

JOURNAL OF THE SENATE

Sixty-third Legislative Assembly

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Bismarck, February 6, 2013

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

The prayer was offered by Pastor Dale V. Nabben, ELCA, Bismarck.

The roll was called and all members were present.

A quorum was declared by the President.

REPORT OF STANDING COMMITTEE

SB 2302: Judiciary Committee (Sen. Hogue, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). SB 2302 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for the ethical treatment of human embryos; and to provide a penalty.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1.

Definitions.

As used in this Act only:

1. "Donor" means an individual from whose body gametes were obtained, or an individual from whose body cells or tissues were obtained for the purpose of creating gametes or human embryos, whether for valuable consideration or not.
2. "Embryo" means an organism in its earliest stages of development, including the single-cell stage.
3. "Facility" or "medical facility" means any public or private hospital, clinic, center, medical school, medical training institution, health care facility, physician's office, infirmary, dispensary, ambulatory surgical treatment center, or other institution or location wherein medical care is provided to any person.
4. "Gamete" means an egg (oocyte) or sperm.
5. "Human-animal hybrid" means any of the following:
 - a. A human embryo into which a nonhuman cell or a component of a nonhuman cell is introduced so that it is uncertain whether the human embryo is a member of the species homo sapiens;
 - b. An embryo produced by fertilizing a human egg with a nonhuman sperm;
 - c. An embryo produced by fertilizing a nonhuman egg with a human sperm;
 - d. An embryo produced by introducing a nonhuman nucleus into a human egg;

- e. An embryo produced by introducing a human nucleus into a nonhuman egg;
 - f. An embryo containing at least haploid sets of chromosomes from both a human and a nonhuman life form;
 - g. A nonhuman life form engineered with the intention of generating functional human gametes within the body of a nonhuman life form;
or
 - h. A nonhuman life form engineered such that it contains a human brain or a brain derived wholly from human neural tissues.
6. "Human embryo" means an organism with a human or predominantly human genetic constitution from the single-cell stage to eight weeks development that is derived by fertilization (in vitro or in utero), parthenogenesis, cloning (somatic cell nuclear transfer), or any other means from one or more human gametes or human diploid cells.
 7. "In vitro" means outside the human body.
 8. "In vitro human embryo" means a human embryo created outside the human body.
 9. "Pay" or "payment" means pay, contract for, or otherwise arrange for the payment of in whole or in part.
 10. "Valuable consideration" means financial gain or advantage, including cash, in-kind payments, reimbursement for any costs incurred in connection with the removal, processing, disposal, preservation, quality control, storage, transfer, or donation of human gametes, including lost wages of the donor, as well as any other consideration.

SECTION 2.

Ethical treatment of human embryos.

1. A person may not intentionally or knowingly create or attempt to create an in vitro human embryo by any means other than fertilization of a human egg by a human sperm.
2. The creation of an in vitro human embryo may be solely for the purpose of initiating a human pregnancy by means of transfer to the body of a human female for the treatment of human infertility. A pregnancy may not be initiated with the intention of deliberately destroying the embryo for scientific research. A human embryo may not be gestated to the fetal stage for purposes of destroying the fetus in order to harvest tissue, organs, or stem cells. A person may not intentionally or knowingly transfer or attempt to transfer an embryo that is not the product of fertilization of a human egg by a human sperm into a human body.
3. A person may not intentionally or knowingly:
 - a. Create or attempt to create a human-animal hybrid;
 - b. Transfer or attempt to transfer a human embryo into a nonhuman womb;
 - c. Transfer or attempt to transfer a nonhuman embryo into a human womb; or
 - d. Transfer or receive for any purpose a human-animal hybrid or any product derived from such hybrid.
4. This section does not prohibit:

- a. Research involving the use of transgenic animal models containing human genes;
- b. Xenotransplantation of human organs, tissues, or cells into recipient animals, including animals at any stage of development before birth, if the xenotransplantation does not violate a prohibition in subsection 3;
- c. A person from receiving organs, tissues, or cells delivered from outside this state; or
- d. Cryopreservation of a human embryo.

