 2133, SB 2185, SB 2186, SB 2218, SB 2221, SB 2234, SB 2249, SB 2261, SB 2266, SB 2272, SB 2343, SB 2360, SB 2369.

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

**MADAM PRESIDENT:** The Speaker has signed: SCR 4008.

**DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following resolution was delivered to the Secretary of State for his filing at the hour of 3:31 p.m., February 2, 1999: SCR 4008.

**MOTION**

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

**MOTION**

**SEN. ST. AUBYN 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 1:00 p.m., Wednesday, February 3, 1999, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

**SB 2029: Appropriations Committee (Sen. Nething, Chairman)** recommends **DO PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). SB 2029 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2030: Appropriations Committee (Sen. Nething, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2030 was placed on the Sixth order on the calendar.

Page 1, line 7, remove "other" and after "businesses" insert "other than for the off-sale of alcoholic beverages"

Page 1, line 11, remove "other"

Page 1, line 12, after "businesses" insert "other than for the off-sale of alcoholic beverages"

Page 1, line 13, remove "other" and after "businesses" insert "other than for the off-sale of alcoholic beverages"

Re-number accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2071: Appropriations Committee (Sen. Nething, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2071 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2096, as engrossed: Appropriations Committee (Sen. Nething, Chairman)** recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2096 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2196: Human Services Committee (Sen. Thane, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2196 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2220: Appropriations Committee (Sen. Nething, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2220 was placed on the Sixth order on the calendar.

Page 1, line 6, after "foundation" insert "or other entity"

Re-number accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

SENATE - This amendment allows the University of North Dakota to enter into an agreement with an entity other than the University of North Dakota Foundation for the operation and maintenance of a proposed winter sports facility.

**REPORT OF STANDING COMMITTEE**

**SB 2258: Finance and Taxation Committee (Sen. Urlacher, Chairman)** recommends **DO PASS** (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2258 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2259: Finance and Taxation Committee (Sen. Urlacher, Chairman)** recommends **DO PASS** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). SB 2259 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2319: Judiciary Committee (Sen. W. Stenehjem, Chairman)** recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2319 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SCR 4007: Finance and Taxation Committee (Sen. Urlacher, Chairman)** recommends **DO PASS** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). SCR 4007 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SCR 4015: Judiciary Committee (Sen. W. Stenehjem, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4015 was placed on the Eleventh order on the calendar.

**FIRST READING OF SENATE CONCURRENT RESOLUTION**

Sens. W. Stenehjem, T. Mathern, G. Nelson and Reps. Boucher, Dorso introduced:

**SCR 4032:** A concurrent resolution directing the Legislative Council to study the family law process in North Dakota with a focus on a review of existing statutes, the coordination of procedures, and the further implementation of alternative dispute resolution methods. Was read the first time and referred to the **Judiciary Committee**.

**FIRST READING OF HOUSE BILLS**

**HB 1136:** A BILL for an Act to create and enact a new section to chapter 65-02 of the North Dakota Century Code, relating to managed care for workers' compensation; to amend and reenact subsection 4 of section 26.1-26.4-02 and subsection 8 of section 26.1-26.4-04 of the North Dakota Century Code, relating to the definition of utilization review and to minimum standards of utilization review agents; and to provide an effective date.

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

**HB 1153:** A BILL for an Act to establish a reserve fund to assure a source of compensation for the consequences of the sale of cigarettes within the state; to provide an effective date; to provide a penalty; and to declare an emergency.

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

**HB 1155:** A BILL for an Act to create and enact a new section to chapter 64-02 of the North Dakota Century Code, relating to testing of weighing devices; and to amend and reenact section 64-02-01 of the North Dakota Century Code, relating to the definition of transient vendors.

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

**HB 1161:** A BILL for an Act to create and enact a new chapter to title 6 of the North Dakota Century Code, relating to the voluntary and involuntary dissolution and liquidation of state trust companies.

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

**HB 1175:** A BILL for an Act to create and enact sections 26.1-05-02.1, 26.1-12-11.1, and 26.1-26-11.1 of the North Dakota Century Code, relating to domestic insurance companies, incorporated mutual insurance companies, and authorized lines of business; to amend and reenact sections 26.1-05-02, 26.1-12-01, 26.1-12-06, 26.1-12-11, 26.1-26-01, 26.1-26-11, 26.1-26-25, and 26.1-26-31.1 of the North Dakota Century Code, relating to domestic insurance companies, mutual insurance companies, insurance agents, authorized lines of business, and exceptions from examination requirements; to repeal section 26.1-05-03 of the North Dakota Century Code, relating to organization of a domestic mutual life insurance company; and to provide an effective date.

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

**HB 1176:** A BILL for an Act to create and enact chapter 26.1-03.2 of the North Dakota Century Code, relating to risk-based capital for health organizations.

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

**HB 1178:** A BILL for an Act to create and enact sections 26.1-01-07.6 and 26.1-26.4-04.2 of the North Dakota Century Code, relating to medicare provider-sponsored organizations



and health care service utilization review; and to amend and reenact section 26.1-26.4-02, subdivision d of subsection 1 of section 26.1-36-04, subsection 22 of section 26.1-36.3-01, subdivision e of subsection 3 of section 26.1-36.3-06, subsection 6 of section 26.1-36.3-06, section 26.1-36.4-03, subsection 8 of section 26.1-47-01, and section 26.1-47-02 of the North Dakota Century Code, relating to health care service utilization review, accident and health insurance, small employer health insurance, and preferred provider organizations.

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

**HB 1211:** A BILL for an Act to amend and reenact subsection 4 of section 16.1-12-02.2 of the North Dakota Century Code, relating to the filing of certificates of candidacy by write-in candidates.

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

**HB 1238:** A BILL for an Act to amend and reenact sections 26.1-12-06, 26.1-12-14, 26.1-12-16, and subsection 3 of section 28-22-03.1 of the North Dakota Century Code, relating to mutual insurance company bylaws, domestic mutual insurance company voting, and absolute exemptions of Roth individual retirement accounts in process, levy, and sale proceedings.

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

**HB 1284:** A BILL for an Act to amend and reenact section 16.1-03-07 of the North Dakota Century Code, relating to political party district executive committee membership.

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

**HB 1307:** A BILL for an Act to amend and reenact subsection 1 of section 57-38.3-02 and subsection 1 of section 57-38.3-05 of the North Dakota Century Code, relating to claimant agencies for setoff of income tax refunds.

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

**HB 1332:** A BILL for an Act to amend and reenact section 65-01-02, subsection 4 of section 65-05-28, subsection 1 of section 65-05-28.2, and section 65-07-01 of the North Dakota Century Code, relating to workers compensation definitions, medical treatment, coverage; to repeal section 65-07-04 of the North Dakota Century Code, relating to calculation of the wages of a self-employed person; and to provide an effective date.

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

**HB 1333:** A BILL for an Act to amend and reenact sections 65-02-08, 65-02-20, and 65-02-21 of the North Dakota Century Code, relating to workers' compensation medical and hospital fee schedules and workers' compensation managed care; and to repeal sections 65-02-19 and 65-05-07.1 of the North Dakota Century Code, relating to workers' compensation medical and hospital fee schedules and workers' compensation managed care.

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

**HB 1367:** A BILL for an Act to amend and reenact section 35-01-27 of the North Dakota Century Code, relating to discharge of a satisfied mortgage.

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

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

**WILLIAM C. PARKER, Secretary**