

JOURNAL OF THE SENATE

Sixty-first Legislative Assembly

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Bismarck, February 10, 2009

The Senate convened at 12:30 p.m., with President Dalrymple presiding.

The prayer was offered by Chaplain Dan Sweeney, Bismarck Police Department, Bismarck.

The roll was called and all members were present except Senators Lindaas, Marcellais, Olafson, and Wanzek.

A quorum was declared by the President.

CORRECTION AND REVISION OF THE JOURNAL

MR. PRESIDENT: Your Committee on Correction and Revision of the Journal (**Sen. Andrist, Chairman**) has carefully examined the Journal of the Twenty-third and Twenty-fourth Days and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 285, after line 4, insert:

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

MR. PRESIDENT: The Speaker has signed: SCR 4011.

Page 318, line 12, remove "**NOT**"

SEN. ANDRIST MOVED that the report be adopted, which motion prevailed.

FIRST READING OF HOUSE CONCURRENT RESOLUTION

HCR 3018: A concurrent resolution declaring Monday, February 9, 2009, "North Dakota Close-Up Day".

Was read the first time.

MOTION

SEN. CHRISTMANN MOVED that the rules be suspended, that HCR 3018 not be printed, not be referred to committee, but be read in title only, be printed in the Journal, and placed on the calendar for immediate second reading and final passage, which motion prevailed.

Reps. Weiler, Carlson, Boucher, Nathe and Sens. Stenehjem, O'Connell introduced:

HOUSE CONCURRENT RESOLUTION NO. 3018

A concurrent resolution declaring Monday, February 9, 2009, "North Dakota Close-Up Day".

WHEREAS, the North Dakota Close-Up program is designed to ignite interest in the democratic process and instill in young people the desire to become active participants in their government; and

WHEREAS, the North Dakota Close-Up program concentrates on the functions and structures of state government and defines constitutional responsibilities assigned to each of the three branches of government; and

WHEREAS, the focus of the 2009 North Dakota Close-Up program is the legislative branch of government; and

WHEREAS, the North Dakota Close-Up program has been in existence over two decades; and

WHEREAS, it is anticipated that nearly 100 North Dakota high school students will participate in the 2009 North Dakota Close-Up program;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Sixty-first Legislative Assembly declares Monday, February 9, 2009, "North Dakota Close-Up Day"; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the North Dakota Council of Educational Leaders.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3018: A concurrent resolution declaring Monday, February 9, 2009, "North Dakota Close-Up Day".

The question being on the final adoption of the resolution, which has been read.

HCR 3018 was declared adopted on a voice vote.

MOTION

SEN. CHRISTMANN MOVED that HCR 3018 be messaged to the House immediately, which motion prevailed.

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

MR. SPEAKER: The Senate has passed unchanged: HCR 3018.

CONSIDERATION OF AMENDMENTS

SB 2388: SEN. COOK (Government and Veterans Affairs Committee) MOVED that the amendments on SJ page 342 be adopted and then be **REREFERRED** to the **Appropriations Committee** with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2063: SEN. DEVER (Human Services Committee) MOVED that the amendments on SJ pages 340-341 be adopted and then be **REREFERRED** to the **Appropriations Committee** with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2336: SEN. SCHNEIDER (Natural Resources Committee) MOVED that the amendments on SJ pages 341-342 be adopted and then be **REREFERRED** to the **Appropriations Committee** with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2401: SEN. ANDRIST (Political Subdivisions Committee) MOVED that the amendments on SJ page 328 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2429: SEN. NODLAND (Transportation Committee) MOVED that the amendments on SJ pages 342-343 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2316: SEN. TRIPLETT (Natural Resources Committee) MOVED that the amendments on SJ page 341 be adopted and then be placed on the Eleventh order with **DO NOT PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2242: A BILL for an Act to amend and reenact sections 4-02.1-05, 4-05.1-17, 4-09-03, 4-09-20.2, 4-10.1-06, 4-10.2-05, 4-10.3-05, 4-10.4-05, 4-10.5-04, 4-10.6-04, 4-10.7-05, 4-14.1-05, 4-18.1-04, 4-22-04, 4-27-05, 4-28-05, 4-34-07, 6-09.10-03, 36-01-04, and 36-14-25 of the North Dakota Century Code or in the alternative to amend and reenact sections 4.1-02-09, 4.1-03-08, 4.1-04-07, 4.1-05-05, 4.1-06-08, 4.1-07-08, 4.1-09-12, 4.1-10-06, 4.1-11-08, and 4.1-13-12 of the North Dakota Century Code, relating to per diem compensation for members of agriculture-related boards.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 43 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Lindaas; Marcellais; Olafson; Wanzek

