

## JOURNAL OF THE SENATE

## Sixty-first Legislative Assembly

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Bismarck, January 29, 2009

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

The prayer was offered by Chaplain Burnie Kunz, Medcenter One, Bismarck.

The roll was called and all members were present except Senator Cook.

A quorum was declared by the President.

## MOTION

**SEN. CHRISTMANN MOVED** that Engrossed SB 2189, which is on the Eleventh order, be rereferred to the **Natural Resources Committee**, which motion prevailed. Pursuant to Sen. Christmann's motion, Engrossed SB 2189 was rereferred.

## CONSIDERATION OF AMENDMENTS

**SB 2042: SEN. FIEBIGER (Judiciary Committee) MOVED** that the amendments on SJ page 200 be adopted and then be **REFERRED** to the **Appropriations Committee** with **DO PASS**, which motion prevailed.

## CONSIDERATION OF AMENDMENTS

**SB 2057: SEN. WANZEK (Industry, Business and Labor Committee) MOVED** that the amendments on SJ page 200 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

## CONSIDERATION OF AMENDMENTS

**SB 2087: SEN. G. LEE (Education Committee) MOVED** that the amendments on SJ page 201 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

## CONSIDERATION OF AMENDMENTS

**SB 2059: SEN. WANZEK (Industry, Business and Labor Committee) MOVED** that the amendments on SJ page 201 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

## CONSIDERATION OF AMENDMENTS

**SB 2110: SEN. KLEIN (Industry, Business and Labor Committee) MOVED** that the amendments on SJ pages 201-202 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

## CONSIDERATION OF AMENDMENTS

**SB 2112: SEN. OLAFSON (Judiciary Committee) MOVED** that the amendments on SJ page 203 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

## CONSIDERATION OF AMENDMENTS

**SB 2122: SEN. NELSON (Judiciary Committee) MOVED** that the amendments on SJ page 203 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

## CONSIDERATION OF AMENDMENTS

**SB 2152: SEN. SCHNEIDER (Judiciary Committee) MOVED** that the amendments on SJ page 203 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

## CONSIDERATION OF AMENDMENTS

**SB 2158: SEN. J. LEE (Human Services Committee) MOVED** that the amendments on SJ page 203 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

**CONSIDERATION OF AMENDMENTS**

**SB 2176: SEN. FIEBIGER (Judiciary Committee) MOVED** that the amendments on SJ pages 203-204 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

**CONSIDERATION OF AMENDMENTS**

**SB 2210: SEN. OLAFSON (Judiciary Committee) MOVED** that the amendments on SJ page 204 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

**CONSIDERATION OF AMENDMENTS**

**SB 2233: SEN. NETHING (Judiciary Committee) MOVED** that the amendments on SJ page 204 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

**SECOND READING OF SENATE BILL**

**SB 2035:** A BILL for an Act to amend and reenact subsection 41 of section 57-39.2-04, subsection 1 of section 57-39.2-04.2, subsection 1 of section 57-40.2-04.2, and section 57-61-01.4 of the North Dakota Century Code, relating to sales and use tax exemptions for beneficiated coal and equipment for certain power plants and a coal severance tax exemption for beneficiated coal used in certain plants; to provide for a study and a report to the legislative council; 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 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Cook

Engrossed SB 2035 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2182:** A BILL for an Act to amend and reenact section 29-31.1-02 of the North Dakota Century Code, relating to return of seized property.

**ROLL CALL**

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

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

**ABSENT AND NOT VOTING:** Cook

SB 2182 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2195:** A BILL for an Act to amend and reenact section 23-06.6-20 of the North Dakota Century Code, relating to updates to the revised Uniform Anatomical Gift 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 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Cook

SB 2195 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2219:** A BILL for an Act to amend and reenact section 27-01-10 of the North Dakota Century Code, relating to fees assessed for criminal violations; and to provide a penalty.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 45 YEAS, 1 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Dever; Dotzenrod; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Miller; Nelson; Nething; Nodland; Oehlke; Olafson; Pomeroy; Potter; Robinson; Schneider; Seymour; Stenehjem; Taylor; Triplett; Wanzek; Wardner; Warner

**NAYS:** O'Connell

**ABSENT AND NOT VOTING:** Cook

SB 2219 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2224:** A BILL for an Act to create and enact a new section to chapter 57-43.2 of the North Dakota Century Code, relating to refund of special fuels taxes on fuels used for a refrigeration unit on a truck; 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 36 YEAS, 10 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Andrist; Bakke; Bowman; Christmann; Dever; Dotzenrod; Erbele; Fiebiger; Freborg; Heckaman; Hogue; Holmberg; Horne; Kilzer; Klein; Krauter; Lee, G.; Lindaas; Lyson; Miller; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Robinson; Schneider; Seymour; Stenehjem; Taylor; Triplett; Wanzek; Warner

**NAYS:** Behm; Fischer; Flakoll; Grindberg; Krebsbach; Lee, J.; Marcellais; Mathern; Potter; Wardner

**ABSENT AND NOT VOTING:** Cook

Engrossed SB 2224 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2234:** A BILL for an Act to amend and reenact section 47-19-02 of the North Dakota Century Code, relating to recording instruments without acknowledgement.

