

JOURNAL OF THE HOUSE

Fifty-third Legislative Assembly

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Bismarck, March 24, 1993

The House convened at 9:00 a.m., with Speaker R. Berg presiding.

The prayer was offered by the Rev. Klaus Raab, Bethel Lutheran, Harvey.

The roll was called and all members were present except Representative Boucher.

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. DeWitz, Chairman) has carefully examined the Journal of the Fifty-third Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 1359, line 28, remove "the following"

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

MOTION

REP. MARTINSON MOVED that the House clinch all legislative action of yeaterday, which motion prevailed.

REP. MARTINSON MOVED that all legislative action taken yesterday be messaged to the Senate, which motion prevailed.

SIGNING OF BILLS AND RESOLUTIONS

The Speaker signed the following enrolled bills and resolution: HB 1110, HB 1182, HB 1216, HB 1217, HB 1262, HB 1297, HB 1323, HB 1332, HB 1336, HB 1345, HB 1356, HB 1360, HB 1373, HB 1377, HB 1380, HB 1401, HB 1419, HB 1424, HCR 3036.

MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

MADAM PRESIDENT: The House has amended and subsequently passed: SB 2002, SB 2008, SB 2010, SB 2017, SB 2200, SB 2214, SB 2390, SB 2473.

MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

MADAM PRESIDENT: The House has amended, subsequently passed, and the emergency clause carried: SB 2511.

MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

MADAM PRESIDENT: The House has amended and subsequently failed to pass: SB 2056.

MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

MADAM PRESIDENT: The House has failed to pass: SCR 4016.

MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

MADAM PRESIDENT: The House has adopted the conference committee report and subsequently passed: HB 1344.

MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

MADAM PRESIDENT: The House has adopted the conference committee report and subsequently passed: SCR 4019.

MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

MADAM PRESIDENT: The Speaker has signed and your signature is respectfully

requested on: HB 1110, HB 1182, HB 1216, HB 1217, HB 1262, HB 1297, HB 1323, HB 1332, HB 1336, HB 1345, HB 1356, HB 1360, HB 1373, HB 1377, HB 1380, HB 1401, HB 1419, HB 1424, HCR 3036.

ANNOUNCEMENT BY THE SPEAKER

SPEAKER R. BERG ANNOUNCED the following appointments to Conference Committees.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on Engrossed HB 1019: Reps. St. Aubyn, Byerly, Nichols.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1075: Reps. D. Olsen, Wardner, Nelson.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1079: Reps. Maragos, Wanzek, Ring.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1158: Reps. Monson, Boehm, Aarsvold.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1178: Reps. Gates, Stenehjem, Thorpe.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1208: Reps. Dalrymple, Wald, Kaldor.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on Engrossed HB 1212: Reps. Timm, Freier, Glassheim.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1219: Reps. Boehm, Skarphol, Cleary.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1349: Reps. Drovdal, Wanzek, Grumbo.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1438: Reps. Gates, Poolman, Ness.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1463: Reps. C. Carlson, Froseth, Mahoney.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on Engrossed HB 1504: Reps. Price, Stenehjem, Brodshaug.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on SB 2040: Reps. Bernstein, Froseth, Stenson.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on SB 2155: Reps. Kelsch, Kretschmar, Allmaras.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on SB 2285: Reps. Skarphol, Wanzen, Ring.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on SB 2453: Reps. Brown, Klein, Sitz.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on SB 2490: Reps. Monson, Boehm, Aarsvold.

MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

MADAM PRESIDENT: The House does not concur in the Senate amendments to HB 1019, HB 1208, HB 1219, HB 1349, HB 1438, HB 1463, and HB 1504 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1019: Reps. St. Aubyn; Byerly; Nichols
HB 1208: Reps. Dalrymple; Wald; Kaldor
HB 1219: Reps. Boehm; Skarphol; Cleary
HB 1349: Reps. Drovda; Wanzen; Grumbo
HB 1438: Reps. Gates; Poolman; Ness
HB 1463: Reps. C. Carlson; Froseth; Mahoney
HB 1504: Reps. Price; Stenehjelm; Brodshaug

MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

MADAM PRESIDENT: The Speaker has appointed as a conference committee to act with a like committee from the Senate on:

SB 2040: Reps. Bernstein; Froseth; Stenson
SB 2155: Reps. Kelsch; Kretschmar; Allmaras
SB 2285: Reps. Skarphol; Wanzen; Ring
SB 2453: Reps. Brown; Klein; Sitz
SB 2490: Reps. Monson; Boehm; Aarsvold

MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

MADAM PRESIDENT: The House does not concur in the Senate amendments to HB 1075, HB 1079, HB 1158, HB 1178, and HB 1212 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1075: Reps. D. Olsen; Wardner; Nelson
HB 1079: Reps. Maragos; Wanzen; Ring
HB 1158: Reps. Monson; Boehm; Aarsvold
HB 1178: Reps. Gates; Stenehjelm; Thorpe
HB 1212: Reps. Timm; Freier; Glassheim

MOTION

REP. FREIER MOVED that the House stand in recess until 1:00 p.m., which motion prevailed.

THE HOUSE RECONVENED pursuant to recess taken, with Speaker R. Berg presiding.

HOUSE ENGROSSING AND ENROLLING REPORT

The following resolution was enrolled: HMR 7001.

SIGNING OF BILLS AND RESOLUTIONS

The Speaker signed the following enrolled resolution: HMR 7001.

THE HOUSE RECOGNIZED THE PRESENCE OF:

Former Representative and Speaker of the House Oscar Solberg.

MESSAGE TO THE HOUSE FROM THE SENATE (CAROL SIEGERT, SECRETARY)

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1136, HB 1211, HB 1429, HB 1467, HB 1490.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1136

Page 2, line 16, remove the overstrike over "~~twenty-one~~"

Page 2, line 17, remove "fourteen"

Page 2, line 24, remove the overstrike over "~~twenty-one~~" and remove "fourteen"

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1211

Page 1, line 3, after the third comma insert "10-23-05,"

Page 7, after line 27, insert:

"SECTION 9. AMENDMENT. Section 10-23-05 of the North Dakota Century Code is amended and reenacted as follows:

10-23-05. Miscellaneous charges. The secretary of state shall charge and collect for furnishing a certified copy of any document, instrument, or paper relating to a corporation, one dollar for every four pages, or fraction thereof, and ~~ten~~ fifteen dollars for the certificate and affixing the seal ~~thereto~~ to the certificate."

Page 15, remove lines 25 through 28

Page 16, line 11, after the underscored period insert "This section does not apply to fees submitted for filing in, or information obtained from, the computerized central notice system, to the computerized Uniform Commercial Code central filing data base, or to the computerized statutory liens data base."

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1429

Page 1, line 3, remove "and an income tax credit for"

Page 1, line 4, remove "alternative fuel refueling station equipment" and remove "and"

Page 1, line 5, after "date" insert "; and to provide an expiration date"

Page 1, line 10, remove "and refueling station equipment"

Page 2, after line 18, insert:

"SECTION 3. EXPIRATION DATE. This Act is effective through December 31, 1997, and after that date is ineffective."

Renumber accordingly

SENATE AMENDMENTS TO HOUSE BILL NO. 1467

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact sections 15-21-04.6 and 15-29-08.3 of the North Dakota Century Code, relating to student performance standards and assessment and school district policies and plans for participatory school decisionmaking."

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 15-21-04.6 of the 1991 Supplement to the North Dakota Century Code is amended and reenacted as follows:

15-21-04.6. Student performance standards and assessment - Preliminary activities - Continuing appropriation.