SB 2242 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2259: A BILL for an Act to amend and reenact subsection 5 of section 44-04-18 of the North Dakota Century Code, relating to authority to establish procedures for providing access from an outside location to computer databases or electronically stored information.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 43 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Lindaas; Marcellais; Olafson; Wanzek

SB 2259 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2286: A BILL for an Act to provide an appropriation to the department of human services for a grant to the silver-haired education association.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 43 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Lindaas; Marcellais; Olafson; Wanzek

SB 2286 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2294: A BILL for an Act to create and enact a new section to chapter 26.1-36 and a new section to chapter 54-52.1 of the North Dakota Century Code, relating to health insurance policies for telemedicine.

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 43 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Lindaas; Marcellais; Olafson; Wanzek

Engrossed SB 2294 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2300: A BILL for an Act to amend and reenact section 26.1-21-07 of the North Dakota Century Code, relating to state bonding fund coverage.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 43 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Lindaas; Marcellais; Olafson; Wanzek

SB 2300 passed and the title was agreed to.

MOTION

SEN. CHRISTMANN MOVED that SB 2340, which is on the Eleventh order, be rereferred to the **Appropriations Committee**, which motion prevailed. Pursuant to Sen. Christmann's motion, SB 2340 was rereferred.

SECOND READING OF SENATE BILL

SB 2303: A BILL for an Act to provide for low-income student assistance grants by the state board of higher education; to provide for a report to the legislative council; and to provide an appropriation.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 19 YEAS, 24 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; Behm; Dotzenrod; Fiebiger; Heckaman; Horne; Krauter; Mathern; Nelson; O'Connell; Pomeroy; Potter; Robinson; Schneider; Seymour; Taylor; Triplett; Warner

NAYS: Andrist; Bowman; Christmann; Cook; Dever; Erbele; Fischer; Flakoll; Freborg; Grindberg; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Lee, G.; Lee, J.; Lyson; Miller; Nething; Nodland; Oehlke; Stenehjem; Wardner

ABSENT AND NOT VOTING: Lindaas; Marcellais; Olafson; Wanzek

Engrossed SB 2303 lost.

SECOND READING OF SENATE BILL

SB 2315: A BILL for an Act to create and enact a new subsection to section 57-39.2-04 of the North Dakota Century Code, relating to a sales and use tax exemption for sales of books; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 18 YEAS, 25 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Bakke; Behm; Dotzenrod; Fiebiger; Heckaman; Horne; Krauter; Mathern; Nelson; O'Connell; Pomeroy; Potter; Robinson; Schneider; Seymour; Taylor; Triplett; Warner

NAYS: Anderson; Andrist; Bowman; Christmann; Cook; Dever; Erbele; Fischer; Flakoll; Freborg; Grindberg; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Lee, G.; Lee, J.; Lyson; Miller; Nething; Nodland; Oehlke; Stenehjem; Wardner

ABSENT AND NOT VOTING: Lindaas; Marcellais; Olafson; Wanzek

Engrossed SB 2315 lost.

SECOND READING OF SENATE BILL

SB 2326: A BILL for an Act to amend and reenact section 28-26-06 of the North Dakota Century Code, relating to disbursements taxed in judgment when a physician is found negligent in a medical malpractice trial but no autopsy is performed.

