

JOURNAL OF THE HOUSE

Fifty-fifth Legislative Assembly

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Bismarck, March 24, 1997

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

The prayer was offered by Representative Christenson.

The roll was called and all members were present except Representatives Kempenich and Thompson.

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

Page 1025, after line 47, insert:

REPORT OF STANDING COMMITTEE

SB 2385, as engrossed: Agriculture Committee (Rep. Nicholas, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2385 was placed on the Fourteenth order on the calendar.

Page 1026, line 24, remove HB 1098,

Page 1026, line 27, remove HB 1098,

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

SPECIAL ORDER OF BUSINESS

SPEAKER TIMM ANNOUNCED that the House would be on a Special Order of Business. **CHIEF CLERK ROY GILBREATH** was recognized for his thirty years of service to the North Dakota House of Representatives as Chief Clerk.

HOUSE ENGROSSING AND ENROLLING REPORT

The following bills and resolution were engrossed and enrolled: HB 1156, HB 1256, and HCR 3046.

HOUSE ENROLLING REPORT

The following bills were enrolled: HB 1039, HB 1092, and HB 1117.

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

MADAM PRESIDENT: The House has failed to pass: SB 2231.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)

MR. SPEAKER: The President has signed and your signature is respectfully requested on: SB 2040, SCR 4014, SCR 4026, SCR 4042, SCR 4045, SCR 4048, SCR 4049, SCR 4053.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)

MR. SPEAKER: The President has appointed as a conference committee to act with a like committee from the House on:

HB 1098: Sens. Krebsbach; Sand; Thompson

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)

MR. SPEAKER: The Senate has amended, subsequently passed, and the emergency clause carried: HB 1339.

SENATE AMENDMENTS TO HOUSE BILL NO. 1339

Page 7, line 25, overstrike "the" and insert immediately thereafter "this" and after "state" insert ", delivered into this state,"

Renumber accordingly

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)
MR. SPEAKER: The Senate has amended and subsequently passed: HB 1112, HB 1142, HB 1162, HB 1453, HCR 3019.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1112

Page 2, line 14, replace the underscored colon with "the"

Page 2, line 15, remove "a. The"

Page 2, line 22, replace "; or" with an underscored period

Page 2, remove lines 23 through 30

Page 3, line 6, after "property" insert "is in excess of one thousand dollars but"

Page 3, line 10, replace "made" with ":"

a. Managed the disabled adult's or vulnerable elderly adult's funds, assets, or property in a manner that clearly gives primacy to the needs and welfare of that person and is consistent with any written authorization; or

b. Made"

Page 3, line 12, remove ", but through no fault of the person has been"

Page 3, line 13, remove "unable to provide the assistance"

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1142

Page 1, line 3, remove "section 15-39.1-07 and"

Page 1, line 4, remove "vacancies on and"

Page 1, line 8, replace "Two" with "A" and replace "sections" with "section"

Page 1, line 9, replace "are" with "is"

Page 1, line 19, replace "school administrators" with "educational leaders"

Page 2, after line 13, insert:

"SECTION 2. A new section to chapter 15-39.1 of the North Dakota Century Code is created and enacted as follows:"

Page 3, remove lines 18 through 24

Page 3, line 28, after "~~15-39.1-05~~" insert "section 1 of this Act" and remove the overstrike over the comma

Page 4, line 14, remove the overstrike over "~~The board of trustees for the teachers' fund for retirement.~~"

Page 4, line 15, remove the overstrike over "l."

Page 4, line 16, remove the overstrike over "m." and remove "l."

Page 4, line 17, remove the overstrike over "n." and remove "m."

Page 4, line 18, remove the overstrike over "o." and remove "n."

Page 4, line 19, remove the overstrike over "p." and remove "o."

Page 4, line 20, remove the overstrike over "q." and remove "p."

Page 4, line 21, remove the overstrike over "r." and remove "q."

Page 4, line 22, remove the overstrike over "s-" and remove "r."

Page 4, line 23, remove the overstrike over "t-" and remove "s."

Page 4, line 24, remove the overstrike over "u-" and remove "t."

Page 4, line 25, remove the overstrike over "v-" and remove "u."

Page 4, line 26, remove the overstrike over "w-" and remove "v."

Page 4, line 27, remove the overstrike over "x-" and remove "w."

Page 4, line 28, remove the overstrike over "y-" and remove "x."

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1162

Page 6, line 9, replace "ten" with "five"

Renumber accordingly

SENATE AMENDMENTS TO HOUSE BILL NO. 1453

Page 1, line 22, remove the overstrike over the colon

Page 1, remove the overstrike over line 23

Page 2, remove the overstrike over line 1

Page 2, line 2, remove the overstrike over "~~from a telephone or mail order transaction~~"

Page 2, line 6, remove "or in the county in which the"

Page 2, line 7, remove "subject matter of the claim occurred"

Page 2, after line 10, insert:

"f. If the plaintiff is a political subdivision and the claim is for a public utility debt, in the county in which the political subdivision is located."