1. The superintendent of public instruction, subject to the financial limitations imposed by subsection 2, shall conduct preliminary research and engage in other appropriate activities to prepare for the development of student performance standards and the assessment program to be implemented during the ~~1993-95~~ 1997-99 biennium.
2. The funding for the activities of the superintendent described in subsection 1 must be provided from contributions, gifts, or grants received from the federal government, private organizations, or other nonstate sources and may be used only for the specific purpose for which the funds were contributed. These funds are hereby appropriated to the superintendent for the purpose of implementing subsection 1. The superintendent is not required to implement subsection 1 if adequate funding does not become available pursuant to this subsection.

SECTION 2. AMENDMENT. Section 15-29-08.3 of the 1991 Supplement to the North Dakota Century Code is amended and reenacted as follows:

15-29-08.3. School district policy and plan for participatory school decisionmaking.

1. By July 1, ~~1994~~ 1998, each school board of a public school district, including the Fargo school district, shall adopt a policy and plan for implementing participatory school decisionmaking in that school district, including a description of how teachers, parents, school administrators, and other school employees of a school are to be involved in the decisionmaking process. Each school board, prior to adopting the policy and plan, shall adopt a procedure whereby all interested persons are afforded a reasonable opportunity to submit their views concerning the content of the policy and plan, which views are not binding on the school board.
2. The superintendent of public instruction shall develop nonbinding guidelines to assist school boards in the development of policies and plans relating to participatory school decisionmaking, and make the guidelines available to nonpublic schools.
3. By July 1, ~~1994~~ 1998, each school board shall submit to the superintendent of public instruction a copy of the policy and plan for the school district. On July first of each even-numbered year thereafter, each school board shall submit to the superintendent a copy of a written evaluation of the policy and implementation plan and copies of any amendments to the policy and plan.
4. This section may not be construed to impair the rights, powers, or duties of local school districts and school boards in the management and control of local schools."

Renumber accordingly

Page 1, line 18, remove "such of" and replace "as in its judgment will" with "to"

Page 1, line 20, remove "so"

Page 1, line 21, remove "or delivered" and remove "so"

Page 2, line 24, after "from" insert "on-site and off-site"

Page 3, line 5, remove "or delivered"

Page 3, line 8, remove "or delivered"

Page 5, line 7, after the underscored period insert "This section does not apply to the protection and advocacy project."

Renumber accordingly

MESSAGE TO THE HOUSE FROM THE SENATE (CAROL SIEGERT, SECRETARY)

MR. SPEAKER: The Senate has passed unchanged: HB 1170, HB 1407, HB 1409, HB 1412, HB 1415, HB 1427, HB 1455, HB 1456, HB 1457, HB 1483, HB 1492, HB 1501.

MESSAGE TO THE HOUSE FROM THE SENATE (CAROL SIEGERT, SECRETARY)

MR. SPEAKER: The Senate has amended and subsequently failed to pass: HB 1160, HB 1326, HB 1366, HB 1468.

MESSAGE TO THE HOUSE FROM THE SENATE (CAROL SIEGERT, SECRETARY)

MR. SPEAKER: The Senate has failed to pass: HB 1395, HB 1422, HB 1452, HCR 3002, HCR 3032, HCR 3037, HCR 3068.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following resolution was delivered to the Secretary of State for his filing at the hour of 1:05 p.m., March 24, 1993: HMR 7001.

THE HOUSE RECOGNIZED THE PRESENCE OF:

Former Representative Sarah Carlson

COMMUNICATION FROM GOVERNOR EDWARD T. SCHAFER

March 23, 1993

I am returning House Bill No. 1276, and hereby veto the same.

Under current law, North Dakota recaptures depreciation when a care provider of the developmentally disabled sells a facility or a fixed asset. The recapture is limited to the extent that the sale price exceeds the net book value (depreciated value) of the asset. House Bill 1276 seeks to change that procedure dramatically. The bill limits the amount of recapture to the difference between sale price and the outstanding mortgage or debt against the property. This limitation may result in a "churning" of facilities, through the artificial creation of debt, the sale of properties and the loss of recapture to the State of North Dakota. In other words, when North Dakota should have received depreciation recapture - no recapture will be received when the debt meets or exceeds the disposal price.

House Bill 1276 would cost the state substantial revenue if a number of facilities are sold, which could severely disrupt services to the developmentally disabled. Private providers of services to the developmentally disabled have been the backbone of our programs. Those providers deserve fair compensation for those services with appropriate and accurate recognition of depreciation being a proper and integral part of their remuneration.

I believe House Bill 1276 impedes that process and I respectfully return the same.

MOTION

REP. FREIER MOVED that HB 1276 be reconsidered pursuant to Article V, Section 9, of the Constitution of the State of North Dakota for the purpose of overriding the Governor's veto, and that HB 1276 be placed on the Eleventh order, which motion prevailed.

RECONSIDERATION OF A VETOED MEASURE

HB 1276: A BILL for an Act to create and enact a new section to chapter 25-16 of the North Dakota Century Code, relating to residential care and services for the developmentally disabled.

ROLL CALL

The question being on the final passage of the bill, as enrolled over the Governor's veto, which has been read, the roll was called and there were 21 YEAS, 72 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Allmaras; Berg, J.; Bernstein; Bodine; Brodshaug; Cleary; Dorso; Goffe; Gorman; Grumbo; Guleson; Hanson; Hokana; Keiser; Kilichowski; Nelson; Ness; Price; Ring; Sitz; Stenson

NAYS: Aarsvold; Austin; Bateman; Belter; Boehm; Boucher; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Coats; DeWitz; Dobrinski; Drovda; Freier; Froseth; Gerntholz; Glassheim; Gorder; Grosz; Hagle; Hausauer; Henegar; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Kelsch; Kempenich; Kerzman; Klein; Kretschmar; Kroeber; Laughlin; Mahoney; Maragos; Martin; Martinson; Monson; Mutzenberger; Nicholas; Nichols; Oban; Olson, A.; Payne; Poolman; Porter; Pyle; Rennerfeldt; Rydell; Schindler; Shide; Skarphol; Soukup; St. Aubyn; Stenehjelm; Svedjan; Sveen; Thorpe; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wentz; Wilkie; Speaker R. Berg

ABSENT AND NOT VOTING: Clayburgh; Dalrymple; Gates; Kunkel; Olsen, D.

The House sustained the Governor's veto on Enrolled HB 1276.

MOTION

REP. FREIER MOVED that the House waive the reading of the titles to SB 2001, SB 2003, SB 2006, and SB 2021, which motion prevailed.

SIXTH ORDER OF BUSINESS

SB 2001, as engrossed: REP. DALRYMPLE (Appropriations Committee) MOVED that the amendments on HJ pages 1361-1362 be adopted and then be placed on the Fourteenth order with DO PASS, which motion prevailed.

MOTION

REP. FREIER MOVED that SB 2001, as amended, be placed on the Fourteenth order, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2001: A BILL for an Act providing an appropriation for defraying the expenses of the legislative branch of government; to amend and reenact subsection 2 of section 28-32-03, section 28-32-03.1, and subsections 3 and 4 of section 28-32-03.2 of the North Dakota Century Code, relating to publication of the administrative code; 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 94 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Allmaras; Austin; Bateman; Belter; Berg, J.; Bernstein; Bodine; Boehm; Boucher; Brodshaug; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Cleary; Coats; Dalrymple; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Gerntholz; Glassheim; Goffe; Gorder; Gorman; Grosz; Grumbo; Gulleon; Hagle; Hanson; Hausauer; Henegar; Hokana; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; Klein; Kretschmar; Kroeber; Laughlin; Mahoney; Maragos; Martin; Martinson; Monson; Mutzenberger; Nelson; Ness; Nicholas; Nichols; Oban; Olson, A.; Payne; Poolman; Porter; Price; Pyle; Rennerfeldt; Ring; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenehjem; Stenson; Svedjan; Sveen; Thorpe; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wentz; Wilkie; Speaker R. Berg

ABSENT AND NOT VOTING: Clayburgh; Gates; Kunkel; Olsen, D.