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 5 YEAS, 38 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Heckaman; Krauter; Mathern; Pomeroy; Potter

NAYS: Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Dotzenrod; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hogue; Holmberg; Horne; Kilzer; Klein; Krebsbach; Lee, G.; Lee, J.; Lyson; Miller; Nelson; Nething; Nodland; O'Connell; Oehlke; Robinson; Schneider; Seymour; Stenehjem; Taylor; Triplett; Wardner; Warner

ABSENT AND NOT VOTING: Lindaas; Marcellais; Olafson; Wanzek

SB 2326 lost.

SECOND READING OF SENATE BILL

SB 2364: A BILL for an Act to provide an appropriation to the department of emergency services for providing grants for eligible school districts that have experienced damage or destruction due to a tornado; 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 NOT PASS, the roll was called and there were 18 YEAS, 25 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; Behm; Dotzenrod; Fiebiger; Heckaman; Horne; Krauter; Mathern; Nelson; O'Connell; Pomeroy; Potter; Robinson; Schneider; Seymour; Taylor; Triplett

NAYS: Andrist; Bowman; Christmann; Cook; Dever; Erbele; Fischer; Flakoll; Freborg; Grindberg; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Lee, G.; Lee, J.; Lyson; Miller; Nething; Nodland; Oehlke; Stenehjem; Wardner; Warner

ABSENT AND NOT VOTING: Lindaas; Marcellais; Olafson; Wanzek

SB 2364 lost.

SECOND READING OF SENATE BILL

SB 2379: A BILL for an Act to create and enact a new section to chapter 57-38 and a new subdivision to subsection 7 of section 57-38-30.3 of the North Dakota Century Code, relating to an income tax credit equal to a portion of a taxpayer's federal earned income credit; and to provide an effective date.

MOTION

SEN. MATHERN MOVED that SB 2379 be amended as follows, which motion failed on a verification vote.

Page 1, line 9, replace "twenty" with "five"

Renumber accordingly

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 18 YEAS, 25 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Bakke; Behm; Dotzenrod; Fiebiger; Heckaman; Horne; Krauter; Mathern; Nelson; O'Connell; Pomeroy; Potter; Robinson; Schneider; Seymour; Taylor; Triplett; Warner

NAYS: Anderson; Andrist; Bowman; Christmann; Cook; Dever; Erbele; Fischer; Flakoll; Freborg; Grindberg; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Lee, G.; Lee, J.; Lyson; Miller; Nething; Nodland; Oehlke; Stenehjem; Wardner

ABSENT AND NOT VOTING: Lindaas; Marcellais; Olafson; Wanzek

SB 2379 lost.

SECOND READING OF SENATE BILL

SB 2382: A BILL for an Act to amend and reenact subsection 2 of section 23-29-07 of the North Dakota Century Code, relating to siting of solid waste landfills.

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

YEAS: Cook; Dever; Triplett

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

ABSENT AND NOT VOTING: Lindaas; Marcellais; Olafson; Wanzek

SB 2382 lost.

SECOND READING OF SENATE BILL

SB 2416: A BILL for an Act to amend and reenact section 5-03-07 of the North Dakota Century Code, relating to imposition of alcoholic beverage taxes at the same rate for sparkling wine as for still wine; 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 43 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Lindaas; Marcellais; Olafson; Wanzek

Engrossed SB 2416 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2430: A BILL for an Act to amend and reenact subsection 2 of section 65-05-10 of the North Dakota Century Code, relating to the duration of workers' compensation temporary partial disability benefits.

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 4 YEAS, 39 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Mathern; Nelson; O'Connell; Seymour

NAYS: Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Dotzenrod; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lyson; Miller; Nething;

Nodland; Oehlke; Pomeroy; Potter; Robinson; Schneider; Stenehjem; Taylor; Triplett; Wardner; Warner

ABSENT AND NOT VOTING: Lindaas; Marcellais; Olafson; Wanzek

SB 2430 lost.