Renumber accordingly

SENATE AMENDMENTS TO HOUSE CONCURRENT RESOLUTION NO. 3019

Page 1, line 4, remove "sister state"

Renumber accordingly

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)

MR. SPEAKER: The Senate has passed unchanged: HB 1183, HB 1213, HB 1227, HB 1248, HB 1261, HB 1263, HB 1264, HB 1266, HB 1268, HB 1269, HB 1270, HB 1311, HB 1314, HB 1350, HB 1360, HB 1410, HCR 3031, HCR 3040, HCR 3042, HCR 3043, HCR 3047.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)

MR. SPEAKER: The Senate does not concur in the House amendments to SB 2009 and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2009: Sens. Solberg; Nalewaja; Tallackson

ANNOUNCEMENT

REP. DORSO ANNOUNCED that in accordance with House Rule 346, all bills and resolutions acted upon today will be messaged to the Senate immediately upon adjournment.

SIXTH ORDER OF BUSINESS

REP. DORSO MOVED that the amendments on the Sixth order of business to Engrossed SB 2030, Engrossed SB 2160, SB 2194, SB 2218, Engrossed SB 2278, SB 2290, Engrossed SB 2315, SB 2320, Engrossed SB 2324, Engrossed SB 2359, and Engrossed SCR 4012 be adopted, which motion prevailed.

Engrossed SB 2030, Engrossed SB 2160, SB 2194, SB 2218, Engrossed SB 2278, SB 2290, Engrossed SB 2315, SB 2320, Engrossed SB 2324, Engrossed SB 2359, and Engrossed SCR 4012, as amended, were placed on the Fourteenth order of business on the calendar.

POINT OF PERSONAL PRIVILEGE

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

Congratulations to the May-Port-C-G Boys' Basketball team who won the State Class "B" basketball tournament over the weekend. The victory marks consecutive state championships for the Patriots and their third in ten years. Head coach Del Kessler and assistant Merle Strand have achieved a record duplicated but by few.

The athletic success demonstrated on the basketball court is but one facet of a well-rounded and successful program at May-Port-C-G High School. The Future Business Leaders program has won 14 consecutive competitions as the outstanding chapter in North Dakota. The Odyssey of the Mind program found students from May-Port-C-G winning the state and national meets and advancing to the international competition. Additionally, of those seniors taking the ACT placement test, one-half of the May-Port-C-G participants have scored 26 or higher.

We wish the best to May-Port-C-G as they continue to demonstrate those qualities of excellence that North Dakotans have come to expect.

SECOND READING OF SENATE BILL

SB 2015: A BILL for an Act to provide an appropriation for defraying the expenses of the state industrial commission and the agencies under the management of the state industrial commission; to provide a continuing appropriation; to authorize transfers; to create and enact section 54-17.4-09.1 of the North Dakota Century Code, relating to a fossil excavation and restoration fund; 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 75 YEAS, 20 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Axtman; Berg; Bernstein; Boehm; Brandenburg; Brusegaard; Byerly; Callahan; Carlisle; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Devlin; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Gunter; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Nelson; Nicholas; Nichols; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Soukup; Stenehjem; Svedjan; Sveen; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Speaker Timm

NAYS: Aarsvold; Belter; Boucher; Brown; Carlson; Christenson; Delzer; Fairfield; Grande; Grosz; Grumbo; Guleson; Hanson; Kelsh, S.; Kerzman; Kroeplin; Murphy; Niemeier; Skarphol; Wilkie

ABSENT AND NOT VOTING: Kempenich; Thompson

Reengrossed SB 2015, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2093: A BILL for an Act to amend and reenact section 16.1-11-21, subsection 1 of section 16.1-11-27, and section 16.1-13-05 of the North Dakota Century Code, relating to the publication of sample ballots and the names of candidates on sample ballots being arranged alphabetically.

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 80 YEAS, 14 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brown; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delzer; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder;

Grande; Grosz; Grumbo; Gunter; Hausauer; Hawken; Henegar; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kunkel; Lloyd; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Sabby; Skarphol; Soukup; Stenehjerm; Svedjan; Sveen; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Speaker Timm

NAYS: Aarsvold; Brandenburg; Christenson; Delmore; Gulleeson; Hanson; Huether; Kerzman; Kroeplin; Mahoney; Niemeier; Sandvig; Schmidt; Wilkie

ABSENT AND NOT VOTING: Kempenich; Rose; Thompson

Engrossed SB 2093, as amended, passed and the title was agreed to.