Engrossed SB 2001 passed, the title was agreed to, and the emergency clause was declared carried.

SIXTH ORDER OF BUSINESS

SB 2003, as engrossed: REP. DALRYMPLE (Appropriations Committee) MOVED that the amendments on HJ pages 1362-1369 be adopted and then be placed on the Fourteenth order with **DO PASS**.

REQUEST

REP. KERZMAN REQUESTED a roll call vote on the motion to adopt the proposed amendments to Engrossed SB 2003, which request was granted.

ROLL CALL

The question being on the motion to adopt the amendments to Engrossed SB 2003, the roll was called and there were 62 YEAS, 33 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

The motion to adopt the amendments to Engrossed SB 2003 passed.

MOTION

REP. FREIER MOVED that SB 2003, as amended, be placed on the Fourteenth order, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2003: A BILL for an Act to provide an appropriation for defraying the expenses of the North Dakota university system and the various institutions of higher learning under the supervision of the state board of higher education and to provide an exemption to the provisions of section 54-44.1-11.

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 72 YEAS, 23 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Allmaras; Austin; Bateman; Belter; Bernstein; Boehm; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Dalrymple; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Gorder; Gorman; Grosz; Grumbo; Gulleon; Hagle; Hausauer; Henegar; Hokana; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kilichowski; Klein; Kretschmar; Kunkel; Laughlin; Maragos; Martin; Martinson; Monson; Ness; Nicholas; Nichols; Olson, A.; Payne; Porter; Price; Rennerfeldt; Rydell; Schindler; Shide; Skarphol; Soukup; St. Aubyn; Stenehjem; Svedjan; Sveen; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wentz; Speaker R. Berg

NAYS: Berg, J.; Bodine; Boucher; Brodshaug; Cleary; Coats; Gerntholz; Glassheim; Goffe; Hanson; Kerzman; Kroeber; Mahoney; Mutzenberger; Nelson; Oban; Poolman; Pyle; Ring; Sitz; Stenson; Thorpe; Wilkie

ABSENT AND NOT VOTING: Clayburgh; Gates; Olsen, D.

Engrossed SB 2003 passed and the title was agreed to.

SIXTH ORDER OF BUSINESS

SB 2005, as engrossed: REP. DALRYMPLE (Appropriations Committee) MOVED that the amendments on HJ pages 1369-1373 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

REQUEST

REP. COATS REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to Engrossed SB 2005, which request was granted.

ROLL CALL

The question being on the motion to adopt the amendments to Engrossed SB 2005, the roll was called and there were 65 YEAS, 31 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Austin; Bateman; Belter; Bernstein; Boehm; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Dalrymple; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Gerntholz; Glassheim; Gorder; Gorman; Grosz; Grumbo; Hausauer; Henegar; Holm; Howard; Jacobs; Johnson; Keiser; Kempenich; Klein; Kretschmar; Kunkel; Maragos; Martin; Monson; Nicholas; Nichols; Olsen, D.; Olson, A.; Payne; Poolman; Porter; Price; Rennerfeldt; Rydell; Schindler; Shide; Skarphol; Soukup; St. Aubyn; Stenehjem; Svedjan; Sveen; Timm; Tollefson; Torgerson; Wald; Wanzenk; Wardner; Wentz; Wilkie; Speaker R. Berg

NAYS: Aarsvold; Allmaras; Berg, J.; Bodine; Boucher; Brodshaug; Cleary; Coats; Goffe; Gulleson; Hagle; Hanson; Hokana; Huether; Kaldor; Kelsch; Kerzman; Kilichowski; Kroeber; Laughlin; Mahoney; Martinson; Mutzenberger; Nelson; Ness; Oban; Pyle; Ring; Sitz; Stenson; Thorpe

ABSENT AND NOT VOTING: Clayburgh; Gates

The motion to adopt the amendments to Engrossed SB 2005 passed.

MOTION

REP. FREIER MOVED that Engrossed SB 2005, as amended, be placed on the Fourteenth order, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2005: A BILL for an Act making an appropriation for defraying the expenses of the North Dakota state university extension service, the northern crops institute, and the North Dakota agricultural experiment station; and to provide a statement of legislative intent.

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 85 YEAS, 11 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Allmaras; Austin; Bateman; Belter; Berg, J.; Bernstein; Boehm; Boucher; Brodshaug; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Cleary; Dalrymple; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Gerntholz; Glassheim; Gorder; Gorman; Grosz; Grumbo; Gulleson; Hagle; Hanson; Hausauer; Henegar; Hokana; Holm; Howard; Jacobs; Johnson; Keiser; Kempenich; Kerzman; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Maragos; Martin; Martinson; Monson;

Mutzenberger; Nelson; Ness; Nicholas; Nichols; Oban; Olsen, D.; Olson, A.; Payne; Poolman; Porter; Price; Pyle; Rennerfeldt; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenehjem; Stenson; Svedjan; Sveen; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wentz; Wilkie; Speaker R. Berg

NAYS: Aarsvold; Bodine; Coats; Goffe; Huether; Kaldor; Kelsch; Kilichowski; Mahoney; Ring; Thorpe

ABSENT AND NOT VOTING: Clayburgh; Gates

Engrossed SB 2005 passed and the title was agreed to.

SIXTH ORDER OF BUSINESS

SB 2006, as engrossed: REP. DALRYMPLE (Appropriations Committee) MOVED that the amendments on HJ pages 1373-1379 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

MOTION

REP. FREIER MOVED that Engrossed SB 2006, as amended, be placed on the Fourteenth order, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2006: A BILL for an Act to provide an appropriation for defraying the expenses of the state department of health and consolidated laboratories; to provide a statement regarding the disbursement of domestic violence prevention grants; to provide for appropriations from the abandoned motor vehicle disposal fund, solid waste management fund, environment and rangeland protection fund, and domestic violence fund; to create and enact nine new subsections to section 23-09-01 of the North Dakota Century Code, relating to food establishments, hotels, lodginghouses, restaurants, and boardinghouses; and to amend and reenact subsection 1 of section 19-02.1-24, sections 23-09-11, 23-09-17, 23-09-18, 23-09-19, 23-09.1-03, and 23-10-05 of the North Dakota Century Code, relating to license fees and inspections by the department of health and consolidated laboratories.

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 96 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Allmaras; Austin; Bateman; Belter; Berg, J.; Bernstein; Bodine; Boehm; Boucher; Brodshaug; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Cleary; Coats; Dalrymple; Dewitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Gerntholz; Glassheim; Goffe; Gorder; Gorman; Grosz; Grumbo; Guleson; Hagle; Hanson; Hausauer; Henegar; Hokana; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martin; Martinson; Monson; Mutzenberger; Nelson; Ness; Nicholas; Nichols; Oban; Olsen, D.; Olson, A.; Payne; Poolman; Porter; Price; Pyle; Rennerfeldt; Ring; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenehjem; Stenson; Svedjan; Sveen; Thorpe; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wentz; Wilkie; Speaker R. Berg

ABSENT AND NOT VOTING: Clayburgh; Gates

Engrossed SB 2006 passed and the title was agreed to.

SIXTH ORDER OF BUSINESS

SB 2013, as engrossed: REP. DALRYMPLE (Appropriations Committee) MOVED that the amendments on HJ page 1379 be adopted and then be placed on the Fourteenth order with DO PASS, which motion prevailed.

MOTION

REP. FREIER MOVED that the rules be suspended and that Engrossed SB 2013, as amended, be placed on the Fourteenth order, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2013: A BILL for an Act to provide an appropriation for defraying the expenses of the highway patrol.