SECOND READING OF SENATE BILL

SB 2022: A BILL for an Act to provide an appropriation for defraying the expenses of the state seed department; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 43 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Lindaas; Marcellais; Olafson; Wanzek

Engrossed SB 2022 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2025: A BILL for an Act providing an appropriation for defraying the expenses of the veterans' home for the purpose of building a new facility; to amend and reenact sections 1 and 2 of chapter 55 of the 2007 Session Laws, relating to the veterans' home construction project; to provide an exemption; and to declare an emergency.

MOTION

SEN. MATHERN MOVED that Engrossed SB 2025 be amended as follows:

Page 1, line 7, replace "\$7,944,991" with "\$12,036,404"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Veterans' Home - Senate Action - This amendment provides an increase in supplemental funding for the Veterans' Home construction project of \$4,091,413 from the general fund to provide \$3,039,414 for a geothermal heating system and \$1,051,999 for exterior work.

After these adjustments and including the 2007-09 legislative appropriation for the project, funding authorized for the project totals:

General fund	\$12,036,404
Permanent oil tax trust fund	6,483,226
Revenue bond proceeds	2,575,152
Federal funds	<u>14,684,182</u>
Total	\$35,778,964

REQUEST

SEN. MATHERN REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to Engrossed SB 2025, which request was granted.

ROLL CALL

The question being on the motion to adopt the proposed amendments to Engrossed SB 2025, the roll was called and there were 19 YEAS, 24 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; Behm; Dotzenrod; Fiebiger; Heckaman; Horne; Krauter; Mathern; Nelson; O'Connell; Pomeroy; Potter; Robinson; Schneider; Seymour; Taylor; Triplett; Warner

NAYS: Andrist; Bowman; Christmann; Cook; Dever; Erbele; Fischer; Flakoll; Freborg; Grindberg; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Lee, G.; Lee, J.; Lyson; Miller; Nething; Nodland; Oehlke; Stenehjem; Wardner

ABSENT AND NOT VOTING: Lindaas; Marcellais; Olafson; Wanzek

The proposed amendments to Engrossed SB 2025 failed.

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 43 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Lindaas; Marcellais; Olafson; Wanzek

Engrossed SB 2025 passed, the title was agreed to, and the emergency clause was declared carried.

MOTION

SEN. CHRISTMANN MOVED that SB 2025 be messaged to the House immediately.

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 2025.

SECOND READING OF SENATE BILL

SB 2033: A BILL for an Act to amend and reenact section 57-38-01.8 of the North Dakota Century Code, relating to an income tax credit for installation of geothermal, solar, wind, or biomass energy devices; 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 43 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Lindaas; Marcellais; Olafson; Wanzek

Engrossed SB 2033 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2039: A BILL for an Act to amend and reenact sections 43-15-03, 43-15-12, 43-15-25, and 43-15-26 of the North Dakota Century Code, relating to the board of pharmacy, the North Dakota pharmaceutical association, and pharmacist license fees; and to repeal sections 43-15-13.1, 43-15-13.2, 43-15-13.3, 43-15-13.4, 43-15-13.5, 43-15-13.6, and 43-15-30 of the North Dakota Century Code, relating to membership in the North Dakota pharmaceutical association.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 43 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Lindaas; Marcellais; Olafson; Wanzek

SB 2039 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2168: A BILL for an Act to create and enact section 23-01-05.5 of the North Dakota Century Code, relating to the confidentiality of autopsy reports; to amend and reenact sections 11-19.1-01, 11-19.1-03, 11-19.1-04, 11-19.1-06, 11-19.1-07, 11-19.1-08, 11-19.1-10, 11-19.1-11, 11-19.1-13, 11-19.1-15, 11-19.1-17, 11-19.1-18, 11-19.1-19, 11-19.1-20, and 23-01-05.4 of the North Dakota Century Code, relating to the powers and duties of the coroner and state forensic examiner; to repeal chapter 11-19 and section 11-19.1-05 of the North Dakota Century Code, relating to the county coroner and the appointment of an assistant coroner; and to provide a penalty.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 43 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Lindaas; Marcellais; Olafson; Wanzek