SECTION 3.

Valuable consideration prohibited.

A person may not give or receive valuable consideration, offer to give or receive valuable consideration, or advertise for the giving or receiving of valuable consideration for the provision of gametes or in vitro human embryos. This section does not regulate or prohibit the procurement of gametes for the treatment of infertility being experienced by the patient from whom the gametes are being derived. This Act may not be construed as prohibiting the cryopreservation of gametes.

SECTION 4.

Identification.

An in vitro human embryo must be given an identification by the facility for use within the medical facility. Records must be maintained identifying the donors associated with the in vitro human embryo. The confidentiality of records kept under this section must be maintained.

SECTION 5.

Care and treatment of in vitro human embryos.

1. A living in vitro human embryo is a biological human being who is not the property of any person. The fertility physician and the medical facility that employs the physician owe a high duty of care to the living in vitro human embryo. Any contractual provision identifying the living in vitro embryo as the property of any party is null and void. The in vitro human embryo may not be intentionally destroyed for any purpose by any person or through the actions of such person.
2. An in vitro human embryo that fails to show any sign of life over a thirty-six-hour period outside a state of cryopreservation may be considered no longer living.

SECTION 6.

Judicial standard.

In disputes arising between any parties regarding an in vitro human embryo, the judicial standard for resolving such disputes is the best interest of the in vitro human embryo.

SECTION 7.

Penalty.

1. It is a class B misdemeanor for a person to violate this Act.

2. A violation of this Act by a physician constitutes grounds for disciplinary action under section 43-17-31.
3. A violation of this Act may be the basis for denying an application for, denying an application for the renewal of, or revoking any license, permit, certificate, or any other form of permission required to practice or engage in a medical trade, occupation, or profession.
4. A violation this Act by an employee of a licensed health care facility to which the management of said facility consents, knows, or should know may be the basis for denying an application for, denying an application for the renewal of, temporarily suspending, or permanently revoking any operational license, permit, certificate, or any other form of permission required to operate a medical or health care facility.

SECTION 8.

Construction.

1. Nothing in this Act may be construed as creating or recognizing a right to abortion.
2. It is not the intention of this Act to make lawful an abortion that is currently unlawful."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2303: Judiciary Committee (Sen. Hogue, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). SB 2303 was placed on the Sixth order on the calendar.

Page 5, line 11, remove "A medical emergency which, in reasonable medical judgment, so complicates the"

Page 5, replace lines 12 through 19 with "Medical treatment for life-threatening conditions provided to a person by a physician licensed to practice medicine under chapter 43-17 which results in the accidental or unintentional injury or death of another person."

Page 5, line 20, after "b." insert "Medical treatment for life-threatening conditions of pregnancy."

c."

Page 5, line 23, replace "c." with "d."

Page 5, line 27, replace "d." with "e."

Page 5, line 30, replace "e." with "f."

Page 6, line 8, remove "A medical emergency that, in reasonable medical judgment, so complicates the"

Page 6, replace lines 9 through 16 with "Medical treatment for life-threatening conditions provided to a person by a physician licensed to practice medicine under chapter 43-17 which results in the accidental or unintentional injury or death of another person."

Page 6, line 17, after "b." insert "Medical treatment for life-threatening conditions of pregnancy."

c."

Page 6, line 20, replace "c." with "d."

Page 6, line 24, replace "d." with "e."

Page 6, line 27, replace "e." with "f."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2305: Judiciary Committee (Sen. Hogue, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). SB 2305 was placed on the Sixth order on the calendar.