ROLL CALL

The question being on the final adoption of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 96 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Allmaras; Austin; Bateman; Belter; Berg, J.; Bernstein; Bodine; Boehm; Boucher; Brodshaug; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Cleary; Coats; Dalrymple; Delwitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Gerntholz; Glassheim; Goffe; Gorder; Gorman; Grosz; Grumbo; Gulleson; Hagle; Hanson; Hausauer; Henegar; Hokana; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martin; Martinson; Monson; Mutzenberger; Nelson; Ness; Nicholas; Nichols; Oban; Olsen, D.; Olson, A.; Payne; Poolman; Porter; Price; Pyle; Rennerfeldt; Ring; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenehjelm; Stenson; Svedjan; Sveen; Thorpe; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wentz; Wilkie; Speaker R. Berg

ABSENT AND NOT VOTING: Clayburgh; Gates

Engrossed SB 2013 passed and the title was agreed to.

REQUEST

REP. KALDOR REQUESTED a Ruling by the Speaker on the roll call vote on the adoption of the amendments to Engrossed SB 2003.

RULING BY THE SPEAKER

SPEAKER R. BERG RULED that the request was for a roll call vote which is different from a recorded roll call vote.

EXPLANATION OF DIFFERENT VOTES

1. A roll call vote is when the board is open and the individual's name and how he or she votes is displayed, along with the total "Yeas" and "Nays".
2. A verification vote is when the board is dark and there are no individual votes displayed. Only the total "Yeas" and "Nays" are displayed.
3. A recorded roll call vote is when the individual's name on the voting board is open to display and shows how each individual votes, along with the total "Yeas" and "Nays". There is a printout from the voting machine. The individual votes and total "Yeas" and "Nays" are printed in the Journal.

REQUEST

Rep. Kaldor then appealed the Ruling by the Speaker that it was a request for a roll call vote, rather than a request for a recorded roll call vote.

Rep. Kaldor then requested a recorded roll call vote on his appeal, which was granted.

The question then was on the appeal of the Speaker's Ruling regarding the roll call vote on the adoption of the amendments to Engrossed SB 2003. The roll was called and there were 63 YEAS, 33 NAYS, 2 ABSENT AND NOT VOTING, therefore the Speaker's Ruling was upheld.

YEAS: Austin; Bateman; Belter; Bernstein; Boehm; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Dalrymple; DeWitz; Dorso; Drovdal; Freier; Froseth; Gerntholz; Gorder; Gorman; Grosz; Hagle; Hausauer; Henegar; Holm; Howard; Jacobs; Johnson; Keiser; Kelsch; Kempenich; Klein; Kretschmar; Kunkel; Maragos; Martin; Martinson; Monson; Nicholas; Olsen, D.; Olson, A.; Payne; Poolman; Porter; Price; Rennerfeldt; Rydell; Schindler; Shide; Skarphol; Soukup; St. Aubyn; Stenehjem; Svedjan; Sveen; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wentz; Speaker R. Berg

NAYS: Aarsvold; Allmaras; Berg, J.; Bodine; Boucher; Brodshaug; Cleary; Coats; Dobrinski; Glassheim; Goffe; Grumbo; Gulleson; Hanson; Hokana; Huether; Kaldor; Kerzman; Kilichowski; Kroeber; Laughlin; Mahoney; Mutzenberger; Nelson; Ness; Nichols; Oban; Pyle; Ring; Sitz; Stenson; Thorpe; Wilkie

ABSENT AND NOT VOTING: Clayburgh; Gates

SIXTH ORDER OF BUSINESS

SB 2014, as engrossed: REP. DALRYMPLE (Appropriations Committee) MOVED that the amendments on HJ pages 1379-1381 be adopted and then be placed on the Fourteenth order with DO PASS, which motion prevailed on a verification vote.

MOTION

REP. FREIER MOVED that Engrossed SB 2014, as amended, be placed on the Fourteenth order, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2014: A BILL for an Act making an appropriation for defraying the expenses of the various divisions under the supervision of the director of the department of transportation; and to provide a statement of legislative intent.

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, 5 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Bateman; Belter; Berg, J.; Bernstein; Bodine; Boehm; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Cleary; Coats; Dalrymple; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Gerntholz; Glassheim; Gorder; Gorman; Grosz; Grumbo; Gulleson; Hagle; Hanson; Hausauer; Henegar; Hokana; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martin; Martinson; Monson; Mutzenberger; Ness; Nicholas; Nichols; Oban; Olsen, D.; Olson, A.; Payne; Poolman; Porter; Price; Pyle; Rennerfeldt; Ring; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenehjem; Stenson; Svedjan; Sveen; Thorpe; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wentz; Wilkie; Speaker R. Berg

NAYS: Allmaras; Boucher; Brodshaug; Goffe; Nelson

ABSENT AND NOT VOTING: Clayburgh; Gates

Engrossed SB 2014 passed and the title was agreed to.

SIXTH ORDER OF BUSINESS

SB 2021, as engrossed: REP. DALRYMPLE (Appropriations Committee) MOVED that the amendments on HJ pages 1381-1389 be adopted and then be placed on the Fourteenth order with DO PASS.

REQUEST

REP. KALDOR REQUESTED that the question of the adoption of the amendments to Engrossed SB 2021 be divided to have the sections voted on separately in the following manner, which request was granted.

RULING BY SPEAKER

SPEAKER R. BERG RULED that in accordance with House Rule 603, any member may have the amendments divided into separate divisions and the question of the adoption of the amendments must be taken separately on each amendment. All approved divisions will then comprise the report that is to be adopted. Therefore, Rep. Kaldor's request was granted.

DIVISION A

Page 1, line 3, after the semicolon insert "to amend and reenact section 6-09.10-02, subsections 2, 3, and 6 of section 10-30.3-01, sections 10-30.3-03, 10-30.3-10, 10-30.3-11, subsection 2 of section 10-30.4-01, section 10-30.4-02, subdivision c of subsection 1 of section 10-30.4-03, sections 15-12-25, 54-34.3-03, 54-34.3-05, 54-34.3-06, 54-34.3-07, and 54-34.3-08 of the North Dakota Century Code, relating to the credit review board, North Dakota future fund, incorporated, technology transfer, incorporated, and the department of economic development and finance;"

Page 1, line 8, remove "federal funds and"

Page 1, line 10, replace "of its various divisions" with "thereof"

Page 1, line 12, replace "2,579,816" with "2,306,292"

Page 1, line 13, replace "96,510" with "85,959"

Page 1, line 14, replace "1,522,752" with "1,447,932"

Page 1, line 21, replace "996,000" with "800,000"

Page 2, after line 1, insert:

"Agricultural products utilization commission grant 375,000"

Page 2, line 3, replace "17,546,629" with "17,366,734"

Page 2, line 4, replace "116,058" with "18,000"

Page 2, line 5, replace "17,430,571" with "17,348,734"

Page 2, replace lines 6 through 25 with:

"SECTION 2. TRANSFERS - ECONOMIC DEVELOPMENT FUNDS. The following amounts appropriated in section 1 of this Act must be transferred to the following funds or programs for expenditure purposes for the biennium beginning July 1, 1993, and ending June 30, 1995, as follows:

Future fund	\$ 5,005,000
Technology transfer, incorporated	2,125,000
Partnership in assisting community expansion fund	2,700,000
Agriculture partnership in assisting community expansion fund	800,000
Agricultural products utilization commission	375,000
Beginning farmer revolving loan fund	<u>1,000,000</u>
Total	\$12,005,000

SECTION 3. AMENDMENT. Section 6-09.10-02 of the North Dakota Century Code is amended and reenacted as follows:

