

**JOURNAL OF THE HOUSE**

**Fifty-ninth Legislative Assembly**

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**Bismarck, February 23, 2005**

The House convened at 1:00 p.m., with Speaker Klein presiding.

The prayer was offered by Pastor Lisa Ahlness, Lord of Life Lutheran Church, Bismarck.

The roll was called and all members were present except Representatives Boe, Kaldor, R. Kelsch, Kempenich, and Maragos.

A quorum was declared by the Speaker.

**CORRECTION AND REVISION OF THE JOURNAL**

**MR. SPEAKER:** Your **Committee on Correction and Revision of the Journal (Rep. Kretschmar, Chairman)** has carefully examined the Journal of the Thirty First Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

On page 690, line 13 remove "was declared adopted" and replace it with "failed"

**REP. KRETSCHMAR MOVED** that the report be adopted, which motion prevailed.

**CORRECTION AND REVISION OF THE JOURNAL**

**MR. SPEAKER:** Your **Committee on Correction and Revision of the Journal (Rep. Kretschmar, Chairman)** has carefully examined the Journal of the Thirty Second Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

On page 772, line 30, replace "41" with "63"

On page 772, line 31, replace "47" with "24" and replace "6" with "7"

**REP. KRETSCHMAR MOVED** that the report be adopted, which motion prevailed.

**SIXTH ORDER OF BUSINESS**

**SPEAKER KLEIN DEEMED** approval of SB 2079.

SB 2079, as amended, was placed on the Fourteenth order of business on the calendar.

**SECOND READING OF SENATE BILL**

**SB 2029:** A BILL for an Act to create and enact a new section to chapter 30.1-28 of the North Dakota Century Code, relating to the appointment of a successor guardian.

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

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleston; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemm; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

**ABSENT AND NOT VOTING:** Boe; Kaldor; Kelsch, R.; Maragos

Engrossed SB 2029 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2034:** A BILL for an Act to amend and reenact section 15-10-12 of the North Dakota Century Code, relating to the appropriation of higher education institutions' special revenue funds; and to declare an emergency.

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

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleston; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemm; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

**NAYS:** DeKrey; Delzer; Devlin

**ABSENT AND NOT VOTING:** Boe; Kaldor; Kelsch, R.; Maragos

SB 2034 passed, the title was agreed to, and the emergency clause was declared carried.

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**SECOND READING OF SENATE BILL**

**SB 2045:** A BILL for an Act to amend and reenact section 57-38-31.1 of the North Dakota Century Code, relating to filing of composite income tax returns by passthrough entities; and to provide an effective date.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 90 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleston; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemm; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

**ABSENT AND NOT VOTING:** Kaldor; Kelsch, R.; Maragos; Skarphol

SB 2045 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2030:** A BILL for an Act to amend and reenact subsection 4 of section 30.1-27-09, subsection 8 of section 30.1-28-12, and sections 30.1-28-12.1 and 30.1-29-19 of the North Dakota Century Code, relating to the filing of annual reports by guardians and conservators.

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

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth;

Galvin; Glassheim; Grande; Gulleston; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

**ABSENT AND NOT VOTING:** Kaldor; Kelsch, R.; Maragos

Engrossed SB 2030 passed and the title was agreed to.

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### SECOND READING OF SENATE BILL

**SB 2035:** A BILL for an Act to amend and reenact sections 54-44.1-04 and 54-44.1-06 of the North Dakota Century Code, relating to budget requests and block grant appropriations for the North Dakota university system; and to declare an emergency.

### 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 82 YEAS, 9 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Charging; Clark; Conrad; Damschen; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Gulleston; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wald; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

**NAYS:** Bellew; Carlson; DeKrey; Delzer; Devlin; Grande; Ruby; Wald; Weiler

**ABSENT AND NOT VOTING:** Kaldor; Kelsch, R.; Maragos

SB 2035 passed, the title was agreed to, and the emergency clause was declared carried.

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### SECOND READING OF SENATE BILL

**SB 2068:** A BILL for an Act to amend and reenact subsection 1 of section 43-17-03 and subsection 1 of section 43-17.1-02 of the North Dakota Century Code, relating to state board of medical examiners membership and investigative panels.

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

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleston; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

**ABSENT AND NOT VOTING:** Kaldor; Kelsch, R.; Maragos

Engrossed SB 2068 passed and the title was agreed to.