Page 1, line 8, replace "associated with an abortion facility" with "performing abortion procedures"

Page 1, line 8, remove "local"

Page 1, line 9, after "hospital" insert "located within thirty miles [42.28 kilometers] of the abortion facility"

Page 1, line 9, remove "local"

Page 1, line 9, after the first "physicians" insert "at that hospital"

Page 1, line 9, remove "All physicians"

Page 1, remove line 10

Page 1, line 11, replace "gynecology" with "These privileges must include the abortion procedures the physician will be performing at abortion facilities"

Page 1, line 12, after "open" insert "and abortions are scheduled to be performed"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SCR 4009: Judiciary Committee (Sen. Hogue, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). SCR 4009 was placed on the Sixth order on the calendar.

Page 1, line 6, replace "defended" with "protected"

Page 1, line 10, replace "primary" with "general"

Page 1, line 16, replace "defended" with "protected"

Renumber accordingly

MOTION

SEN. KLEIN MOVED that HCR 3015 be moved to the top of the calendar, which motion prevailed on a voice vote.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3015: A concurrent resolution declaring Monday, February 11, 2013, "North Dakota Close-Up Day".

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

HCR 3015 was declared adopted on a voice vote.

MOTION

SEN. KLEIN MOVED that HCR 3015 be messaged to the House immediately, which motion prevailed.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has passed, unchanged: HCR 3015.

CONSIDERATION OF AMENDMENTS

SB 2267: SEN. FLAKOLL (Education Committee) MOVED that the amendments be adopted and then be **REREFERRED** to the **Appropriations Committee** with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

SB 2221: SEN. OEHLKE (Transportation Committee) MOVED that the amendments be adopted and then be **REREFERRED** to the **Appropriations Committee** with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

SB 2305: SEN. BERRY (Judiciary Committee) MOVED that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**.

REQUEST

SEN. SITTE REQUESTED a recorded roll call vote, which request was granted.

ROLL CALL

The question being on the motion to adopt the amendments to SB 2305, the roll was called and there were 32 YEAS, 15 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Armstrong; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Erbele; Flakoll; Grindberg; Heckaman; Hogue; Kilzer; Klein; Laffen; Larsen; Lee, G.; Luick; Mathern; Miller; O'Connell; Oehlke; Poolman; Robinson; Schaible; Sitte; Sorvaag; Unruh; Wanzek; Wardner

NAYS: Anderson; Axness; Dotzenrod; Grabinger; Holmberg; Krebsbach; Lee, J.; Lyson; Marcellais; Murphy; Nelson; Schneider; Sinner; Triplett; Warner

The proposed amendments to SB 2305 were adopted on a recorded roll call vote.

CONSIDERATION OF AMENDMENTS

SCR 4009: SEN. SITTE (Judiciary Committee) MOVED that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**.

REQUEST

SEN. SITTE REQUESTED a recorded roll call vote, which request was granted.

ROLL CALL

The question being on the motion to adopt the amendments to SCR 4009, the roll was called and there were 33 YEAS, 14 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson; Andrist; Armstrong; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Erbele; Flakoll; Grindberg; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Luick; Miller; Oehlke; Poolman; Schaible; Schneider; Sitte; Sorvaag; Unruh; Wanzek; Wardner; Warner

NAYS: Axness; Dotzenrod; Grabinger; Heckaman; Lee, J.; Lyson; Marcellais; Mathern; Murphy; Nelson; O'Connell; Robinson; Sinner; Triplett

The proposed amendments to SCR 4009 were adopted on a recorded roll call vote.

CONSIDERATION OF AMENDMENTS

SB 2303: SEN. GRABINGER (Judiciary Committee) MOVED that the amendments be adopted and then be placed on the Eleventh order with **DO NOT PASS**.

REQUEST

SEN. SITTE REQUESTED a recorded roll call vote, which request was granted.

ROLL CALL

The question being on the motion to adopt the amendments to SB 2303, the roll was called and there were 35 YEAS, 12 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson; Andrist; Armstrong; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Erbele; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Laffen; Larsen; Lee, G.; Luick; Marcellais; Mathern; Miller; O'Connell; Oehlke; Poolman; Robinson; Schaible; Sitte; Sorvaag; Unruh; Wanzek; Wardner; Warner

NAYS: Axness; Dotzenrod; Flakoll; Grabinger; Krebsbach; Lee, J.; Lyson; Murphy; Nelson; Schneider; Sinner; Triplett

The proposed amendments to SB 2303 were adopted on a recorded roll call vote.