**ROLL CALL**

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

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

**ABSENT AND NOT VOTING:** Cook

SB 2234 passed and the title was agreed to.

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#### SECOND READING OF SENATE BILL

**SB 2236:** A BILL for an Act to create and enact a new section to chapter 47-10 of the North Dakota Century Code, relating to the power of a trustee to transfer property.

#### ROLL CALL

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

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

**ABSENT AND NOT VOTING:** Cook

SB 2236 passed and the title was agreed to.

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#### SECOND READING OF SENATE BILL

**SB 2240:** A BILL for an Act to create and enact a new section to chapter 6-08.4 of the North Dakota Century Code, relating to the powers of an industrial bank; 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 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Cook

SB 2240 passed and the title was agreed to.

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#### SECOND READING OF SENATE BILL

**SB 2282:** A BILL for an Act to create and enact a new section to chapter 47-25 of the North Dakota Century Code, relating to use of trade names by franchisees; and to amend and reenact sections 47-25-06.1 and 47-25-07 of the North Dakota Century Code, relating to amendments and cancellation of trade name registrations.

#### ROLL CALL

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

**YEAS:** Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Dever; Dotzenrod; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern;

Miller; Nelson; Nething; Nodland; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Schneider; Seymour; Stenehjem; Taylor; Triplett; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Cook

SB 2282 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2290:** A BILL for an Act to amend and reenact section 15.1-12-28.1 of the North Dakota Century Code, relating to job service North Dakota reimbursement accounts.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 2 YEAS, 44 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Andrist; O'Connell

**NAYS:** Anderson; Bakke; Behm; Bowman; Christmann; Dever; Dotzenrod; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Miller; Nelson; Nething; Nodland; Oehlke; Olafson; Pomeroy; Potter; Robinson; Schneider; Seymour; Stenehjem; Taylor; Triplett; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Cook

SB 2290 lost.

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**SECOND READING OF SENATE BILL**

**SB 2322:** A BILL for an Act to amend and reenact section 1-08-12, subsection 1 of section 44-06-13.1, and subsection 1 of section 44-06-13.2 of the North Dakota Century Code, relating to electronic signatures and discipline of notaries public.

**ROLL CALL**

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

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

**ABSENT AND NOT VOTING:** Cook

SB 2322 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2328:** A BILL for an Act to create and enact a new section to chapter 6-08 of the North Dakota Century Code, relating to assessment of automated teller machine access fees for foreign cardholder 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 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Cook

SB 2328 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2334:** 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 the reimbursement of families for reasonable expenses in providing medically necessary out-of-state transportation to a recipient of medical assistance.

**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 7 YEAS, 39 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Fiebigler; Mathern; Nelson; O'Connell; Potter; Triplett; Warner

**NAYS:** Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Dever; Dotzenrod; Erbele; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Miller; Nething; Nodland; Oehlke; Olafson; Pomeroy; Robinson; Schneider; Seymour; Stenehjelm; Taylor; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Cook

SB 2334 lost.

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**MESSAGE TO THE HOUSE FROM THE SENATE (FRAN A. GRONBERG, SECRETARY)**

**MR. SPEAKER:** The Senate has passed and your favorable consideration is requested on: SB 2041, SB 2067, SB 2085, SB 2089, SB 2090, SB 2142, SB 2325, SCR 4006.

**MESSAGE TO THE HOUSE FROM THE SENATE (FRAN A. GRONBERG, SECRETARY)**

**MR. SPEAKER:** The Senate has passed, the emergency clause carried, and your favorable consideration is requested on: SB 2116, SB 2192.

**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 1070, HB 1113, HB 1118, HB 1124, HB 1163, HB 1173, HB 1178.

**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 1117.

**MOTION**

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

**MOTION**

**SEN. CHRISTMANN 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 12:30 p.m., Friday, January 30, 2009, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

**SB 2031: Finance and Taxation Committee (Sen. Cook, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2031 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2032: Finance and Taxation Committee (Sen. Cook, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2032 was placed on the Sixth order on the calendar.

Page 2, line 3, remove the overstrike over "~~on which construction is~~"

Page 2, line 4, remove the overstrike over "~~completed before January 1,~~", after "2011" insert "2015", and remove the overstrike over the second overstruck comma

Page 3, line 15, remove the overstrike over "~~on which construction is~~"

Page 3, line 16, remove the overstrike over "~~completed before January 1,~~", after "2014" insert "2015", and remove the overstrike over the second overstruck comma

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2039: Industry, Business and Labor Committee (Sen. Klein, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2039 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2043: Judiciary Committee (Sen. Nething, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2043 was placed on the Sixth order on the calendar.