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**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)**  
**MR. SPEAKER:** The Senate has passed unchanged: HB 1037.

**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)**  
**MR. SPEAKER:** The Senate has passed, the emergency clause carried, and your favorable consideration is requested on: SB 2014, SB 2020, SB 2021, SB 2023, SB 2059, SB 2121, SB 2133, SB 2248, SB 2395.

**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 2002, SB 2006, SB 2013, SB 2016, SB 2018, SB 2019, SB 2027, SB 2028, SB 2032, SB 2087, SB 2228, SB 2243, SB 2266, SB 2281, SB 2282, SB 2300, SB 2301, SB 2336, SB 2341, SB 2343, SB 2349, SB 2353, SB 2361.

**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)**  
**MR. SPEAKER:** The Senate has passed, the emergency clause carried, and your favorable consideration is requested on: SB 2003, SB 2012, SB 2247.

**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 2004, SB 2005, SB 2011, SB 2015, SB 2031, SB 2037, SB 2047, SB 2050, SB 2145, SB 2168, SB 2186, SB 2188, SB 2190, SB 2217, SB 2242, SB 2269, SB 2270, SB 2303, SB 2323, SB 2330, SB 2342, SB 2348, SB 2355, SB 2356, SB 2358, SB 2366, SB 2372, SB 2373, SB 2374, SB 2383, SB 2389, SB 2391, SB 2400, SB 2409, SCR 4013, SCR 4028, SCR 4029, SCR 4030, SCR 4034.

**MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has passed and your favorable consideration is requested on: HB 1342.

**MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has passed and your favorable consideration is requested on: HB 1004.

#### MOTION

**REP. MONSON MOVED** that the absent members be excused, which motion prevailed.

#### MOTION

**REP. MONSON MOVED** that the House be on the Fifth, Thirteenth, and Fourteenth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Thursday, February 24, 2005, which motion prevailed.

#### FIRST READING OF SENATE BILLS

**SB 2001:** A BILL for an Act providing an appropriation for defraying the expenses of the legislative branch of state government; and to declare an emergency.  
 Was read the first time and referred to the **Appropriations Committee**.

**SB 2002:** A BILL for an Act to provide an appropriation for defraying the expenses of the judicial branch; and to amend and reenact sections 27-02-02 and 27-05-03 of the North Dakota Century Code, relating to salaries of supreme and district court judges.  
 Was read the first time and referred to the **Appropriations Committee**.

**SB 2003:** A BILL for an Act to provide an appropriation for defraying the expenses of the North Dakota university system; to authorize the state board of higher education to issue and sell bonds for capital projects; to provide statements of legislative intent; to provide for a report to the budget section; to provide for a performance audit of the university of North Dakota school of medicine and health sciences; and to declare an emergency.  
 Was read the first time and referred to the **Appropriations Committee**.

**SB 2004:** A BILL for an Act to provide an appropriation for defraying the expenses of the state department of health; to amend and reenact subsection 1 of section 19-02.1-24, section 19-08-04, subsections 5 and 8 of section 23-09-01, and sections 23-09-16, 23-09-24, 23-09.1-02.2, and 23-10-03 of the North Dakota Century Code, relating to licensure of food vending machines, beverage sales, food and lodging establishments, assisted living facilities, pushcarts, mobile food units, salvaged food distributors, bed and breakfasts, mobile home parks, trailer parks, and campgrounds; to repeal sections 19-08-05, 23-09-17, 23-09.1-03, and 23-10-05 of the North Dakota Century Code, relating to license fee amounts for beverage sales, food and lodging establishments,

mobile food units, pushcarts, bed and breakfasts, mobile home parks, trailer parks, and campgrounds; and to provide for a legislative council study.

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

**SB 2005:** A BILL for an Act to provide an appropriation for defraying the expenses of the Indian affairs commission.

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

**SB 2006:** A BILL for an Act to provide an appropriation for defraying the expenses of the aeronautics commission.

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

**SB 2007:** A BILL for an Act to provide an appropriation for defraying the expenses of the veterans' home and department of veterans' affairs.

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

**SB 2008:** A BILL for an Act to provide an appropriation for defraying the expenses of the department of financial institutions.