Engrossed SB 2168 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2186: A BILL for an Act to create and enact a new section to chapter 57-39.2 of the North Dakota Century Code, relating to a sales and use tax exemption for purchases made by a contractor, subcontractor, or builder on behalf of a nonprofit hospital; to amend and reenact section 57-40.2-03.3 of the North Dakota Century Code, relating to a use tax exemption for untaxed materials used by a contractor under contract with a nonprofit hospital; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 12 YEAS, 31 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Andrist; Behm; Christmann; Dotzenrod; Erbele; Horne; Klein; Mathern; Nelson; Nething; O'Connell; Potter

NAYS: Anderson; Bakke; Bowman; Cook; Dever; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Krauter; Krebsbach; Lee, G.; Lee, J.; Lyson; Miller; Nodland; Oehlke; Pomeroy; Robinson; Schneider; Seymour; Stenehjem; Taylor; Triplett; Wardner; Warner

ABSENT AND NOT VOTING: Lindaas; Marcellais; Olafson; Wanzek

Engrossed SB 2186 lost.

SECOND READING OF SENATE BILL

SB 2205: A BILL for an Act to create and enact a new subsection to section 34-11.1-05 of the North Dakota Century Code, relating to governmental entities restricting the use of computer network services of the state or a political subdivision to contact members of the legislative assembly; and to provide a penalty.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 21 YEAS, 22 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; Behm; Dotzenrod; Fiebiger; Heckaman; Hogue; Holmberg; Horne; Krauter; Mathern; Nelson; O'Connell; Pomeroy; Potter; Robinson; Schneider; Seymour; Taylor; Triplett; Warner

NAYS: Andrist; Bowman; Christmann; Cook; Dever; Erbele; Fischer; Flakoll; Freborg; Grindberg; Kilzer; Klein; Krebsbach; Lee, G.; Lee, J.; Lyson; Miller; Nething; Nodland; Oehlke; Stenehjerm; Wardner

ABSENT AND NOT VOTING: Lindaas; Marcellais; Olafson; Wanzek

SB 2205 lost.

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 2053, SB 2073, SB 2185, SB 2193.

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

MR. SPEAKER: The President has signed: SRM 8501.

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 1180, HB 1205, HB 1428, HB 1458, HB 1461, HCR 3009, HCR 3025.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following resolution was delivered to the Secretary of State for filing on February 10, 2009: SRM 8501.

MOTION

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

MOTION

SEN. CHRISTMANN MOVED that the Senate be on the Fourth, Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 12:30 p.m., Wednesday, February 11, 2009, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2005: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). SB 2005 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2006: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). SB 2006 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2008: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). SB 2008 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2010: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2010 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2011: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2011 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2017: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2017 was placed on the Sixth order on the calendar.

Page 1, line 11, replace "\$185,042" with "(\$350,058)" and replace "1,453,488" with "918,388"

Page 1, line 12, replace "8,200" with "217,700" and replace "382,617" with "592,117"

Page 1, line 13, replace "\$193,242" with "(\$132,358)" and replace "1,836,105" with "1,510,505"

Page 1, line 14, replace "0.00" with "(3.00)" and replace the second "8.00" with "5.00"

Renumber accordingly

A copy of the statement of purpose of amendment is on file in the Legislative Council Office.

REPORT OF STANDING COMMITTEE

SB 2024: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (7 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). SB 2024 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2028: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (9 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING). SB 2028 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2051, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2051 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2118: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). SB 2118 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2162, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (9 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2162 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2178: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (9 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). SB 2178 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2216: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2216 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2218: Human Services Committee (Sen. J. Lee, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2218 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2231: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO NOT PASS** (7 YEAS, 5 NAYS, 2 ABSENT AND NOT VOTING). SB 2231 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2241: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2241 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2268, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2268 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2277: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2277 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2311: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2311 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2361: Finance and Taxation Committee (Sen. Cook, Chairman) recommends **DO NOT PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2361 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2390: Finance and Taxation Committee (Sen. Cook, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2390 was placed on the Sixth order on the calendar.