6-09.10-02. Credit review board. ~~The board consists of six members. The governor shall appoint one member of the credit review board, the commissioner of agriculture shall appoint one member of the credit review board, and the attorney general shall appoint one member of the credit review board. One member of the board must have experience serving as a director or officer of a financial institution. Two members of the board must have experience in the operation of a farm, the attorney general, and the commissioner of agriculture shall each appoint two members to the board. The governor and attorney general shall each appoint one member with experience as a director or officer of a financial institution and one member actively engaged in farming in the state. The commissioner of agriculture shall appoint two members who are actively engaged in farming in the state. No member of the board may hold state office or serve in state office or serve in state government in any capacity at any time of appointment or during service on the board. The credit review board members shall serve terms of two years.~~

SECTION 4. AMENDMENT. Subsections 2, 3, and 6 of section 10-30.3-01 of the 1991 Supplement to the North Dakota Century Code are amended and reenacted as follows:

2. "Corporation" means the North Dakota ~~economic development finance corporation~~ future fund, incorporated established under this chapter.
3. "North Dakota American Indian" means an enrolled member of a federally recognized North Dakota tribe ~~with at least one-fourth degree blood quantum.~~
6. "Primary sector business" means an individual, corporation, partnership, or association which through the employment of knowledge or labor, adds value to a product, process, or service that results in the creation of new wealth. The term includes tourism, but does not include production agriculture.

SECTION 5. AMENDMENT. Section 10-30.3-03 of the 1991 Supplement to the North Dakota Century Code is amended and reenacted as follows:

10-30.3-03. Organization. The corporation must be managed by a board of directors. The board of directors shall adopt and amend articles of incorporation and bylaws consistent with the purposes detailed in section 10-30.3-02. The board of directors consists of ~~seven~~ eight members who shall serve three-year terms. The terms must be staggered so that no more than three positions require reappointment in any one year. ~~Members must be appointed by the~~ The governor who shall ~~appoint the members and shall~~ only consider representatives who serve in executive capacities from the following areas in making the selections: private sector manufacturing, finance, exported services, including tourism, and industrial technology and research. There must

be at least one member who is enrolled in a federally recognized North Dakota tribe ~~with at least one fourth degree American Indian blood quantum who need not serve in an executive capacity,~~ the director of economic development and finance, and one member from a rural area, on the board of directors. Members may be reappointed for additional terms.

SECTION 6. AMENDMENT. Section 10-30.3-10 of the 1991 Supplement to the North Dakota Century Code is amended and reenacted as follows:

10-30.3-10. ~~Primary sector development fund~~ North Dakota future fund - Continuing appropriation. ~~A primary sector development fund~~ The North Dakota future fund is established from moneys appropriated from the general fund. This is a revolving fund, and all moneys transferred into the fund, interest upon fund moneys, and payments to the fund are hereby appropriated for the purposes of this chapter. This fund is not subject to section 54-44.1-11.

SECTION 7. AMENDMENT. Section 10-30.3-11 of the 1991 Supplement to the North Dakota Century Code is amended and reenacted as follows:

10-30.3-11. ~~Primary sector development fund~~ North Dakota future fund uses - Distribution - Limitations.

1. The fund moneys may be used for the purposes of this chapter as provided in section 10-30.3-02. Moneys may be used to provide working capital or for financing the purchase of fixed assets, but not to refinance existing debt. Moneys may also be used to make matching grants to county-authorized ~~or~~ city-authorized, or tribal-authorized development corporations for the acquisition, leasing, or remodeling of real estate facilities for locating a prospective new primary sector business. A grant must be made as part of a package of financing in which the state is a participant.

SECTION 8. AMENDMENT. Subsection 2 of section 10-30.4-01 of the 1991 Supplement to the North Dakota Century Code is amended and reenacted as follows:

2. "Corporation" means ~~the science and technology corporation~~ transfer, incorporated established under this chapter.

SECTION 9. AMENDMENT. Section 10-30.4-02 of the 1991 Supplement to the North Dakota Century Code is amended and reenacted as follows:

10-30.4-02. Purpose. It is the purpose of this chapter to create a ~~science and technology~~ corporation that will provide a program and budgetary interface between the department of economic development and finance and the North Dakota university system. The primary objective of the interface is to focus the intellectual and technical resources of the university system on the discovery, development, and application of scientific and technological principles and concepts on North Dakota's primary sector business.

SECTION 10. AMENDMENT. Subdivision c of subsection 1 of section 10-30.4-03 of the 1991 Supplement to the North Dakota Century Code is amended and reenacted as follows:

- c. A representative from the board of directors of the North Dakota ~~economic development finance corporation future~~ fund, incorporated appointed under section 10-30.3-03.

SECTION 11. AMENDMENT. Section 15-12-25 of the 1991 Supplement to the North Dakota Century Code is amended and reenacted as follows:

15-12-25. Grants and contributions - Continuing appropriation. The economic feasibility institute may contract for, accept, and receive grants, gifts, and contributions of money, property, services, or other things of value from individuals, the federal government, private and public corporations, political subdivisions of the state, and other sources. All revenue received from gifts, grants, and contributions is hereby appropriated for use by the economic feasibility institute in carrying out the provisions of sections 15-12-22 through 15-12-26. Any state funding for the institute may be provided through legislative appropriation to ~~the science and technology cooperation transfer, incorporated~~ for that purpose.

SECTION 12. AMENDMENT. Section 54-34.3-03 of the 1991 Supplement to the North Dakota Century Code is amended and reenacted as follows:

54-34.3-03. Department structure. The department consists of:

1. A division of finance;
2. ~~A division of marketing and technical assistance;~~
- 3- A division of science and technology; and
- 4- 3. Other divisions that the director ~~upon the approval of the budget section of the legislative council determines organizes and establishes as necessary~~ to carry out most efficiently and effectively the mission and duties of the department.

SECTION 13. AMENDMENT. Section 54-34.3-05 of the 1991 Supplement to the North Dakota Century Code is amended and reenacted as follows:

54-34.3-05. Division of finance - Deputy director. The director shall appoint a deputy director who shall administer the division of finance. The deputy director shall serve at the will of the director and receive a salary set by the director within the limits of legislative appropriations. The purpose of the division of finance is to identify and coordinate sources of capital and financial assistance, including lending programs of the Bank of North Dakota, and administer programs of financial assistance placed under the administration of the division, to business and industry, local governments, and other entities and individuals in the state consistent with the mission of the department. The division of finance shall:

1. ~~Implement the review and decisionmaking functions of the economic development component of the state's community development block grant program established pursuant to the Housing and Community Development Act of 1974 [Pub. L. 93-383, 88 Stat. 633, 42 U.S.C. 5301 et seq.].~~
- 2- Administer other programs of financial assistance assigned to it by law or otherwise.
- 3- 2. Perform such other duties as assigned to it by the director.