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

**SB 2009:** A BILL for an Act to provide an appropriation for defraying the expenses of the state fair association.

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

**SB 2010:** A BILL for an Act to provide an appropriation for defraying the expenses of the council on the arts; to provide an appropriation from the cultural endowment fund; and to amend and reenact sections 21-10-06, 54-54-04, and 54-54-08.2 of the North Dakota Century Code, relating to funds under the management of the state investment board, employees of the council on the arts, and to the cultural endowment fund.

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

**SB 2011:** A BILL for an Act to provide an appropriation for defraying the expenses of the highway patrol.

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

**SB 2012:** A BILL for an Act to provide an appropriation for defraying the expenses of the department of transportation; to create and enact section 24-02-40.1 and a new section to chapter 24-08 of the North Dakota Century Code, relating to grant or revenue anticipation financing by the department of transportation and naming of the medal of honor bridge; to amend and reenact section 24-01-03 of the North Dakota Century Code, relating to highway and bridge maintenance; and to declare an emergency.

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

**SB 2013:** A BILL for an Act to provide an appropriation for defraying the expenses of the commissioner of university and school lands; to provide a continuing appropriation; to provide for distribution amounts from permanent funds; and to create and enact a new section to chapter 15-08.1 of the North Dakota Century Code, relating to a continuing appropriation from the lands and minerals trust fund.

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

**SB 2014:** A BILL for an Act to provide an appropriation for defraying the expenses of the state industrial commission and the agencies under the management of the industrial commission; to authorize transfers; to amend and reenact sections 38-08-04.2, 38-12-02, 38-12-03, and 38-12.1-04, subsection 1 of section 38-12.1-05, sections 38-15-03, 38-19-03, and 38-19-04, subsection 10 of section 38-15-02, subsection 3 of section 54-17.4-01, and sections 54-17.4-05, 54-17.4-06, and 54-17.4-07 of the North Dakota Century Code, relating to appointment of a director of mineral resources and transferring the state geologist's functions to the director of mineral resources; and to declare an emergency.

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

**SB 2015:** A BILL for an Act to provide an appropriation for defraying the expenses of the department of corrections and rehabilitation; to create and enact a new section to chapter 12-44.1 of the North Dakota Century Code, relating to the incarceration of female inmates in grade one correctional facilities; and to provide an expiration date.

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

**SB 2016:** A BILL for an Act to provide an appropriation for defraying the expenses of job service North Dakota.

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

**SB 2017:** A BILL for an Act to provide an appropriation for defraying the expenses of the office of administrative hearings.

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

**SB 2018:** A BILL for an Act to provide an appropriation for defraying the expenses of the department of commerce; to provide an appropriation to the office of management and budget; to provide exemptions; to create and enact a new section to chapter 54-34.3, a new section to chapter 54-44.4, three new sections to chapter 54-60, and a new section to chapter 57-38.5 of the North Dakota Century Code, relating to a division of economic development and finance local economic developer certification program, an office of management and budget procurement information program, department of commerce target industry requirements, a department of commerce state employee image training program, a department of commerce business hotline program, and seed capital investment tax credit treatment of investments in excess of caps on credits; to amend and reenact sections 15-10-41, 57-38.5-01, 57-38.5-02, 57-38.5-03, 57-38.5-04, and 57-38.5-05 of the North Dakota Century Code, relating to the centers of excellence program and the seed capital investment tax credit; to repeal section 15-10-41 of the North Dakota Century Code, relating to the centers of excellence program; to provide for state agency studies, reports to the legislative council, and legislative council studies; to provide an appropriation; to provide an effective date; and to provide an expiration date.

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

**SB 2019:** A BILL for an Act to provide an appropriation for defraying the expenses of the state board for career and technical education.

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

**SB 2020:** A BILL for an Act to provide an appropriation for defraying the expenses of the extension service, northern crops institute, upper great plains transportation institute, main research center, branch research centers, and agronomy seed farm; to provide legislative intent; to provide for a legislative council study; and to declare an emergency.

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

**SB 2021:** A BILL for an Act to provide an appropriation for defraying the expenses of the information technology department; to amend and reenact subsection 4 of section 54-59-05 of the North Dakota Century Code, relating to the powers and duties of the information technology department; and to declare an emergency.