Page 2, line 2, replace "means one or more of" with "includes"

Page 2, line 26, remove "other than a pharmaceutical product that has"

Page 2, line 27, remove "therapeutic or diagnostic value and is regulated"

Page 3, line 19, remove "telephone or other communications,"

Page 3, line 20, after "pipeline" insert ", excluding telephone or other communications lines"

Page 4, line 6, remove "teleconference facilities,"

Page 4, after line 11, insert:

"d. Land and other assets, including laboratory, research and development, conference, testing, training, or quality control facilities:

(1) That are or that support property the primary purpose and use of which is or will be for a high technology activity; and

(2) That are located within a certified technology park."

Page 4, remove lines 26 and 27

Page 4, line 28, replace "(2)" with "(1)"

Page 4, line 30, replace "(3)" with "(2)"

Page 4, remove line 31

Page 5, line 1, replace "(5)" with "(3)"

Page 5, line 2, replace "(6)" with "(4)"

Page 5, line 3, replace "(7)" with "(5)"

Page 5, line 4, replace "(8)" with "(6)"

Page 5, line 5, after "commerce" insert "in consultation with the North Dakota university system and the respective institution of higher education"

Page 5, line 8, remove ", as evidenced by the intellectual property and, if applicable,"

Page 5, remove line 9

Page 5, line 10, remove "collaboration with private businesses"

Page 5, line 15, replace "and" with "an"

Page 7, line 17, replace "The terms of any commitment required from an" with "A letter of support from the" and replace "for" with "indicating"

Page 7, line 18, after "park" insert ", but only to the extent that such operations and activities do not conflict with commitments and obligations of the institution of higher education"

Re-number accordingly

REPORT OF STANDING COMMITTEE

SB 2391: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). SB 2391 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2398: Education Committee (Sen. Freborg, Chairman) recommends **DO NOT PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2398 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2420: 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 2420 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 legislative council studies relating to child support determinations of income and support obligations and the establishment of a consumers of family services program."

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. LEGISLATIVE COUNCIL STUDY. The legislative council shall consider studying, during the 2009-10 interim, child support determination of income and support obligations, the feasibility and desirability of the establishment of an ombudsman program, and coordination of services and resources for parents. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-second legislative assembly.

SECTION 2. LEGISLATIVE COUNCIL STUDY. The legislative council shall consider studying, during the 2009-10 interim, the establishment of an ombudsman program for consumers of child and family services. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-second legislative assembly."

Re-number accordingly

REPORT OF STANDING COMMITTEE

SCR 4001: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SCR 4001 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4014: Human Services Committee (Sen. J. Lee, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SCR 4014 was placed on the Eleventh order on the calendar.

FIRST READING OF SENATE CONCURRENT RESOLUTION

Sens. Potter, Anderson, Seymour and Reps. Conrad, Griffin, Kilichowski introduced:

SCR 4024: A concurrent resolution directing the Legislative Council to study the feasibility and

desirability of consolidation of state government business applications, forms, and registrations.

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

FIRST READING OF HOUSE BILLS

HB 1024: A BILL for an Act to amend and reenact sections 43-06-18, 43-06-19, 43-10-24, 43-18.1-09, 43-18.2-12, 43-23-17, 43-25-19, 43-33-18, 43-40-18, 43-41-14, 43-42-07, 43-45-08, and 43-48-16 of the North Dakota Century Code, relating to penalty provisions under occupational and professional licensing laws; to repeal section 43-41-13 of the North Dakota Century Code, relating to bribery and false statements in seeking licensure from the board of social work examiners; and to provide penalties.