SECTION 14. AMENDMENT. Section 54-34.3-06 of the 1991 Supplement to the North Dakota Century Code is amended and reenacted as follows:

54-34.3-06. ~~Division of marketing and technical assistance~~ Deputy director - Duties. ~~The director shall appoint a deputy director who shall administer the division of marketing and technical assistance. The deputy director shall serve at the will of the~~

~~director and receive a salary set by the director within the limits of legislative appropriations. The duties of the division of marketing and technical assistance are, as consistent with the mission of the department, to:~~ Divisions. The director shall organize and establish other divisions as necessary to carry out most efficiently and effectively the mission and duties of the department, except that the department must contain:

- ~~1. Coordinate, develop, and make available technical services on the state, regional, and local levels in order to aid business and industry in their startup or expansion in the state.~~
- ~~2. Foster and promote international trade.~~
- ~~3. Collaborate in partnership with local communities in the state to provide technical assistance and to coordinate state, regional, and local programs that stimulate and support economic development activity.~~
- ~~4. Promote and encourage the growth and diversification of the economy, innovation, and retention of business and industry in the state.~~
- ~~5. Attract new business and industry from outside the state, in a manner that creates quality jobs, attracts new capital investment, and expands and diversifies the state's economic tax base.~~
- ~~6. Maintain and keep current available information regarding the industrial opportunities and possibilities of the state, including raw materials and byproducts, power and water resources, transportation facilities, available markets and the marketing limitations of the state, labor supply, banking and financing facilities, available industrial sites, and the advantages the state and its particular regions have as industrial locations. This information must be used for the encouragement of new industries in the state and the expansion of existing industries within the state, as well as made available to local development corporations, cities, and the various political subdivisions of the state in their efforts to encourage the location of business and industry within the state.~~
- ~~7. Establish an~~ An office of North Dakota American Indian business development to assist North Dakota tribal and individual economic development representatives and North Dakota American Indian entrepreneurs with access to state and federal programs designed to assist them.
- ~~8. Provide appropriate resources to ensure increased business opportunities for women.~~
- ~~9. Provide administrative services to the department.~~
- ~~10. Utilize existing marketing entities from private and other sources such as the microbusiness marketing alliance.~~
- ~~11. Perform such other duties as assigned to the division by the director.~~
2. An office of North Dakota women's business development to develop and administer the North Dakota women's business program, to establish and fund the women's business leadership council, certify women-owned businesses for

federal or state contracting and to recruit, train, and assist women entrepreneurs to develop and diversify their businesses. The office must have an administrator and staff sufficient to implement its programs.

SECTION 15. AMENDMENT. Section 54-34.3-07 of the 1991 Supplement to the North Dakota Century Code is amended and reenacted as follows:

54-34.3-07. Division of science and technology - Deputy director - Duties. A deputy director, hired, or contracted for, by the board of directors of ~~the science and technology corporation transfer, incorporated~~ and reporting administratively to the director, shall administer the division of science and technology. The deputy director shall serve at the will of the board of directors and receive a salary set by the board within the limits of legislative appropriations. The purpose of the division of science and technology is to support the development and implementation of policies and programs that respond to the scientific and technological needs and opportunities of business and industry in the state through basic and applied research and technology transfer, product commercialization, agricultural and industrial extension, and private sector research and development. The division shall perform such duties as assigned to it by the director.

SECTION 16. AMENDMENT. Section 54-34.3-08 of the 1991 Supplement to the North Dakota Century Code is amended and reenacted as follows:

54-34.3-08. Patents. The department of economic development and finance, ~~the science and technology corporation transfer, incorporated, the North Dakota economic development finance corporation future fund, incorporated, and the North Dakota agricultural products utilization commission~~ may hold or assign for remuneration all or a portion of their interest in patents or royalty rights acquired in the course of their operation and performance of duties as provided by law."

DIVISION B

"SECTION 7. AMENDMENT. Section 10-30.3-11 of the 1991 Supplement to the North Dakota Century Code is amended and reenacted as follows:

2. The director of the department of economic development and finance shall adopt rules, subject to the approval of the board of directors, necessary to implement the administration of the fund. The rules to implement the grant program must be developed to encourage local fundraising initiatives for developing locations for businesses financed by the corporation. ~~The rules must include a requirement that every full-time employee of a business receiving moneys or other assistance from the primary sector development fund must be paid an income at least equal to one hundred percent of the federal poverty level for a family of four for the life of the loan, equity position, or other financial relationship and must establish procedures for determining compliance with this requirement and sanctions for failure to comply with it. The rules must include requirements for and methods of distribution of the funds generally targeted for a distribution of forty percent businesses in rural areas, twenty percent businesses in urban areas, twenty percent North Dakota American Indian businesses, and twenty percent to be undesignated. Any unused funds in any category may be transferred to the undesignated portion during the second year of the biennium under rules adopted by the director of the department of economic development and finance. Moneys~~

in the undesignated portion of the funds may be utilized in any of the three targeted areas."

Renumber accordingly

The question being on the motion to adopt Division A of the proposed amendments to Engrossed SB 2021.

Division A of the proposed amendments to Engrossed SB 2021 was adopted on a voice vote.

REQUEST

REP. PYLE REQUESTED a recorded roll call vote on the motion to adopt Division B of the proposed amendments to Engrossed SB 2021, which request was granted.

MOTION

REP. DORSO MOVED the previous question, which motion prevailed.

ROLL CALL

The question being on the motion to adopt Division B of the proposed amendments to Engrossed SB 2021, the roll was called and there were 63 YEAS, 32 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Austin; Bateman; Belter; Bernstein; Boehm; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Dalrymple; DeWitz; Dorso; Drovdal; Freier; Froseth; Gerntholz; Gorder; Gorman; Grosz; Hagle; Hausauer; Henegar; Holm; Howard; Jacobs; Johnson; Keiser; Kelsch; Kempenich; Klein; Kretschmar; Kunkel; Maragos; Martin; Martinson; Monson; Nicholas; Olsen, D.; Olson, A.; Payne; Poolman; Porter; Price; Rennerfeldt; Rydell; Schindler; Shide; Skarphol; Soukup; St. Aubyn; Stenehjem; Svedjan; Sveen; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wentz; Speaker R. Berg

NAYS: Aarsvold; Allmaras; Berg, J.; Bodine; Boucher; Brodshaug; Cleary; Coats; Dobrinski; Glassheim; Goffe; Grumbo; Hanson; Hokana; Huether; Kaldor; Kerzman; Kilichowski; Kroeber; Laughlin; Mahoney; Mutzenberger; Nelson; Ness; Nichols; Oban; Pyle; Ring; Sitz; Stenson; Thorpe; Wilkie

ABSENT AND NOT VOTING: Clayburgh; Gates; Gulleason

Division B of the proposed amendments to Engrossed SB 2021 was adopted.

The question being on the adoption of the proposed amendments to Engrossed SB 2021, including Divisions A and B, with the title amended appropriately, "STATEMENT OF PURPOSE OF AMENDMENT" added as appropriate, and lines, sections, and pages renumbered accordingly.

The proposed amendments to Engrossed SB 2021, including Divisions A and B were adopted.

MOTION

REP. FREIER MOVED that Engrossed SB 2021, as amended, be placed on the Fourteenth order for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2021: A BILL for an Act making an appropriation for defraying the expenses of the various divisions of the department of economic development and finance; providing for transfers of funds; to amend and reenact section 6-09.10-02, subsections 2, 3, and 6 of section 10-30.3-01, sections 10-30.3-03, 10-30.3-10, 10-30.3-11, subsection 2 of section 10-30.4-01, section 10-30.4-02, subdivision c of subsection 1 of section 10-30.4-03, sections 15-12-25, 54-34.3-03, 54-34.3-05, 54-34.3-06, 54-34.3-07, and 54-34.3-08 of the North Dakota

Century Code, relating to the credit review board, North Dakota future fund, incorporated, technology transfer, incorporated, and the department of economic development and finance; 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 73 YEAS, 22 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Bateman; Belter; Bernstein; Boehm; Boucher; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Dalrymple; DeWitz; Dorso; Drovda; Freier; Froseth; Gerntholz; Gorder; Gorman; Grosz; Grumbo; Hagle; Hanson; Hausauer; Henegar; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Maragos; Martin; Martinson; Monson; Nicholas; Olsen, D.; Olson, A.; Payne; Poolman; Porter; Price; Rennerfeldt; Rydell; Schindler; Shide; Skarphol; Soukup; St. Aubyn; Stenehjelm; Svedjan; Sveen; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wentz; Wilkie; Speaker R. Berg

NAYS: Allmaras; Berg, J.; Bodine; Brodshaug; Cleary; Coats; Dobrinski; Glassheim; Goffe; Hokana; Kilichowski; Mahoney; Mutzenberger; Nelson; Ness; Nichols; Oban; Pyle; Ring; Sitz; Stenson; Thorpe

ABSENT AND NOT VOTING: Clayburgh; Gates; Gulleson

Engrossed SB 2021 passed, the title was agreed to, and the emergency clause was declared carried.