CONSIDERATION OF AMENDMENTS

SB 2302: SEN. GRABINGER (Judiciary Committee) MOVED that the amendments be adopted and then be placed on the Eleventh order with **DO NOT PASS**.

REQUEST

SEN. SITTE REQUESTED a recorded roll call vote, which request was granted.

ROLL CALL

The question being on the motion to adopt the amendments to SB 2302, the roll was called and there were 36 YEAS, 11 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson; Andrist; Armstrong; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Erbele; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Mathern; Miller; O'Connell; Oehlke; Poolman; Robinson; Schaible; Sitte; Sorvaag; Unruh; Wanzek; Wardner; Warner

NAYS: Axness; Dotzenrod; Flakoll; Grabinger; Krebsbach; Marcellais; Murphy; Nelson; Schneider; Sinner; Triplett

The proposed amendments to SB 2302 were adopted on a recorded roll call vote.

SECOND READING OF SENATE BILL

SB 2163: A BILL for an Act to amend and reenact section 53-06.1-12 of the North Dakota Century Code, relating to gaming taxes.

ROLL CALL

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

YEAS: Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

SB 2163 passed.

SECOND READING OF SENATE BILL

SB 2209: A BILL for an Act to amend and reenact sections 32-15-21 and 49-22-07 of the North Dakota Century Code, relating to eminent domain siting of an energy conversion facility or a transmission facility.

MOTION

SEN. TRIPLETT MOVED that SB 2209 be amended as follows.

Page 1, line 1, after "sections" insert "32-15-06,"

Page 1, line 1, after "32-15-21" insert a comma

Page 1, after line 4, insert:

"SECTION 1. AMENDMENT. Section 32-15-06.1 of the North Dakota Century Code is amended and reenacted as follows:

32-15-06.1. Duty to negotiate - Just compensation - Appraisals.

1. A condemnor shall make every reasonable and diligent effort to acquire property by negotiation. In addition to the requirements of this section, to be a reasonable and diligent effort the condemnor shall submit to the owner by certified mail three offers of negotiation and just compensations. A condemnor may not exercise the right of eminent domain unless the condemnor complies with this section.
2. Before initiating negotiations for the purchase of property, the condemnor shall establish an amount which it believes to be just compensation therefor and promptly shall submit to the owner an offer to acquire the property for the full amount so established. The amount shall not be less than the condemnor's approved appraisal or written statement and summary of just compensation for the property.
3. In establishing the amount believed to be just compensation, the condemnor shall disregard any decrease or increase in the fair market value of the property caused by the project for which the property is to be acquired or by the reasonable likelihood that the property will be acquired for that project, other than a decrease due to physical deterioration within the reasonable control of the owner.
4. The condemnor shall provide the owner of the property with a written appraisal, if one has been prepared, or if one has not been prepared, with a written statement and summary, showing the basis for the amount it established as just compensation for the property. If appropriate, the compensation for the property to be acquired and for the damages to remaining property shall be separately stated.
5. Either party may request mediation by the North Dakota mediation service."

Re-number accordingly

REQUEST

SEN. TRIPLETT REQUESTED a verification vote on the motion to adopt the proposed amendments to SB 2209, which request was granted.

The proposed amendments to SB 2209 failed on a verification vote.

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

YEAS: Anderson; Andrist; Armstrong; Berry; Bowman; Burckhard; Campbell; Carlisle; Dever; Erbele; Flakoll; Grindberg; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Miller; O'Connell; Oehlke; Poolman; Robinson; Schaible; Sitte; Sorvaag; Unruh; Wanzek; Wardner

NAYS: Axness; Cook; Dotzenrod; Grabinger; Heckaman; Marcellais; Mathern; Murphy; Nelson; Schneider; Sinner; Triplett; Warner

SB 2209 passed.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)

MR. SPEAKER: The Senate has passed, and your favorable consideration is requested on: SB 2026, SB 2113, SB 2115, SB 2255, SB 2278, SB 2292.