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

HB 1039: A BILL for an Act to amend and reenact sections 28-22-01, 28-22-02, 28-22-03, 28-22-03.1, 28-22-05, 28-22-07, 28-22-15, 47-18-01, and 47-18-16 of the North Dakota Century Code, relating to exemptions from process; and to repeal section 28-22-04 of the North Dakota Century Code, relating to alternative exemptions.

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

HB 1041: A BILL for an Act to amend and reenact subsection 13 of section 12.1-32-15 and sections 12.1-34-01, 12.1-34-02, 12.1-34-03, and 12.1-34-06 of the North Dakota Century Code, relating to the statewide automated victim information and notification system; and to provide an effective date.

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

HB 1042: A BILL for an Act to create and enact chapter 47-32 of the North Dakota Century Code, relating to technical corrections; to amend and reenact sections 1-02-12 and 16.1-01-09, subsection 2 of section 57-39.2-18, and section 57-40.2-09 of the North Dakota Century Code, relating to technical corrections and improper, inaccurate, redundant, missing, or obsolete references; and to repeal section 15.1-13-32 and chapter 33-06 of the North Dakota Century Code, relating to obsolete provisions.

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

HB 1072: A BILL for an Act to create and enact sections 30.1-04-14, 30.1-04-15, 30.1-04-16, 30.1-04-17, 30.1-04-18, 30.1-04-19, 30.1-04-20, 30.1-04-21, 30.1-10-05, and 30.1-10-06 of the North Dakota Century Code, relating to the Uniform Probate Code; and to amend and reenact sections 30.1-01-06, 30.1-04-02, 30.1-04-03, 30.1-04-04, 30.1-04-08, 30.1-04-09, 30.1-05-01, 30.1-07-01, 30.1-07-03, 30.1-08-02, 30.1-08-04, 30.1-09.1-05, 30.1-09.1-06, 30.1-09.1-07, 30.1-15-06, and 30.1-35-01 of the North Dakota Century Code, relating to the Uniform Probate Code.

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

HB 1089: A BILL for an Act to create and enact a new subsection to section 27-21-02 and two new subsections to section 27-21-12 of the North Dakota Century Code, relating to the powers and duties and files and records of the division of juvenile services; to amend and reenact sections 12-46-04, 12-46-09, 12-46-10, 12-46-10.1, 12-46-18, and 12-46-19 of the North Dakota Century Code, relating to the North Dakota youth correctional center; and to repeal sections 12-46-03, 12-46-05, 12-46-06, 12-46-11, 12-46-20, and 12-46-22 of the North Dakota Century Code, relating to the North Dakota youth correctional center.

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

HB 1095: A BILL for an Act to amend and reenact sections 50-11.3-02, 50-12-02, 50-12-03, and 50-12-03.1 and subsection 1 of section 50-12-03.2 of the North Dakota Century Code, relating to criminal history record investigations for foster care licensure or licensure as a child-placing agency.

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

HB 1102: A BILL for an Act to amend and reenact section 43-30-11 of the North Dakota Century Code, relating to the renewal period for private investigative or security licenses.

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

HB 1103: A BILL for an Act to amend and reenact subsection 8 of section 43-30-16 of the North Dakota Century Code, relating to the initial and renewal registration fees for private investigative services and private security services.

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

HB 1104: A BILL for an Act to amend and reenact subsection 1 of section 32-12.2-11 of the North Dakota Century Code, relating to exempt records.

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

HB 1105: A BILL for an Act to amend and reenact subsections 3 and 5 of section 19-03.1-07, subsection 7 of section 19-03.1-09, and subsection 4 of section 19-03.1-11 of the North Dakota Century Code, relating to controlled substances.

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

HB 1107: A BILL for an Act to create and enact section 11-09.1-14 of the North Dakota Century Code, relating to expenses for indigent defense services in home rule counties; and to amend and reenact subsection 4 of section 12.1-32-08, section 27-20-49, and subsections 1, 2, and 3 of section 29-07-01.1 of the North Dakota Century Code, relating to the payment of and reimbursement for indigent defense attorney's fees and expenses.