SIXTH ORDER OF BUSINESS

HCR 2243, as engrossed: REP. DALRYMPLE (Appropriations Committee) MOVED that the amendments on HJ page 1390 be adopted and then be placed on the Fourteenth order **WITHOUT RECOMMENDATION**, which motion failed on a verification vote.

MOTION

REP. FREIER MOVED that Engrossed SB 2243, be placed on the Fourteenth order, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2243: A BILL for an Act to provide for the donation of accumulated annual leave between state employees; and to declare an emergency.

ROLL CALL

The question being on the final passage of the bill, which has been read, and is **PLACED ON THE CALENDAR WITHOUT RECOMMENDATION**, the roll was called and there were 91 YEAS, 5 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Allmaras; Austin; Bateman; Belter; Berg, J.; Bernstein; Bodine; Boehm; Boucher; Brodshaug; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Cleary; Coats; Dalrymple; Dobrinski; Dorso; Drovda; Froseth; Gerntholz; Glassheim; Goffe; Gorder; Gorman; Grumbo; Gulleson; Hagle; Hanson; Hausauer; Henegar; Hokana; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martin; Martinson; Monson; Mutzenberger; Nelson; Ness; Nicholas; Nichols; Oban; Olsen, D.; Olson, A.; Payne; Poolman; Porter; Price; Pyle; Rennerfeldt; Ring; Rydell; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenehjelm; Stenson; Svedjan; Sveen; Thorpe; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wentz; Wilkie

YAYS: DeWitz; Freier; Grosz; Schindler; Speaker R. Berg

ABSENT AND NOT VOTING: Clayburgh; Gates

Engrossed SB 2243 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF HOUSE BILL

HB 1511: A BILL for an Act to amend and reenact subsection 8 of section 26.1-38.1-02 of the North Dakota Century Code, relating to including nonprofit health service corporations in the definition of member insurer under the life and health guaranty 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 93 YEAS, 1 NAY, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Allmaras; Austin; Bateman; Belter; Berg, J.; Bernstein; Bodine; Boehm; Boucher; Brodshaug; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Cleary; Coats; Dalrymple; DeWitz; Dobrinski; Dorso; Drovda; Freier; Froseth; Gerntholz; Glassheim; Goffe; Gorder; Gorman; Grosz; Grumbo; Gulleson; Hagle; Hanson; Hausauer; Henegar; Hokana; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martin; Martinson; Monson; Mutzenberger; Nelson; Ness; Nicholas; Nichols; Oban; Olson, A.; Payne; Poolman; Porter; Price; Pyle; Rennerfeldt; Ring; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenehjelm; Stenson; Sveen; Thorpe; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wentz; Wilkie; Speaker R. Berg

NAYS: Aarsvold

ABSENT AND NOT VOTING: Clayburgh; Gates; Olsen, D.; Svedjan

HB 1511 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2128: A BILL for an Act to amend and reenact section 24-02-40 of the North Dakota Century Code, relating to short-term financing for the department of transportation.

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 92 YEAS, 0 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Allmaras; Austin; Bateman; Belter; Berg, J.; Bernstein; Bodine; Boehm; Boucher; Brodshaug; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Cleary; Coats; Dalrymple; DeWitz; Dobrinski; Dorso; Drovda; Freier; Froseth; Gerntholz; Glassheim; Goffe; Gorder; Gorman; Grosz; Grumbo; Gulleson; Hagle; Hanson; Hausauer; Henegar; Hokana; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martin; Martinson; Monson; Mutzenberger; Nelson; Ness; Nicholas; Nichols; Oban; Olson, A.; Payne; Poolman; Porter; Price; Pyle; Rennerfeldt; Ring; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenehjelm; Stenson; Sveen; Thorpe; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wentz; Speaker R. Berg

ABSENT AND NOT VOTING: Clayburgh; Gates; Olsen, D.; Rydell; Svedjan; Wilkie

SB 2128 passed and the title was agreed to.

SIGNING OF BILLS AND RESOLUTIONS

The Speaker signed the following enrolled bills and resolution: HB 1039, HB 1044, HB 1054, HB 1057, HB 1116, HB 1140, HB 1237, HB 1240, HB 1445, HCR 3030.

MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

MADAM PRESIDENT: The Speaker has signed and your signature is respectfully requested on: HB 1039, HB 1044, HB 1054, HB 1057, HB 1116, HB 1140, HB 1237, HB 1240, HB 1445, HCR 3030.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on SB 2024: Reps. Timm, Wardner, Nelson.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on SB 2441: Reps. Rennerfeldt, Belter, Dobrinski.

POINT OF PERSONAL PRIVILEGE

REP. OBAN: Mr. Speaker: I rise on a point of personal privilege and request that my remarks be printed in the Journal.

Mr. Speaker, last Friday when Representative Martinson complimented me and the Democratic Caucus for our cooperation and said that we could trust them, I agreed. I was quoted in the Bismarck Tribune saying I trusted them. Also, yesterday I rose on the floor in opposition to some amendments and said that one of the great privileges of my life has been to serve in this House of Representatives. I have to admit to this Assembly today that I am embarrassed for this peoples' branch of government. A few minutes ago when a member of this Assembly asked for a roll call vote, his intent for a recorded vote was very clear to the Speaker. I believe, with all due respect, Mr. Speaker, if that were not the case you would not have asked members of one-sixth of the Assembly to stand up, pursuant to Rule 320. I think it was a blatant power play, and certainly the minority members of this Caucus are fully aware that when you have the votes you can do anything you want to. I think that massive cuts to higher education is an issue that is very important to the people of North Dakota, and it was an attempt to hide their legislator's vote. I believe it violates the open records and the people's right to know how their legislators voted.

REQUEST

REP. MARTINSON REQUESTED that the record show that Reps. Clayburgh and Gates were absent as they were attending the funeral of Former Senator Chuck Goodman, which request was granted.

MOTIONS

REP. MARTINSON MOVED that the House clinch all legislative action taken today, which motion prevailed.

REP. MARTINSON MOVED that all legislative action taken today be messaged to the Senate, which motion prevailed.

MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

MADAM PRESIDENT: The House has passed and your favorable consideration is requested on: HB 1511.

MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

MADAM PRESIDENT: The House has passed unchanged: SB 2128, SB 2243.

MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

MADAM PRESIDENT: The House has amended and subsequently passed: SB 2003, SB 2005, SB 2006, SB 2013, SB 2014.

MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

MADAM PRESIDENT: The House has amended, subsequently passed, and the emergency clause carried: SB 2001.

MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

MADAM PRESIDENT: The House has amended, subsequently passed, and the emergency clause carried: SB 2021.

MOTION

REP. FREIER MOVED that the absent member be excused, which motion prevailed.

MOTION

REP. FREIER MOVED that the House be on the Fifth, Seventh, and Ninth orders of business and at the conclusion of those orders, the House stand adjourned until 9:00 a.m., Thursday, March 25, 1993, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2216, as engrossed: Education Committee (Rep. Gates, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (13 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). Engrossed SB 2216 was placed on the Sixth order on the calendar.