MOTION

REP. FREIER MOVED that the House waive the reading of the title to SB 2113, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2113: A BILL for an Act to create and enact five new sections to chapter 43-32 of the North Dakota Century Code, relating to powers of the board of psychologist examiners, investigations, licensure renewal, and disciplinary hearings; to amend and reenact sections 43-32-01, 43-32-02, 43-32-03, 43-32-05, 43-32-08.1, 43-32-13, 43-32-14, 43-32-16, 43-32-19, 43-32-20, 43-32-21, 43-32-27, 43-32-29, and 43-32-30 of the North Dakota Century Code, relating to the board of psychologist examiners, licensure and regulation of psychologists, continuing education, and client records; and to repeal sections 43-32-18 and 43-32-28 of the North Dakota Century Code, relating to licensing of psychologists without examination and disciplinary hearings.

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

YEAS: Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleeson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjerm; Svedjan; Sveen; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Kempenich; Thompson

Engrossed SB 2113, as amended, passed and the title was agreed to.

MOTION

REP. SKARPHOL MOVED that the House reconsider its action whereby SB 2240 failed to pass.

REQUEST

REP. BERG REQUESTED a recorded roll call vote on the motion to reconsider the action whereby SB 2240 failed to pass, which request was granted.

ROLL CALL

The question being on the motion to reconsider the action whereby SB 2240 failed to pass, the roll was called and there were 47 YEAS, 48 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Axtman; Belter; Berg; Brandenburg; Byerly; Carlson; Coats; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Freier; Galvin; Gerntholz; Grande; Grosz; Gunter; Hausauer; Jensen; Johnsen, C.; Keiser; Kelsch, R.; Kliniske; Koppelman; Kretschmar; Kroeplin;

Kunkel; Mahoney; Mickelson; Monson; Murphy; Nelson; Nicholas; Nottestad; Olson; Poolman; Skarphol; Soukup; Stenehjelm; Thoreson; Tollefson; Wald; Wardner; Weisz; Wentz; Speaker Timm

NAYS: Aarsvold; Bernstein; Boehm; Boucher; Brown; Brusegaard; Callahan; Carlisle; Christenson; Christopherson; Clark; Dorso; Drovda; Fairfield; Froseth; Glassheim; Gorder; Grumbo; Gulleson; Hawken; Henegar; Huether; Jacobs; Johnson, D.; Kelsh, S.; Kerzman; Kilzer; Klein; Lloyd; Maragos; Martinson; Nichols; Niemeier; Oban; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Svedjan; Sveen; Thorpe; Torgerson; Warner; Wilkie

ABSENT AND NOT VOTING: Kempenich; Thompson

So the motion to reconsider the action whereby SB 2240 failed to pass failed.

SECOND READING OF SENATE BILL

SB 2173: A BILL for an Act to amend and reenact sections 15-40.1-09, 15-47-04, and 15-47-33 of the North Dakota Century Code, relating to the length of the school term.

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 62 YEAS, 33 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Belter; Berg; Bernstein; Brown; Brusegaard; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; DeKrey; Delmore; Delzer; Dorso; Drovda; Freier; Gerntholz; Glassheim; Gorder; Grande; Grosz; Gunter; Hausauer; Hawken; Henegar; Jacobs; Jensen; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Lloyd; Mickelson; Monson; Nelson; Nicholas; Nottestad; Oban; Olson; Poolman; Price; Rennerfeldt; Rose; Sabby; Schmidt; Skarphol; Soukup; Stenehjelm; Svedjan; Thoreson; Tollefson; Torgerson; Wald; Weisz; Wentz; Speaker Timm

NAYS: Aarsvold; Axtman; Boehm; Boucher; Brandenburg; Callahan; Coats; Dalrymple; Devlin; Fairfield; Froseth; Galvin; Grumbo; Gulleson; Hanson; Huether; Johnsen, C.; Kerzman; Kroeplin; Kunkel; Mahoney; Maragos; Martinson; Murphy; Nichols; Niemeier; Renner; Sandvig; Sveen; Thorpe; Wardner; Warner; Wilkie

ABSENT AND NOT VOTING: Kempenich; Thompson

SB 2173, as amended, passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2202: A BILL for an Act to amend and reenact subsection 6 of section 23-07.5-02 of the North Dakota Century Code, relating to testing for the human immunodeficiency virus.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 90 YEAS, 5 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Dorso; Drovda; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjelm; Svedjan; Sveen; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Weisz; Wentz; Speaker Timm

