

JOURNAL OF THE HOUSE

Fifty-fifth Legislative Assembly

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Bismarck, March 26, 1997

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

The prayer was offered by the Rev. Daryl Lindensmith, Seventh Day Adventist Church, McClusky.

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

A quorum was declared by the Speaker.

ANNOUNCEMENT BY THE SPEAKER

SPEAKER TIMM ANNOUNCED that Rep. Koppelman would replace Rep. Stenehjem on the Conference Committee on HB 1112.

HOUSE ENROLLING REPORT

The following bills were enrolled: HB 1030, HB 1083, HB 1170, and HB 1185.

HOUSE ENGROSSING AND ENROLLING REPORT

The following bills were engrossed and enrolled: HB 1058, HB 1135, and HB 1330.

COMMUNICATION FROM GOVERNOR EDWARD T. SCHAFER

The following communication was received from the Governor at 3:00 p.m., March 24, 1997.

This is to inform you that on March 23, 1997, I signed the following: HB 1042, HB 1045, HB 1064, HB 1122, HB 1160, HB 1169, HB 1196, HB 1197, HB 1202, HB 1214, HB 1237, HB 1246, HB 1249, HB 1255, HB 1260, HB 1265, HB 1275, HB 1286, HB 1292, HB 1294, HB 1299, HB 1305, HB 1310, HB 1315, HB 1334, HB 1343, HB 1345, HB 1349, HB 1380, HB 1402, HB 1424, HB 1434, HB 1436, and HB 1437.

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

MR. SPEAKER: The President has signed: HB 1039, HB 1092, HB 1117, HB 1156, HB 1256, HCR 3046.

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 2057.

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 1199, HB 1385.

SENATE AMENDMENTS TO HOUSE BILL NO. 1199

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

Page 4, after line 4, insert:

"SECTION 4. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1385

Page 1, line 1, replace "section" with "sections" and after "54-35-02.5" insert "and 54-35-17"

Page 1, line 2, after "committee" insert "and the retention of legal counsel by the legislative branch"

Page 1, line 13, replace the underscored colon with "each"

Page 1, line 14, remove "1. Each", replace "both" with "either", and replace "and" with "or"

Page 1, line 15, replace "; and" with an underscored period

Page 1, remove lines 16 through 18

Page 1, after line 18, insert:

"SECTION 2. AMENDMENT. Section 54-35-17 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

54-35-17. Retention of legal counsel. When the legislative assembly is in session, either house by resolution may authorize, or both houses by concurrent resolution may direct, the legislative council to appoint or retain legal counsel to appear in, commence, prosecute, defend, or intervene in any action, suit, matter, cause, or proceeding in any court or agency when deemed necessary or advisable to protect the official interests of the legislative branch. When the legislative assembly is not in session, the legislative council, by a ~~two-thirds~~ majority vote, may appoint or retain legal counsel to appear in, commence ~~or, prosecute, or by a majority vote, may appoint or retain legal counsel to defend,~~ or intervene in, any action, suit, matter, cause, or proceeding in any court or agency when deemed necessary or advisable to protect the official interests of the legislative branch. Section 54-12-08 does not apply to a person appointed or retained under this section."

Renumber accordingly

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)
MR. SPEAKER: The Senate has amended and subsequently passed: HB 1007, HB 1027, HB 1074, HB 1075, HB 1111, HB 1215, HB 1373, HB 1403, HCR 3045.