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

**SB 2022:** A BILL for an Act to provide an appropriation for defraying the expenses of the state seed department.

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

**SB 2023:** A BILL for an Act to provide an appropriation for capital projects of various state departments; to provide an appropriation for state facility energy improvement capital projects of various state departments and institutions; to authorize the industrial commission to issue and sell evidences of indebtedness for capital projects; to provide for a legislative council study; and to declare an emergency.

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

**SB 2027:** A BILL for an Act to establish the commission on legal counsel for indigents for the purpose of providing indigent defense services; to amend and reenact section 27-20-49, subsection 2 of section 28-32-01, and subsections 1 and 4 of section 29-07-01.1 of the North Dakota Century Code, relating to the commission; to provide an appropriation; to provide for transition; and to provide an effective date.

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

**SB 2028:** A BILL for an Act to provide for a guardianship services system; and to provide an appropriation.

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

**SB 2031:** A BILL for an Act to provide an appropriation for providing training for law enforcement officers and other emergency service providers.

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

**SB 2032:** A BILL for an Act to create and enact a new section to chapter 15-20.1 of the North Dakota Century Code, relating to a department of career and technical education cooperative work experience program; to amend and reenact sections 6-09-15, 10-04-05, 10-30.5-04, and 54-34.3-03, subsection 1 of section 54-34.3-06, section

54-60-02, subsection 1 of section 57-38-01.2, and subsection 1 of section 57-38-71 of the North Dakota Century Code, relating to the authority of the Bank of North Dakota to invest funds, cross-references affected by the repeal of the venture capital corporation law, organization of the department of commerce and division of economic development and finance, and duties of the North Dakota American Indian business development office; to repeal chapters 10-30.1 and 10-30.2 of the North Dakota Century Code, relating to venture capital corporations and the Myron G. Nelson Fund, Incorporated; to provide for state agency studies, reports to the legislative council, and a legislative council study; to provide appropriations; to provide effective dates; and to provide an expiration date.

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

**SB 2047:** A BILL for an Act to amend and reenact sections 23-12-14, 26.1-41-01, 26.1-41-09, 26.1-41-11, 26.1-41-12, and 26.1-41-19 of the North Dakota Century Code, relating to medical records and no-fault motor vehicle insurance; and to repeal section 26.1-41-17 of the North Dakota Century Code, relating to equitable allocation of losses.

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

**SB 2050:** A BILL for an Act to amend and reenact section 3 of chapter 538 of the 2003 Session Laws and section 26 of chapter 539 of the 2003 Session Laws, relating to the implementation date for streamlined sales and use tax agreement compliance; and to provide an effective date.

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

**SB 2069:** A BILL for an Act to amend and reenact sections 54-10-02 and 54-10-22.1 of the North Dakota Century Code, relating to the state auditor's access to records.

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

**SB 2087:** A BILL for an Act to amend and reenact sections 44-08-18, 54-21-17.1, and 54-21-18 of the North Dakota Century Code, relating to the transfer of capitol security from the office of management and budget to the highway patrol.

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

**SB 2121:** A BILL for an Act to amend and reenact section 54-44.1-11 of the North Dakota Century Code, relating to unexpended appropriations for roadway maintenance operations; and to declare an emergency.

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

**SB 2133:** A BILL for an Act to amend and reenact section 49-22-22 of the North Dakota Century Code, relating to energy conversion and transmission facility siting process expense recovery and to creation of a special fund; to provide a continuing appropriation; to provide for retroactive application; and to declare an emergency.

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

**SB 2145:** A BILL for an Act to provide for acquisition of certain land by the parks and recreation department; to provide an appropriation; to provide for a legislative council study; to provide for reports to the legislative council; and to declare an emergency.

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

**SB 2147:** A BILL for an Act to create and enact a new section to chapter 6-09 of the North Dakota Century Code, relating to the establishment of a livestock loan guarantee program; to amend and reenact section 4-14.1-03.1 of the North Dakota Century Code, relating to agricultural grants; to provide for a report; and to provide an expiration date.

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

**SB 2157:** A BILL for an Act to amend and reenact section 57-02-08.1 of the North Dakota Century Code, relating to eligibility for and application of the homestead property tax credit; and to provide an effective date.

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

**SB 2168:** A BILL for an Act to amend and reenact sections 15.1-07-28, 15.1-09-06, and 15.1-27-40 of the North Dakota Century Code, relating to educational associations governed by joint powers agreements; to provide for a legislative council study; and to provide an appropriation.