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 1139, HB 1166, HB 1236, HB 1263, HB 1322, HB 1326, HB 1336, HB 1337, HB 1361, HB 1371, HB 1402, HB 1435.

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

MR. PRESIDENT: The House has passed, the emergency clause carried, and your favorable consideration is requested on: HB 1207.

MOTION

SEN. KLEIN MOVED that the Senate be on the Fourth, Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 1:00 p.m., Thursday, February 7, 2013, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2160: Education Committee (Sen. Flakoll, 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 2160 was placed on the Sixth order on the calendar.

Page 1, remove lines 5 through 23

Page 2, replace lines 1 through 8 with:

"SECTION 1. A new section to chapter 15-10 of the North Dakota Century Code is created and enacted as follows:

Professional student exchange programs - Notes - Repayment.

1. Before the state board of higher education makes a payment to an out-of-state institution on behalf of an individual participating in a professional student exchange program in dentistry, optometry, or veterinary medicine, that individual must sign an annual note with the Bank of North Dakota in an amount equal to that by which the individual's tuition is reduced as a result of a contract between the institution and the board.
2. If the individual who signed the note in accordance with subsection 1 is not practicing dentistry, optometry, or veterinary medicine in this state thirty-six months after the individual's date of graduation, the individual shall begin repaying the note, together with interest accruing from the date of signing, at the rate per annum established by the Bank of North Dakota.
3.
 - a. If the individual who signed the note in accordance with subsection 1 elects to practice dentistry, optometry, or veterinary medicine in this state, or if the individual begins to practice in this state at any time between the individual's graduation and thirty-six months thereafter, the Bank of North Dakota shall reduce the amount of the note by one-third, together with all accrued interest, for each full year the individual serves in that capacity.
 - b. If an individual ceases to practice dentistry, optometry, or veterinary medicine in this state before the note is waived in its entirety, the individual shall repay the remaining portion of the note, together with interest accruing at the rate per annum established by the Bank of North Dakota, from the date that the individual ceased such practice.

4. If the individual who signed the note in accordance with subsection 1 departs before graduation from a program in dentistry, optometry, or veterinary medicine, the individual shall begin repaying the note, at the time of departure, together with interest accruing from the date of signing, at the rate per annum established by the Bank of North Dakota.
5. The Bank of North Dakota shall determine all other terms applicable to the time and manner in which the notes must be repaid.
6. The Bank of North Dakota shall defer any repayment of a note otherwise due under this section, for the period of time the individual who signed the note is:
 - a. Pursuing full-time graduate or postdoctoral studies; or
 - b. Called to active duty as a member of the armed forces.
7. The state board of higher education shall consult with the Bank of North Dakota and adopt rules implementing this section.
8. This section is applicable only to individuals initially entering a professional student exchange program in dentistry, optometry, or veterinary medicine after June 30, 2014."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2226: Human Services Committee (Sen. J. Lee, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2226 was rereferred to the **Appropriations Committee**.

REPORT OF STANDING COMMITTEE

SB 2354: Human Services Committee (Sen. J. Lee, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2354 was placed on the Eleventh order on the calendar.

FIRST READING OF HOUSE BILLS

HB 1051: A BILL for an Act to provide for a workers' compensation review committee study of the workers' compensation preferred provider program.

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

HB 1052: A BILL for an Act to amend and reenact section 65-05-28.2 of the North Dakota Century Code, relating to the workers' compensation preferred provider program.

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

HB 1077: A BILL for an Act to create and enact a new section to chapter 5-01 of the North Dakota Century Code, relating to direct sales by licensed wineries.

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

HB 1078: A BILL for an Act to amend and reenact subsection 4 of section 6-09-15 of the North Dakota Century Code, relating to the investment of funds by the Bank of North Dakota.