NAYS: Christenson; Fairfield; Murphy; Warner; Wilkie

ABSENT AND NOT VOTING: Kempenich; Thompson

SB 2202, as amended, passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2270: A BILL for an Act to create and enact a new subsection to section 26.1-17-33.1 of the North Dakota Century Code, relating to nonprofit mutual insurance companies; to amend and reenact section 26.1-17-33.1 of the North Dakota Century Code, relating to the conversion of a nonprofit health service corporation to a nonprofit mutual insurance company; to provide for retroactive application; 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 88 YEAS, 7 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Brandenburg; Brown; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Dorso; Drovda; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grosz; Grumbo; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Nelson; Nicholas; Nichols; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

NAYS: Boucher; Christenson; Fairfield; Guleson; Kerzman; Murphy; Niemeier

ABSENT AND NOT VOTING: Kempenich; Thompson

Engrossed SB 2270, as amended, passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2237: A BILL for an Act to create and enact two new sections to chapter 54-44.5 of the North Dakota Century Code, relating to community action agencies; and to amend and reenact section 54-44.5-01 of the North Dakota Century Code, relating to the office of intergovernmental assistance.

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, 8 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Axtman; Belter; Berg; Bernstein; Boucher; Brandenburg; Brown; Brusegaard; Callahan; Carlisle; Carlson; Christenson; Christopherson; Coats; Dalrymple; DeKrey; Delmore; Dorso; Drovda; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grumbo; Guleson; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie

NAYS: Boehm; Byerly; Clark; Delzer; Devlin; Grosz; Olson; Speaker Timm

ABSENT AND NOT VOTING: Fairfield; Gunter; Kempenich; Thompson

Engrossed SB 2237, as amended, passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2385: A BILL for an Act to amend and reenact subsection 1 of section 10-06.1-10 of the North Dakota Century Code, relating to the acquisition of farmland or ranchland by nonprofit organizations.

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 62 YEAS, 33 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Axtman; Belter; Berg; Boehm; Brandenburg; Brown; Brusegaard; Byerly; Christopherson; DeKrey; Delmore; Devlin; Dorso; Fairfield; Freier; Froseth; Galvin; Gerntholz; Gorder; Grosz; Grumbo; Guleson; Gunter; Hausauer; Hawken; Huether; Jacobs; Johnson, D.; Kelsch, R.; Kerzman; Klein; Kliniske; Kretschmar; Kroeplin; Kunkel; Mahoney; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Olson; Price; Renner; Rennerfeldt; Sabby; Sandvig; Schmidt; Soukup; Stenehjerm; Sveen; Thoreson; Wald; Wardner; Warner; Weisz; Wentz; Speaker Timm

NAYS: Bernstein; Boucher; Callahan; Carlisle; Carlson; Christenson; Clark; Coats; Dalrymple; Delzer; Drovdal; Glassheim; Grande; Hanson; Henegar; Jensen; Johnsen, C.; Keiser; Kelsh, S.; Kilzer; Koppelman; Lloyd; Maragos; Martinson; Oban; Poolman; Rose; Skarphol; Svedjan; Thorpe; Tollefson; Torgerson; Wilkie

ABSENT AND NOT VOTING: Kempenich; Thompson

Engrossed SB 2385, as amended, passed and the title was agreed to.

MOTION

REP. AXTMAN MOVED that the House reconsider its action whereby Engrossed SB 2115 passed, which motion lost on a verification vote.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. R. KELSCH MOVED that the House do concur in the Senate amendments to Engrossed HB 1146 as printed on HJ pages 855-857, which motion prevailed on a verification vote.

Engrossed HB 1146, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1146: A BILL for an Act to amend and reenact sections 15-40.1-07.3, 15-40.1-07.4, 15-40.2-01, 15-40.2-04, 15-40.3-01, 57-15-13, and 57-15-14.5 of the North Dakota Century Code and section 2 of chapter 701 of the 1989 Session Laws of North Dakota, as amended by section 1 of chapter 656 of the 1991 Session Laws of North Dakota and by section 26 of chapter 3 of the 1993 Session Laws of North Dakota, relating to per student payments for cooperating and reorganized school districts, open enrollment procedures, school district tax levies, education technology supervisors, and special reserve fund withdrawals; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 84 YEAS, 9 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Axtman; Belter; Berg; Bernstein; Boehm; Brandenburg; Brown; Brusegaard; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grosz; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nichols; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjerm; Svedjan; Sveen; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Speaker Timm

NAYS: Aarsvold; Boucher; Callahan; Coats; Grumbo; Kelsh, S.; Kerzman; Niemeier; Wilkie