Page 1, line 1, replace the first "section" with "sections" and after "53-06.2-02" insert "and 53-06.2-03"

Page 2, after line 22, insert:

**"SECTION 2. AMENDMENT.** Section 53-06.2-03 of the North Dakota Century Code is amended and reenacted as follows:

**53-06.2-03. Director of racing - Appointment - Qualifications - Salary - Duties - Other personnel.**

1. The ~~commission attorney general~~ shall appoint a director of racing. The ~~commission attorney general~~ shall establish the director's qualifications and salary.
2. The director shall devote such time to the duties of the office as the ~~commission attorney general~~ may prescribe. The director is the executive officer of the commission and shall enforce the rules and orders of the commission. The director shall perform other duties prescribed by the commission ~~prescribes attorney general~~.
3. The director may employ other ~~persons~~ individuals as authorized by the ~~commission attorney general~~.

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2056: Industry, Business and Labor Committee (Sen. Klein, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2056 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2115: Judiciary Committee (Sen. Nething, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2115 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "and subsection 2 of section"

Page 1, line 2, remove "62.1-02-01" and remove "and"

Page 1, line 3, remove "possession of firearms"

Page 3, line 17, after the first "a" insert "A" and remove the overstrike over "~~person who is convicted of a felony~~"

Page 3, remove the overstrike over line 18

Page 3, line 19, remove the overstrike over "~~been convicted of a misdemeanor~~" and after the second "a" insert "upon successful completion of the term of imprisonment and a term of"

Page 3, line 20, remove the overstrike over "~~probation imposed as part of the sentence~~"

Page 3, line 21, remove the overstrike over "~~This subsection does not apply to a person convicted of~~"

Page 3, remove the overstrike over line 22

Page 3, line 23, remove the overstrike over "40."

Page 3, line 30, remove the overstrike over "44." and remove "10."

Page 4, remove lines 15 through 31

Page 5, remove lines 1 through 3

Re-number accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2174: Human Services Committee (Sen. J. Lee, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2174 was placed on the Sixth order on the calendar.

Page 1, line 12, after the underscored semicolon insert "and"

Page 2, line 6, replace "state health officer, or the officer's" with "director of the department of human services, or the director's"

Page 4, line 30, replace "\$5,000" with "\$3,000"

Page 4, line 31, remove "state" and replace "health" with "human services"

Re-number accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2187: Industry, Business and Labor Committee (Sen. Klein, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2187 was placed on the Sixth order on the calendar.

Page 1, line 11, remove "or verbal"

Page 1, line 14, remove "If a report of violation is made within thirty days of the alleged violation,"

Page 1, remove lines 15 through 17

Re-number accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2206: Judiciary Committee (Sen. Nething, Chairman)** recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2206 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2211: Judiciary Committee (Sen. Nething, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2211 was placed on the Sixth order on the calendar.

Page 1, line 8, overstrike the colon

Page 1, line 16, replace "Service" with "service"

Page 1, line 17, replace the second "or" with an underscored comma and remove the overstrike over the overstruck comma

Page 1, line 18, after "pulling" insert "or provide assistance"

Page 1, line 19, after "provide" insert "assistance or"

Page 3, line 18, replace "A misdemeanor" with "C felony"

Page 3, line 22, replace "B" with "A"

Page 4, line 1, overstrike "physically"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2237: Human Services Committee (Sen. J. Lee, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2237 was placed on the Sixth order on the calendar.

Page 1, line 2, after "registry" insert "; to provide an appropriation; and to provide an effective date"

Page 3, line 2, after the underscored period insert "Any fees collected under this chapter must be deposited in the secretary of state's general services operating fund."

Page 3, line 3, after "collect" insert "a reasonable fee" and replace the underscored colon with "filing"

Page 3, line 4, remove "a. Filing" and remove ", ten dollars:"

Page 3, line 5, remove "b. Filing" and remove ", ten dollars"

Page 3, after line 5, insert:

**"SECTION 2. APPROPRIATION.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$100,000, or so much of the sum as may be necessary, to the secretary of state for the purpose of establishing the health care record registry, for the biennium beginning July 1, 2009, and ending June 30, 2011.

**SECTION 3. EFFECTIVE DATE.** Section 1 of this Act becomes effective on July 1, 2010."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2250: Judiciary Committee (Sen. Nething, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2250 was placed on the Sixth order on the calendar.

Page 1, line 14, overstrike "mechanic's liens,"

Page 1, line 15, remove "construction liens."

Page 6, line 7, after "and" insert "reasonable"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2281: Industry, Business and Labor Committee (Sen. Klein, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2281 was placed on the Eleventh order on the calendar.

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

**Fran A. Gronberg, Secretary**