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

**SB 2179:** A BILL for an Act to amend and reenact section 5-01-17 of the North Dakota Century Code, relating to domestic winery wine sales and special events; and to declare an emergency.

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

- SB 2186:** A BILL for an Act to create and enact chapter 26.1-25.2 of the North Dakota Century Code, relating to personal insurance loss history information.  
Was read the first time and referred to the **Industry, Business and Labor Committee.**
- SB 2188:** A BILL for an Act to amend and reenact subsection 4 of section 57-02-27.2 of the North Dakota Century Code, relating to the capitalization rate used for valuation and assessment of agricultural lands for property tax purposes; and to provide an effective date.  
Was read the first time and referred to the **Finance and Taxation Committee.**
- SB 2190:** A BILL for an Act to amend and reenact section 50-24.1-02.8 of the North Dakota Century Code, relating to transfers involving annuities.  
Was read the first time and referred to the **Industry, Business and Labor Committee.**
- SB 2195:** A BILL for an Act to amend and reenact subsection 2 of section 44-08-04 of the North Dakota Century Code, relating to reimbursement of lodging expenses and allowances for meals for state and political subdivision officers and employees.  
Was read the first time and referred to the **Government and Veterans Affairs Committee.**
- SB 2209:** A BILL for an Act to amend and reenact subsection 14 of section 49-23-01 of the North Dakota Century Code, relating to the definition of one-call system operators.  
Was read the first time and referred to the **Industry, Business and Labor Committee.**
- SB 2213:** A BILL for an Act to create and enact a new section to chapter 50-24.1 of the North Dakota Century Code, relating to dental medical assistance reimbursement; and to provide an expiration date.  
Was read the first time and referred to the **Human Services Committee.**
- SB 2217:** A BILL for an Act to create and enact two new sections to chapter 57-38 and a new subsection to section 57-39.2-04 of the North Dakota Century Code, relating to corporate income tax credits and a sales tax exemption for blending of biodiesel fuel and purchase of biodiesel production equipment; and to provide an effective date.  
Was read the first time and referred to the **Finance and Taxation Committee.**
- SB 2221:** A BILL for an Act to provide an appropriation for petitioning costs for indigent individuals who have been referred to corporate guardianships.  
Was read the first time and referred to the **Appropriations Committee.**
- SB 2228:** A BILL for an Act to provide an appropriation to the parks and recreation department to assist with the construction costs of the international arts center at the international music camp.  
Was read the first time and referred to the **Appropriations Committee.**
- SB 2242:** A BILL for an Act to amend and reenact subdivision a of subsection 15 of section 57-02-08 of the North Dakota Century Code, relating to ownership of a residence by a corporation, limited liability company, limited liability partnership, or limited partnership as a disqualifying factor for the farm building property tax exemption; and to provide an effective date.  
Was read the first time and referred to the **Finance and Taxation Committee.**
- SB 2243:** A BILL for an Act to amend and reenact section 57-01-05 of the North Dakota Century Code, relating to an annual audit of property tax assessments and property tax exemption decisions; and to provide an appropriation.  
Was read the first time and referred to the **Finance and Taxation Committee.**
- SB 2248:** A BILL for an Act to amend and reenact subsection 1 of section 4-41-02, sections 12-60-16.6, 12-60-16.9, 12-60-24, and 15.1-13-14, subsection 1 of section 15.1-13-20, section 15.1-13-23, subsection 4 of section 43-17-07.1, and sections 43-30-06, 50-11.1-06.2, and 54-59-20 of the North Dakota Century Code, relating to criminal history record checks; and to declare an emergency.  
Was read the first time and referred to the **Judiciary Committee.**
- SB 2266:** A BILL for an Act to amend and reenact section 43-17.2-01, subsection 5 of section 43-17.2-02, subsection 3 of section 43-17.2-03, and section 43-17.2-08 of the North Dakota Century Code, relating to the state-community matching physician loan repayment program and powers of the state health council.  
Was read the first time and referred to the **Human Services Committee.**