ABSENT AND NOT VOTING: Guleson; Kempenich; Nicholas; Thompson

Engrossed HB 1146, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

ANNOUNCEMENT BY THE SPEAKER

SPEAKER TIMM ANNOUNCED that Representative Sveen would replace Representative Kretschmar on the Conference Committee on SCR 4010.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. SKARPHOL MOVED that the House do not concur in the Senate amendments to Engrossed HB 1103 as printed on HJ page 988 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1103: Reps. Skarphol, Sveen, Grumbo.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KRETSCHMAR MOVED that the House do not concur in the Senate amendments to HB 1167 as printed on HJ pages 857-858 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1167: Reps. Maragos, DeKrey, Delmore.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. OLSON MOVED that the House do not concur in the Senate amendments to Engrossed HB 1190 as printed on HJ pages 905-906 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1190: Reps. Nottestad, Torgerson, S. Kelsh.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. BERG MOVED that the House do not concur in the Senate amendments to Engrossed HB 1238 as printed on HJ page 859 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1238: Reps. Carlson, Axtman, Mahoney.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. POOLMAN MOVED that the House do not concur in the Senate amendments to HB 1240 as printed on HJ pages 821-822 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1240: Reps. Kilzer, C. Johnsen, Delmore.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. SKARPHOL MOVED that the House do not concur in the Senate amendments to HB 1243 as printed on HJ pages 1006-1007 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1243: Reps. Skarphol, Kempenich, Thorpe.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. D. JOHNSON MOVED that the House do not concur in the Senate amendments to HB 1301 as printed on HJ page 835 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1301: Reps. D. Johnson, Brusegaard, Kroeplin.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KRETSCHMAR MOVED that the House do not concur in the Senate amendments to Engrossed HB 1306 as printed on HJ page 977 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1306: Reps. Stenehjem, Nottestad, Delmore.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. BELTER MOVED that the House do not concur in the Senate amendments to Engrossed HB 1340 as printed on HJ page 988 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1340: Reps. Belter, Mickelson, Warner.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KRETSCHMAR MOVED that the House do not concur in the Senate amendments to Engrossed HB 1357 as printed on HJ page 859 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1357: Reps. Sveen, Hawken, Fairfield.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. BERG MOVED that the House do not concur in the Senate amendments to Engrossed HB 1387 as printed on HJ page 860 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1387: Reps. Kempenich, Axtman, Mahoney.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. BERG MOVED that the House do not concur in the Senate amendments to Engrossed HB 1412 as printed on HJ page 906 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1412: Reps. Poolman, Axtman, Glassheim.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. POOLMAN MOVED that the House do not concur in the Senate amendments to Engrossed HB 1135 as printed on HJ page 1008 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1135: Reps. Maragos, C. Johnsen, Glassheim.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. BELTER MOVED that the House do not concur in the Senate amendments to Engrossed HB 1163 as printed on HJ page 1008 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1163: Reps. Belter, Brown, Gulleson.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2112: Reps. Nottestad, Sabby, S. Kelsh.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2042: Reps. Kliniske, Galvin, Sandvig.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2213: Reps. Klein, Christopherson, Fairfield.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. SKARPHOL MOVED that the House do concur in the Senate amendments to HB 1084 as printed on HJ page 1005, which motion prevailed.

HB 1084, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1084: A BILL for an Act to amend and reenact subsection 9 of section 39-20-07 of the North Dakota Century Code, relating to testimony on testing for driving while intoxicated.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 95 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grosz; Grumbo; Guleson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroepelin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjelm; Svedjan; Sveen; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Kempenich; Thompson

HB 1084, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KRETSCHMAR MOVED that the House do concur in the Senate amendments to Engrossed HB 1089 as printed on HJ page 958, which motion prevailed.

Engrossed HB 1089, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1089: A BILL for an Act to amend and reenact section 12.1-32-09.1 of the North Dakota Century Code, relating to sentencing of violent offenders.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 95 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grosz; Grumbo; Guleson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroepelin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjelm; Svedjan; Sveen; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Kempenich; Thompson

Engrossed HB 1089, as amended, passed and the title was agreed to.

MOTION

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

MOTION

REP. FREIER MOVED that the House be on the Fifth and Sixteenth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Tuesday, March 25, 1997, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2029, as reengrossed: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **DO NOT PASS** (16 YEAS, 4 NAYS, 2 ABSENT AND NOT VOTING). Reengrossed SB 2029 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2046, as engrossed: Judiciary Committee (Rep. Kretschmar, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2046 was placed on the Sixth order on the calendar.

Page 7, line 2, overstrike "sections" and insert immediately thereafter "section"

Page 7, line 3, overstrike "and 50-27-03"

Page 11, line 2, overstrike "of subsections 1," overstrike "6," remove "7," overstrike "8", remove ", and 10", and overstrike "of section"

Page 11, line 3, overstrike "57-51.1-01" and insert immediately thereafter "the commission's responsibilities under chapter 57-51.1"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2047, as engrossed: Political Subdivisions Committee (Rep. Poolman, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2047 was placed on the Sixth order on the calendar.