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

HB 1108: A BILL for an Act to amend and reenact section 27-20-26 of the North Dakota Century Code, relating to the right to counsel under the Juvenile Court Act.

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

HB 1144: A BILL for an Act to amend and reenact section 50-06-15 of the North Dakota Century Code, relating to confidentiality of information contained in records.

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

HB 1146: A BILL for an Act to amend and reenact subsection 1 of section 54-61-01 and section 54-61-04 of the North Dakota Century Code, relating to the commission on legal counsel for indigents.

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

HB 1148: A BILL for an Act to amend and reenact section 54-10-15 of the North Dakota Century Code, relating to audits conducted by the state auditor at the request of the state court administrator.

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

HB 1156: A BILL for an Act to amend and reenact subsection 2 of section 47-16-07.1 and section 47-30.1-08 of the North Dakota Century Code, relating to reporting security deposits under the Uniform Unclaimed Property Act.

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

HB 1158: A BILL for an Act to amend and reenact subsection 1 of section 26.1-40-18 of the North Dakota Century Code, relating to automobile warranty contracts, automobile mechanical breakdown contracts, and automobile service contracts.

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

HB 1159: A BILL for an Act to amend and reenact section 27-20-54 of the North Dakota Century Code, relating to the destruction of juvenile court records.

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

HB 1298: A BILL for an Act to create and enact subsection 4 to section 10-19.1-124, subsection 4 to section 10-32-128, subsection 4 to section 10-33-115, chapter 10-36, and a new subsection to section 45-11-08.2 of the North Dakota Century Code, relating to limited liability companies, nonprofit corporations, nonprofit limited liability companies, and partnership fictitious names; to amend and reenact section 10-01.1-06, subsection 3 of section 10-15-36, sections 10-19.1-01 and 10-19.1-10, subsection 1 of section 10-19.1-43, section 10-19.1-46, subsection 1 of section 10-19.1-48, subsection 2 of section 10-19.1-51, subsection 1 of section 10-19.1-75, section 10-19.1-76.2, subsection 6 of section 10-19.1-87, subsection 1 of section 10-19.1-91, sections 10-19.1-105, 10-19.1-107, and 10-19.1-146, subsection 5 of section 10-19.1-148, sections 10-32-02, 10-32-04, and 10-32-06, subsection 1 of section 10-32-10, section 10-32-18, subsection 2 of section 10-32-43, section 10-32-48, subsection 1 of section 10-32-80, subsection 1 of section 10-32-85, subsection 2 of section 10-32-87, subsection 1 of section 10-32-99, subsection 4 of section 10-32-107, subsection 1 of section 10-32-109, sections 10-32-110 and 10-32-111, subsection 3 of section 10-32-149, subsection 5 of section 10-32-152, section 10-33-01, subsection 1 of section 10-33-39, subsection 1 of section 10-33-44, subsection 2 of section 10-33-46, subsection 1 of section 10-33-84, subsection 3 of section 10-33-139, subsection 5 of section 10-33-141, section 38-08.1-03, subsections 27 and 28 of section 45-10.2-02, section 45-10.2-21, subsection 3 of section 45-10.2-41, section 45-10.2-64, subsection 5 of section 45-10.2-111, subsections 17 and 18 of section 45-13-01, subsections 15 and 16 of section 45-22-01, subsection 3 of section 45-22-03, subsection 5 of section 45-22-23, and subsections 18 and 19 of section 45-23-01 of the North Dakota Century

Code, relating to commercial registered agent listing, cooperative associations, business corporations, limited liability companies, nonprofit corporations, geophysical exploration companies, limited partnerships, general partnerships, limited liability partnerships, and limited liability limited partnerships; and to provide a penalty. Was read the first time and referred to the **Judiciary Committee**.

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

Fran A. Gronberg, Secretary