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

HB 1079: A BILL for an Act to amend and reenact section 6-09.14-03 and subsection 4 of section 6-09.14-04 of the North Dakota Century Code and section 22 of chapter 579 of the 2011 Session Laws, relating to the partnership in assisting community expansion program at the Bank of North Dakota.

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

HB 1080: A BILL for an Act to amend and reenact subsection 31 of section 65-01-02, sections 65-02-06.1, 65-02-09, and 65-05-05, subsection 2 of section 65-05-08, subsection 11 of section 65-05-12.2, subsection 3 of section 65-05.1-01, subdivision a of subsection 6 of section 65-05.1-01, subsection 7 of section

65-05.1-02, section 65-05.1-02.1, subsection 1 of section 65-05.1-03, subsections 3, 4, 5, and 6 of section 65-05.1-04, subsection 1 of section 65-05.1-06.1, subdivision f of subsection 2 of section 65-05.1-06.1, subsection 3 of section 65-05.1-06.1, and sections 65-05.1-06.2 and 65-05.1-07 of the North Dakota Century Code, relating to definition of wages and federal wages for national guard employees, biennial report requirements, out-of-state claim filing, discontinuation of benefits during incarceration, permanent partial impairment law for amputations, vocational consultants, and claimants; and to provide for application.

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

HB 1081: A BILL for an Act to amend and reenact subsection 5 of section 65-04-03.1 of the North Dakota Century Code, relating to the reporting requirements to the budget section of the legislative management on the single state entities account program with workforce safety and insurance.

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

HB 1083: A BILL for an Act to amend and reenact sections 54-17-07.2 and 54-17-07.3 of the North Dakota Century Code, relating to multifamily housing facilities, leasehold mortgage loans, and refinancing previously purchased mortgage loans; and to declare an emergency.

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

HB 1085: A BILL for an Act to create and enact a new subsection to section 6-01-02 and section 6-03-59.2 of the North Dakota Century Code, relating to providing a definition for a financial corporation and to authorize lease financing of public facilities by a state-chartered bank; to amend and reenact sections 6-01-01, 6-01-04, 6-01-04.3, 6-01-05, 6-01-06, 6-01-09, subsection 1 of section 6-01-10, sections 6-01-13, 6-01-14, 6-01-15, 6-01-16, 6-03-05, 6-03-11, 6-03-13, 6-03-27, 6-03-37, 6-05-04.1, 6-05-15.1, 6-05-26, 6-05-28, 6-05-29, and 6-08-27 of the North Dakota Century Code, relating to the management and control of entities regulated by the department of financial institutions, the powers and duties of the state banking board and state credit union board, assessment of civil money penalties, the taking of testimony and enforcement of orders, the appointment of receivers, the supervision and examination by the commissioner of financial institutions, the records kept and reports made by the commissioner of financial institutions, the appointment of an assistant commissioner and assignment of titles within the department of financial institutions, the reports of deputies of the commissioner of financial institutions, the prohibition of financial interest by officers and employees of the department of financial institutions in entities regulated by the department of financial institutions, the salaries of deputies of the commissioner of financial institutions, the regulation and limitation of loans on real estate, the conversion, consolidation, or merger of banking institutions, the removal to a new location of a banking association, requirements regarding how the list of shareholders of a banking institution is to be kept and when it is to be filed with the commissioner of financial institutions, reserve funds of banking associations, the right of action against security deposits of trust companies, responsibilities of trust companies to a beneficiary of a trust, reports regarding the increase in capital stock of trust companies to the state banking board, fees paid to the department of financial institutions by trust companies, the duty of the commissioner of financial institutions when an examination of a trust company discloses a violation of law, the authorization and application by a nonresident bank or trust company intending to establish a place of business, branch office, or agency in the state.

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

HB 1269: A BILL for an Act to provide an appropriation to the state water commission for water projects; and to declare an emergency.

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

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

William R. Horton, Secretary