Page 1, line 1, after "sections" insert "54-10-13," and after "54-10-14" insert ", 54-10-15,"

Page 1, line 2, after "councils" insert "and political subdivisions"

Page 1, after line 4, insert:

"SECTION 1. AMENDMENT. Section 54-10-13 of the North Dakota Century Code is amended and reenacted as follows:

54-10-13. Political subdivisions - Audits - State auditor powers. The state auditor shall perform audits of political subdivisions pursuant to section 54-10-14 unless otherwise requested by the governing board, ordered by the governor or the legislative audit and fiscal review committee, or on petition pursuant to section 54-10-15, or at the discretion of the state auditor for alleged improprieties."

Page 2, line 3, overstrike "West river water supply district."

Page 2, line 4, overstrike "19."

Page 2, line 5, replace "20" with "19"

Page 3, after line 16, insert:

"SECTION 3. AMENDMENT. Section 54-10-15 of the North Dakota Century Code is amended and reenacted as follows:

54-10-15. Audits of political subdivisions by order of governor or the legislative audit and fiscal review committee, or upon petition. The state auditor, by duly appointed deputy auditors or other authorized agents, shall audit or review the books, records, and financial accounts of any political subdivision when ordered by the governor or the legislative audit and fiscal review committee, requested by the governing board, or upon petition of at least thirty-five percent of the qualified electors of any political subdivision enumerated in section 54-10-14 voting for the office of governor

at the preceding general election or, in the case of school districts, upon petition of at least thirty-five percent of the qualified electors voting at the preceding school board election. Fees for the audits must be paid in accordance with the provisions of section 54-10-14."

Page 3, line 24, remove "The state auditor may, or upon request of the legislative"

Page 3, remove lines 25 through 29

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2232, as reengrossed: Judiciary Committee (Rep. Kretschmar, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed SB 2232 was rereferred to the **Appropriations Committee**.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact subsection 1 of section 11-17-04 of the North Dakota Century Code, relating to the fees to be charged by the clerk of district court.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 1 of section 11-17-04 of the North Dakota Century Code is amended and reenacted as follows:

1. The clerk of the district court shall charge and collect the following fees in civil cases:
 - a. For filing a case for decision that is not a small claims action, ~~eighty~~ sixty dollars.
 - (1) Ten dollars of this fee must be paid by the clerk of court to the state treasurer for deposit in the civil legal services fund.
 - ~~(2)~~ b. For the filing of a petition for dissolution of marriage, annulment, or separation from bed and board, ~~fifty~~ eighty dollars. Fifty dollars of this fee must be paid by the clerk of court to the state treasurer for deposit in the displaced homemaker account created by section 14-06.1-14.
 - (3) ~~For all other filings, fifty dollars of this fee must be paid by the clerk of court to the state treasurer for deposit in the state general fund.~~
 - ~~b.~~ c. For filing an answer to a case that is not a small claims action, fifty dollars. The clerk shall deposit this fee with the state treasurer for deposit in the general fund in the state treasury.
 - ~~c.~~ d. For filing a small claims action in district court, ten dollars.
 - ~~d.~~ e. For filing any matter authorized to be filed in the office of the clerk of court other than under subdivision a, b, or c, five dollars.
 - ~~e.~~ f. For preparing, certifying, issuing, or transmitting any document, five dollars; or such lesser fee as may be set by a schedule to be promulgated by the state court administrator.
 - ~~f.~~ g. For filing a motion or an answer to a motion to modify an order for alimony, property division, child support, or child custody, thirty dollars. The clerk shall deposit this fee with the state treasurer for deposit in the general fund of the state treasury."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2255: Natural Resources Committee (Rep. Olson, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS**

(9 YEAS, 4 NAYS, 3 ABSENT AND NOT VOTING). SB 2255 was placed on the Sixth order on the calendar.

In lieu of the proposed amendments to Senate Bill No. 2255 as printed on pages 921 and 922 of the House Journal, Senate Bill No. 2255 is amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act relating to dogs running at large; and to declare an emergency."

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. Dogs running at large - Liability for damage or injury. The owner of a dog may not permit the dog to run at large. The owner of a dog is liable for any damage to the property of another person and for any injury to any individual caused by the owner's dog running at large, as well as for any costs incurred by a local political subdivision or law enforcement agency in capturing and impounding the owner's dog. If the owner of a dog is a minor, the duties and responsibilities created by this section are imputed to the parent or legal guardian of the minor.