- SB 2269:** A BILL for an Act to create and enact chapter 43-53 of the North Dakota Century Code, relating to creation of the North Dakota marriage and family therapy licensure board; to provide a penalty; and to provide for a legislative council study.  
Was read the first time and referred to the **Human Services Committee.**
- SB 2270:** A BILL for an Act to create and enact section 4-14.1-07.1 of the North Dakota Century Code, relating to ethanol plant production incentives; to amend and reenact section 4-14.1-10 of the North Dakota Century Code, relating to the ethanol production incentive fund; and to provide a continuing appropriation.  
Was read the first time and referred to the **Finance and Taxation Committee.**
- SB 2274:** A BILL for an Act to create and enact two new sections to chapter 39-21 of the North Dakota Century Code, relating to axles on a vehicle; and to amend and reenact subsection 2 of section 39-06.1-06 and sections 39-06.1-09, 39-12-02, 39-12-05.3, and 39-12-08 of the North Dakota Century Code, relating to weight and size limitations and permits for vehicles.  
Was read the first time and referred to the **Transportation Committee.**
- SB 2281:** A BILL for an Act to amend and reenact sections 57-38.6-01, 57-38.6-02, 57-38.6-03, and 57-38.6-04 of the North Dakota Century Code, relating to agricultural business investment income tax credits; and to provide an effective date.  
Was read the first time and referred to the **Finance and Taxation Committee.**
- SB 2282:** A BILL for an Act to provide for a legislative council study of issues relating to health insurance external review processes for health insurance beneficiaries and for medical providers.  
Was read the first time and referred to the **Industry, Business and Labor Committee.**
- SB 2290:** A BILL for an Act to create and enact a new subsection to section 20.1-03-07 of the North Dakota Century Code, relating to licenses to hunt on private shooting preserves; and to amend and reenact subsection 1 of section 20.1-03-07, subsection 32 of section 20.1-03-12, and sections 20.1-12-04, 20.1-12-05, and 20.1-12-06 of the North Dakota Century Code, relating to the operation and regulation of private shooting preserves.  
Was read the first time and referred to the **Natural Resources Committee.**
- SB 2296:** A BILL for an Act to amend and reenact section 61-04-06.2 of the North Dakota Century Code, relating to water permit terms.  
Was read the first time and referred to the **Natural Resources Committee.**
- SB 2301:** A BILL for an Act to create and enact three new sections to chapter 50-09 of the North Dakota Century Code, relating to county payment of costs of the child support agency, employment of duly appointed special assistant attorneys general, and employees of county child support agencies; to amend and reenact sections 14-09-09.10, 35-34-01, and 50-01.2-00.1, subsection 3 of section 50-01.2-03.2, sections 50-03-10 and 50-09-01, subsection 16 of section 50-09-02, and sections 50-09-03, 50-09-08, 50-09-15.1, 50-24.1-03.1, and 50-24.1-03.2 of the North Dakota Century Code, relating to state administration of the child support enforcement program; to provide a statement of legislative intent; to provide an appropriation; to provide a continuing appropriation; and to provide an effective date.  
Was read the first time and referred to the **Human Services Committee.**
- SB 2303:** A BILL for an Act to amend and reenact sections 54-05.1-03 and 54-05.1-04 of the North Dakota Century Code, relating to lobbyist registration and reporting requirements and the authority of the secretary of state; and to provide a penalty.  
Was read the first time and referred to the **Government and Veterans Affairs Committee.**
- SB 2323:** A BILL for an Act to provide an appropriation for a cancer research grant.  
Was read the first time and referred to the **Human Services Committee.**
- SB 2325:** A BILL for an Act to amend and reenact section 54-21.3-08 of the North Dakota Century Code, relating to installation of manufactured homes; and to provide a penalty.  
Was read the first time and referred to the **Industry, Business and Labor Committee.**
- SB 2330:** A BILL for an Act to create and enact a new subsection to section 57-35.3-05 of the North Dakota Century Code, relating to financial institutions tax credits for tax overpayments; to provide an effective date; and to provide an expiration date.  
Was read the first time and referred to the **Finance and Taxation Committee.**
- SB 2333:** A BILL for an Act to create and enact three new sections to chapter 15.1-07 of the North Dakota Century Code, relating to the provision of educational services by school

districts; and to amend and reenact sections 15.1-12-26 and 15.1-31-07 of the North Dakota Century Code, relating to the dissolution of school districts and attendance in schools in bordering states.