In lieu of the amendments adopted by the House as printed on pages 1137 and 1138 of the House Journal, Engrossed Senate Bill No. 2216 is amended as follows:

Page 1, line 7, after "students" insert "; and to declare an emergency"

Page 2, overstrike line 14

Page 2, line 15, overstrike "if requested by the parent, by a state-approved"

Page 2, line 16, remove "nonpublic" and overstrike "school"

Page 4, line 4, overstrike "employed by the public"

Page 4, overstrike line 5

Page 4, line 6, overstrike "parent, employed by a state-approved" and remove "nonpublic"

Page 4, line 7, overstrike "school" and remove "A nationally standardized academic aptitude test must be"

Page 4, remove line 8

Page 4, line 9, remove "students by the state."

Page 4, line 13, after "teacher" insert "not" and overstrike "state-approved"

Page 4, line 14, replace "nonpublic" with "public"

Page 4, line 23, replace "mutidisciplinary" with "multidisciplinary"

Page 7, line 5, overstrike "state-approved"

Page 7, line 6, remove "nonpublic", overstrike "school" and insert immediately thereafter "certified teacher", and overstrike "employed by a"

Page 7, line 7, overstrike "state-approved", remove "nonpublic", and overstrike "school"

Page 7, line 8, remove the overstrike over "a", remove the overstrike over "~~test~~", and remove "and"

Page 7, line 9, remove "aptitude tests"

Page 7, line 13, after "teacher" insert "not" and overstrike "state-approved"

Page 7, line 14, replace "nonpublic" with "public" and overstrike "by the"

Page 7, line 15, overstrike "state-approved private or parochial school"

Page 7, after line 18, insert:

"SECTION 7. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2367, as engrossed: Industry, Business and Labor Committee (Rep. Dorso, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2367 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "create and enact a new section to chapter 14-02.4 of the"

Page 1, line 2, remove "North Dakota Century Code, relating to limitation of damages; and to"

Page 1, line 3, after the third comma insert "and" and remove ", and"

Page 1, line 4, remove "14-02.4-20"

Page 1, line 14, replace "work-related" with "business-related"

Page 2, line 10, replace "work-related" with "business-related"

Page 3, line 3, replace "work-related" with "business-related"

Page 3, line 23, replace "work-related" with "business-related"

Page 3, remove lines 28 and 29

Page 4, remove lines 1 through 28

Page 5, remove lines 1 through 8

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2471, as engrossed: Industry, Business and Labor Committee (Rep. Dorso, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO NOT PASS (11 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2471 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 permit the merger of a corporation organized for profit into a nonprofit corporation doing business as a hospital; and to declare an emergency."

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. Merger of a corporation organized for profit into a nonprofit corporation doing business as a hospital - Retention of real property tax status. Notwithstanding any provision of chapters 10-19.1 and 10-25, a corporation organized for profit may merge into a nonprofit corporation doing business as a hospital. Notwithstanding the provisions of chapter 57-02 or any other provision of law, any real property of a corporation organized for profit merging into a nonprofit corporation doing business as a hospital under this section retains the same property tax status after the merger as it had in the taxable year before the merger.

SECTION 2. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SCR 4038: Industry, Business and Labor Committee (Rep. Dorso, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4038 was placed on the Sixth order on the calendar.

Page 1, line 1, after "resolution" replace the remainder of the resolution with "directing the Legislative Council to study the variables that affect the costs of workers' compensation coverage and the impact that allowing employers to self-insure for workers' compensation coverage or to receive additional coverage from the Workers Compensation Bureau would have on the cost of delivering workers' compensation in this state.

WHEREAS, the Legislative Assembly has explored a variety of options for solving the continuing problems with workers' compensation in North Dakota, including enacting legislation in 1991 to establish programs to provide for more efficient and effective administration of benefits by the bureau; and

WHEREAS, the Legislative Assembly has before it several proposals regarding the administration of, and the benefits and coverage provided by, the Workers Compensation Bureau; and

WHEREAS, government self-insurance pools have successfully provided property and casualty coverage to state agencies and political subdivisions in North Dakota; and

WHEREAS, self-insurance has successfully provided workers' compensation coverage to employers in other jurisdictions and may be a viable option for some North Dakota employers to provide workers' compensation coverage to their employees; and

WHEREAS, many North Dakota employers must provide workers' compensation coverage for their employees in other states and the bureau may be the appropriate vehicle to provide such coverage for employees of North Dakota employers who work in other states;

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

That the Legislative Council study the variables that affect the costs of workers' compensation coverage and the impact that allowing employers to self-insure for workers' compensation coverage or to receive additional coverage from the Workers Compensation Bureau would have on the cost of delivering workers' compensation coverage and benefits in the state; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-fourth Legislative Assembly."

Renumber accordingly

REPORT OF CONFERENCE COMMITTEE

HB 1181, as engrossed: Your conference committee (Sens. Jerome, Lindgren, B. Stenehjelm and Reps. Christopherson, Gorder, Bodine) recommends that the SENATE RECEDE from the Senate amendments on HJ pages 1120-1121, adopt amendments as follows, and place HB 1181 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1120-1121 of the House Journal and pages 822-823 of the Senate Journal and that Engrossed House Bill No. 1181 be amended as follows:

Page 3, line 5, remove "Information to be"

Page 3, line 6, remove "furnished to clerk -"

Page 3, line 7, remove the overstrike over "~~decree~~" and remove "support order"

Page 3, line 22, remove "If, in"

Page 3, remove lines 23 through 29

Page 4, remove lines 1 through 5

Page 11, line 1, overstrike "that" and remove "criteria, established by the public"

Page 11, line 2, remove "authority," and overstrike "not considered by the guidelines will result in"

Page 11, line 3, remove "a support contribution amount that is"

Page 11, line 4, remove "not in the interest of" and overstrike "a child for whom support is sought" and insert immediately thereafter ", applying criteria established by the public authority which take into consideration the best interests of the child, that the child support amount established under the guidelines is not the correct amount of child support"

Page 20, line 7, overstrike ", or, if indigent, the parent may request"

Page 20, line 8, overstrike "the court to order"

Page 20, line 13, overstrike "that other legal counsel services that may be"

Page 20, overstrike line 14

Page 20, line 15, overstrike "These" and overstrike "legal counsel services include counsel services"

Page 20, line 16, overstrike "for indigent persons" and insert immediately thereafter ". The court shall appoint counsel to represent the interests of a parent who is financially unable to obtain counsel"

Renumber accordingly

Engrossed HB 1181 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

HB 1225, as engrossed: Your conference committee (Sens. Graba, Lindgren, Nalewaja and Reps. D. Olsen, Henegar, Brodshaug) recommends that the **HOUSE ACCEDE** to the Senate amendments on HJ page 1121 and place HB 1225 on the Seventh order.

Engrossed HB 1225 was placed on the Seventh order of business on the calendar.

REPORT OF DELAYED BILLS COMMITTEE

MR. SPEAKER: Your Delayed Bills Committee (Rep. Martinson, Chairman) has examined and has cast a vote of 3 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING in favor of accepting a bill for an Act to provide an appropriation for capital construction projects at certain institutions under the control of the state board of higher education; to authorize the industrial commission to issue and sell evidences of indebtedness for the projects; and to provide for payment of a matching share to assist in the retirement of the evidences of indebtedness.

The bill will be HB 1513.

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

FIRST READING OF HOUSE BILL

Reps. Keiser, Mutzenberger, St. Aubyn, Wentz and Sens. DeMers, Redlin introduced:

(Approved by the Delayed Bills Committee)

HB 1513: A BILL for an Act to provide an appropriation for capital construction projects at certain institutions under the control of the state board of higher education; to authorize the industrial commission to issue and sell evidences of indebtedness for the projects; and to provide for payment of a matching share to assist in the retirement of the evidences of indebtedness.

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

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

ROY GILBREATH, Chief Clerk