SECTION 2. Dogs running at large - Capture. Unless a board of county commissioners by resolution identifies another person or entity responsible for the capture and impoundment of dogs running at large, as authorized by section 11-11-14, the county sheriff shall capture any dog running at large which the sheriff believes to be dangerous and impound the dog at an animal shelter or facility designated by the board of county commissioners. If seventy-two hours after impoundment the dog remains unclaimed, the animal shelter or facility having control of the dog shall perform euthanasia or cause euthanasia to be performed on the dog.

SECTION 3. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2294, as engrossed: Natural Resources Committee (Rep. Olson, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (8 YEAS, 6 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2294 was placed on the Sixth order on the calendar.

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

Page 1, line 2, remove "61-21-13, and 61-21-14"

Page 2, line 16, after "hearing" insert "by registered mail"

Page 2, line 17, after the underscored period insert "The notice must be accompanied by a three-inch [76.20-millimeter] by five-inch [127-millimeter] card containing a message printed in large red block letters in substantially the same as the following: If you do not file a protest, your votes will be considered to be in favor of the proposed project."

Page 2, line 25, after the period insert "The notice must be accompanied by a three-inch [76.20-millimeter] by five-inch [127-millimeter] card containing a message printed in large red block letters in substantially the same as the following: If you do not file a protest, your votes will be considered to be in favor of the proposed project."

Page 4, line 7, after "hearing" insert "by registered mail"

Page 4, line 8, after the underscored period insert "The notice must be accompanied by a three-inch [76.20-millimeter] by five-inch [127-millimeter] card containing a message printed in large red block letters in substantially the same as the following: If you do not file a protest, your votes will be considered to be in favor of the proposed project."

Page 5, remove lines 12 through 31

Page 6, remove lines 1 through 31

Page 7, remove lines 1 through 16

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2366, as reengrossed: Natural Resources Committee (Rep. Olson, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING). Reengrossed SB 2366 was placed on the Sixth order on the calendar.

Page 1, line 3, after "fund" insert "; and to declare an emergency"

Page 1, line 12, replace "fifty-four" with "fifty-six" and after "million" insert "three hundred thousand"

Page 2, after line 4, insert:

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

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2362, as engrossed: Natural Resources Committee (Rep. Olson, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 1 NAY, 4 ABSENT AND NOT VOTING). Engrossed SB 2362 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "to establish a drinking water treatment revolving loan fund;"

Page 1, line 2, replace the first "a" with "two" and replace "subsection to section 61-28.1-02 and a new section" with "sections"

Page 1, line 3, replace "the powers and duties of the state water commission" with "a drinking water treatment revolving loan fund"

Page 1, line 4, replace the first comma with "and" and remove ", and"

Page 1, line 5, remove "subsections 1, 2, and 4 of section 61-28.2-01"

Page 1, line 6, replace "water commission" with "state department of health"

Page 1, remove lines 8 through 21

Page 3, line 7, remove the overstrike over "~~Designate the state department of health as the state safe drinking water agency~~"

Page 3, remove the overstrike over lines 8 and 9

Page 3, remove the overstrike over line 10 and insert immediately thereafter:

"16."

Page 3, line 16, replace "16" with "17"

Page 3, line 23, replace "of not more than two" with "as follows:"

- a. One thousand dollars per day per violation in the case of a system serving a population of more than ten thousand.
- b. An amount adequate to ensure compliance in the case of any system not under subdivision a"

Page 3, line 24, remove "thousand dollars per day of violation"

Page 3, line 28, replace "of not more than one thousand dollars per day of" with "as follows:"

- a. One thousand dollars per day per violation in the case of a system serving a population of more than ten thousand.
- b. An amount adequate to ensure compliance in the case of any system not under subdivision a"

Page 3, line 29, remove "violation"

Page 3, line 30, after the period insert "A new section to chapter 61-28.1 of the North Dakota Century Code is created and enacted as follows:"

Page 4, line 1, replace "state water" with "department"

Page 4, line 2, remove "commission"

Page 4, line 11, replace "**State water commission**" with "A new section to chapter 61-28.1 of the North Dakota Century Code is created and enacted as follows:"

Department

Page 4, line 12, replace "state water commission" with "department"

Page 5, line 4, replace "state water commission" with "department"

Page 5, line 7, remove "commission and the state" and remove "of health"

Page 5, line 10, remove "commission and the state"

Page 5, line 11, remove "of health"

Page 5, line 15, after "funds" insert "with the approval of the state water commission and"

Page 5, line 17, after "priorities" insert "and to expend grant funds pursuant to the priority list"

Page 5, line 18, replace "consultation" with "consulting" and replace "other appropriate state agencies" with "and obtaining the approval of the state water commission"

Page 5, remove lines 25 through 31

Page 6, remove lines 1 through 31

Page 7, remove lines 1 through 30

Renumber accordingly

REPORT OF STANDING COMMITTEE

SCR 4057: Natural Resources Committee (Rep. Olson, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (12 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING). SCR 4057 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4058: Natural Resources Committee (Rep. Olson, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (12 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING). SCR 4058 was placed on the Tenth order on the calendar.