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

**SB 2336:** A BILL for an Act to amend and reenact sections 16.1-07-01, 16.1-07-05, 16.1-07-06, 16.1-07-08, 16.1-07-08.1, and 16.1-07-12 of the North Dakota Century Code, relating to absentee voting.

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

**SB 2341:** A BILL for an Act to create and enact a new section to chapter 19-03.1 of the North Dakota Century Code, relating to drug abuse treatment for first-time felons; to amend and reenact subsections 7 and 8 of section 19-03.1-23 and section 62.1-02-01 of the North Dakota Century Code, relating to drug abuse treatment for first-time felons; to repeal section 19-03.1-30 of the North Dakota Century Code, relating to conditional discharge for possession as first offense; and to provide an appropriation.

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

**SB 2342:** A BILL for an Act to create and enact a new section to chapter 50-24.1 of the North Dakota Century Code, relating to developmental disabilities service providers.

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

**SB 2343:** A BILL for an Act to create and enact a new section to chapter 23-06.5 of the North Dakota Century Code, relating to health care directives; to amend and reenact subsection 2 of section 12.1-31-07 and sections 23-06.5-01, 23-06.5-02, 23-06.5-03, 23-06.5-04, 23-06.5-05, 23-06.5-06, 23-06.5-07, 23-06.5-08, 23-06.5-09, 23-06.5-10, 23-06.5-11, 23-06.5-12, 23-06.5-13, 23-06.5-15, 23-06.5-16, 23-06.5-17, and 23-06.5-18 of the North Dakota Century Code, relating to health care decisions and directives; and to repeal chapter 23-06.4 of the North Dakota Century Code, relating to treatment declarations.

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

**SB 2344:** A BILL for an Act to amend and reenact subsection 6 of section 53-06.2-05 and section 53-06.2-08 of the North Dakota Century Code, relating to the use of racing commission fee collections.

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

**SB 2348:** A BILL for an Act to amend and reenact sections 39-04.2-03 and 39-04.2-04 of the North Dakota Century Code, relating to funding of public transportation.

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

**SB 2353:** A BILL for an Act to amend and reenact sections 44-06-02, 44-06-13, and 44-06-13.1 of the North Dakota Century Code, relating to regulation of notaries public.

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

**SB 2355:** A BILL for an Act to amend and reenact section 4-35-11 of the North Dakota Century Code, relating to designation of the agent for service of process for a nonresident pesticide applicator or dealer; and to provide for application.

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

**SB 2356:** A BILL for an Act to create and enact a new section to chapter 53-01 of the North Dakota Century Code, relating to mixed fighting style competitions.

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

**SB 2358:** A BILL for an Act to create and enact a new section to chapter 15.1-09 of the North Dakota Century Code, relating to conference attendance by school personnel; to amend and reenact sections 15.1-06-02, 15.1-06-04, 15.1-06-06, and 15.1-27-35 of the North Dakota Century Code, relating to professional development days and school approval; and to repeal section 15.1-09-42 of the North Dakota Century Code, relating to conference attendance by school personnel.

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

**SB 2360:** A BILL for an Act to create and enact a new section to chapter 50-25.1 of the North Dakota Century Code, relating to child abuse and neglect records and information; and to amend and reenact section 50-25.1-10 of the North Dakota Century Code, relating to privileged communications.