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

MADAM PRESIDENT: The House does not concur in the Senate amendments to HB 1243, HB 1301, HB 1306, HB 1340, HB 1357, HB 1387, and HB 1412 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1243: Reps. Skarphol; Kempenich; Thorpe
HB 1301: Reps. D. Johnson; Brusegaard; Kroeplin
HB 1306: Reps. Stenehjelm; Nottestad; Delmore
HB 1340: Reps. Belter; Mickelson; Warner
HB 1357: Reps. Sveen; Hawken; Fairfield
HB 1387: Reps. Kempenich; Axtman; Mahoney
HB 1412: Reps. Poolman; Axtman; Glassheim

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

MADAM PRESIDENT: The House does not concur in the Senate amendments to HB 1103, HB 1135, HB 1163, HB 1167, HB 1190, HB 1238, and HB 1240 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1103: Reps. Skarphol; Sveen; Grumbo
HB 1135: Reps. Maragos; C. Johnsen; Glassheim

HB 1163: Reps. Belter; Brown; Gulleson
HB 1167: Reps. Maragos; DeKrey; Delmore
HB 1190: Reps. Nottestad; Torgerson; S. Kelsh
HB 1238: Reps. Carlson; Axtman; Mahoney
HB 1240: Reps. Kilzer; C. Johnsen; Delmore

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 2042: Reps. Kliniske; Galvin; Sandvig
SB 2112: Reps. Nottestad; Sabby; S. Kelsh
SB 2213: Reps. Klein; Christopherson; Fairfield

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

MADAM PRESIDENT: The Speaker has appointed Rep. Sveen to replace Rep. Kretschmar on the Conference Committee on SCR 4010.

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

MADAM PRESIDENT: The House has concurred in the Senate amendments and subsequently passed: HB 1084, HB 1089, HB 1146.

SIGNING OF BILLS AND RESOLUTIONS

The Speaker signed the following enrolled bills and resolutions: SB 2001, SB 2114, SB 2138, SB 2150, SB 2217, SB 2225, SB 2248, SB 2250, SB 2261, SB 2262, SB 2264, SB 2266, SB 2295, SB 2302, SB 2327, SB 2352, SB 2357, SB 2394, SCR 4019, SCR 4020, SCR 4024, SCR 4027, SCR 4032, SCR 4033, SCR 4034, SCR 4035, SCR 4044, SCR 4050, SCR 4055.

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

MADAM PRESIDENT: The Speaker has signed: SB 2001, SB 2114, SB 2138, SB 2150, SB 2217, SB 2225, SB 2248, SB 2250, SB 2261, SB 2262, SB 2264, SB 2266, SB 2295, SB 2302, SB 2327, SB 2352, SB 2357, SB 2394, SCR 4019, SCR 4020, SCR 4024, SCR 4027, SCR 4032, SCR 4033, SCR 4034, SCR 4035, SCR 4044, SCR 4050, SCR 4055.

SIGNING OF BILLS AND RESOLUTIONS

The Speaker signed the following enrolled bill and resolutions: SB 2040, SCR 4014, SCR 4026, SCR 4042, SCR 4045, SCR 4048, SCR 4049, SCR 4053.

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

MADAM PRESIDENT: The Speaker has signed: SB 2040, SCR 4014, SCR 4026, SCR 4042, SCR 4045, SCR 4048, SCR 4049, SCR 4053.

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

MADAM PRESIDENT: The House has passed unchanged: SB 2045, SB 2122, SB 2139, SB 2237, SB 2285, SB 2385, SCR 4005, SCR 4041.

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

MADAM PRESIDENT: The House has failed to pass: SB 2240, SB 2390.

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 2015.

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

MADAM PRESIDENT: The House has amended and subsequently passed: SB 2043, SB 2093, SB 2113, SB 2115, SB 2173, SB 2202, SB 2270.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)

MR. SPEAKER: The President has signed: HB 1032, HB 1040, HB 1081, HB 1086, HB 1109, HB 1139, HB 1140, HB 1176, HB 1194, HB 1224, HB 1287, HB 1320, HB 1381, HB 1389.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)

MR. SPEAKER: The President has signed and your signature is respectfully requested on: SB 2209, SB 2364, SCR 4040, SCR 4046, SCR 4047, SCR 4051.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)

MR. SPEAKER: The Senate has concurred in the House amendments and subsequently passed: SB 2057.

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

ROY GILBREATH, Chief Clerk