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

- SB 2361:** A BILL for an Act to create and enact a new section to chapter 14-03 of the North Dakota Century Code, relating to premarital counseling; and to amend and reenact section 14-03-22 of the North Dakota Century Code, relating to marriage license fees.  
Was read the first time and referred to the **Political Subdivisions Committee.**
- SB 2362:** A BILL for an Act to amend and reenact subdivision u of subsection 1 of section 57-38-01.2 and subdivision g of subsection 2 of section 57-38-30.3 of the North Dakota Century Code, relating to income tax deduction for income of national guard and reserve volunteers for federal active duty; and to provide an effective date.  
Was read the first time and referred to the **Finance and Taxation Committee.**
- SB 2366:** A BILL for an Act to create and enact chapter 43-26.1 of the North Dakota Century Code, relating to the practice of physical therapy; to amend and reenact subsection 1 of section 10-31-04 of the North Dakota Century Code, relating to statutory cross-reference; to repeal chapter 43-26 of the North Dakota Century Code, relating to the practice of physical therapy; and to provide a penalty.  
Was read the first time and referred to the **Human Services Committee.**
- SB 2372:** A BILL for an Act to create and enact a new section to chapter 50-06 of the North Dakota Century Code, relating to establishment of a responsible choice commission and a comprehensive program to address impaired driving, alcohol and drug abuse, and other destructive behavior; and to provide a continuing appropriation.  
Was read the first time and referred to the **Human Services Committee.**
- SB 2373:** A BILL for an Act to create and enact a new section to chapter 25-03.1 of the North Dakota Century Code, relating to the commitment of individuals who are chemically dependent on methamphetamine or other controlled substances; and to provide a penalty.  
Was read the first time and referred to the **Judiciary Committee.**
- SB 2374:** A BILL for an Act to provide for an unemployment compensation shared work demonstration project; to provide for a legislative council study; and to provide an appropriation.  
Was read the first time and referred to the **Industry, Business and Labor Committee.**
- SB 2383:** A BILL for an Act to create and enact a new subsection to section 50-25.1-02 of the North Dakota Century Code, relating to the definition of children's advocacy center; to amend and reenact section 50-25.1-05 and subsection 3 of section 50-25.1-11 of the North Dakota Century Code, relating to the role of children's advocacy centers in the investigation of child abuse and neglect; and to provide an appropriation.  
Was read the first time and referred to the **Human Services Committee.**
- SB 2391:** A BILL for an Act to create and enact a new section to chapter 57-38, a new subdivision to subsection 1 of section 57-38-01.2, a new subdivision to subsection 2 of section 57-38-30.3, and a new subsection to section 57-38-30.3 of the North Dakota Century Code, relating to an income tax credit for individuals for planned gifts to qualified North Dakota nonprofit organizations; and to provide an effective date.  
Was read the first time and referred to the **Finance and Taxation Committee.**
- SB 2395:** A BILL for an Act to create and enact a new section to chapter 50-10 of the North Dakota Century Code, relating to a department of human services treatment program for children with Russell-Silver syndrome; to amend and reenact subsection 12 of section 50-10-06 of the North Dakota Century Code, relating to income eligibility for Russell-Silver syndrome treatment and services; to direct the department of human services to apply for a medical waiver; to provide for a legislative council study; to provide an appropriation; and to declare an emergency.  
Was read the first time and referred to the **Human Services Committee.**
- SB 2401:** A BILL for an Act to amend and reenact section 19-03.1-23.1 of the North Dakota Century Code, relating to increased penalties for possessing a firearm during a controlled substance offense; and to provide a penalty.  
Was read the first time and referred to the **Judiciary Committee.**
- SB 2409:** A BILL for an Act to create and enact a new section to chapter 50-06 of the North Dakota Century Code, relating to the establishment of an alternatives-to-abortion services program; to provide for reports to the legislative council; to provide an appropriation; and to provide an expiration date.  
Was read the first time and referred to the **Human Services Committee.**

**FIRST READING OF SENATE CONCURRENT RESOLUTIONS**

**SCR 4013:** A concurrent resolution expressing support for the Red River Valley Research Corridor and commending the broad range of private and public sector partners from the federal, state, and local levels for their hard work to make the corridor a national, regional, and local success.

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

**SCR 4028:** A concurrent resolution urging Congress to support mandatory country of origin labeling for all agricultural commodities.

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

**SCR 4029:** A concurrent resolution urging Congress and the President to provide at least \$1.8 billion for Amtrak in fiscal year 2006 to sustain and improve the national intercity passenger rail system.

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

**SCR 4030:** A concurrent resolution directing the Legislative Council to study the delivery of long-term care services in North Dakota with primary emphasis on the individual's preferred method of care, patient safety, quality of care, potential duplication of service, and the direction of state assistance.

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

**SCR 4034:** A concurrent resolution congratulating the West Fargo High School Packatahnas for their first-place finish in the Universal Dance Association national finals.

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

**REPORT OF STANDING COMMITTEE**

**HCR 3042: Judiciary Committee (Rep. DeKrey, Chairman)** recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HCR 3042 was placed on the Tenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HCR 3047: Judiciary Committee (Rep. DeKrey, Chairman)** recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HCR 3047 was placed on the Tenth order on the calendar.

The House stood adjourned pursuant to Representative Monson's motion.

**Bradley C. Fay, Chief Clerk**