SENATE AMENDMENTS TO HOUSE BILL NO. 1007

Page 1, line 11, replace "103,781" with "101,200"

Page 1, line 12, replace "7,000" with "10,000"

Page 1, line 13, replace "703,542" with "703,961"

Page 1, line 15, replace "628,616" with "629,035"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 406 - LABOR COMMISSIONER

SENATE - This amendment reduces the operating expenses line item by \$2,581 from the general fund for the removal of risk management premiums. The amendment also increases the equipment line item by \$3,000 from the general fund for the purchase of a new printer. In total, this amendment increases the general fund appropriation to the Labor Commissioner by \$419.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1027

Page 1, line 12, replace "949,926" with "943,797"

Page 1, line 15, replace "2,505,178" with "2,499,049"

Page 1, line 19, replace "1,130,334" with "1,124,527"

Page 1, line 22, replace "2,793,661" with "2,787,854"

Page 1, line 23, replace "5,298,839" with "5,286,903"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 190 - RETIREMENT AND INVESTMENT OFFICE

SENATE - This amendment removes \$6,129 special fund appropriation authority and reduces the operating expenses line item by the same amount to reflect the removal of risk management premiums.

	1997-99 EXECUTIVE RECOMMENDATION	TOTAL HOUSE CHANGES	HOUSE VERSION	REMOVE RISK MANAGEMENT PREMIUMS	SENATE VERSION
Salaries and wages	\$1,455,252		\$1,455,252		\$1,455,252
Operating expenses	949,926		949,926	\$(6,129)	943,797
Equipment	36,910	\$(18,910)	18,000		18,000
Contingency	<u>82,000</u>		<u>82,000</u>		<u>82,000</u>
Total special funds	\$2,524,088	\$(18,910)	\$2,505,178	\$(6,129)	\$2,499,049
FTE	18.0		18.0		18.0

DEPARTMENT 192 - PUBLIC EMPLOYEES RETIREMENT SYSTEM

SENATE - This amendment removes \$5,807 special fund appropriation authority and reduces the operating expenses line item by the same amount to reflect the removal of risk management premiums.

	1997-99 EXECUTIVE RECOMMENDATION	REMOVE RISK MANAGEMENT PREMIUMS	SENATE VERSION
Salaries and wages	\$1,611,127		\$1,611,127
Operating expenses	1,130,334	\$(5,807)	1,124,527
Equipment	27,200		27,200
Contingency	<u>25,000</u>	<u> </u>	<u>25,000</u>
Total special funds	\$2,793,661	\$(5,807)	\$2,787,854
FTE	22.8		22.8

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1074

Page 1, line 1, replace "three" with "a" and replace "subdivisions" with "subdivision"

Page 2, line 23, after "highways" insert ", and on paved two-lane highways if there is no speed limit posted or if within the time period of one-half hour after sunset to one-half hour before sunrise"

Page 2, line 25, replace "Sixty" with "Sixty-five"

Page 2, line 27, remove "and paved and divided, multilane highways"

Page 2, line 28, replace "after sunset" with "before sunrise" and replace "before sunrise" with "after sunset and if posted for that speed, and on paved and divided multilane highways"

Page 3, line 1, replace "Three" with "A" and replace "subdivisions" with "subdivision"

Page 3, line 2, replace "are" with "is"

Page 3, remove lines 3 through 9

Page 3, line 10, after "112.65" insert "kilometers"

ReNUMBER accordingly

SENATE AMENDMENTS TO HOUSE BILL NO. 1075

Page 1, line 1, after "reenact" insert "subsection 1 of section 39-01-01 and"

Page 1, line 2, after "to" insert "the definition of an appropriate licensed addiction treatment program and to"

Page 1, after line 3, insert:

"SECTION 1. AMENDMENT. Subsection 1 of section 39-01-01 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

1. "Appropriate licensed addiction treatment program" means an addiction treatment program conducted by an addiction facility licensed by the department of human services or conducted by a licensed individual specifically trained in addiction treatment."

ReNUMBER accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1111

Page 1, line 1, remove "to create and enact a new section to chapter 27-20 of the North Dakota"

Page 1, line 2, remove "Century Code, relating to parental attendance at alcohol treatment for a child; and"

Page 1, remove lines 9 through 15

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1215

Page 3, line 18, remove "licensed to own or operate an"

Page 3, line 19, remove "anhydrous ammonia storage facility"

Renumber accordingly

SENATE AMENDMENTS TO HOUSE BILL NO. 1373

Page 1, line 2, replace "; and to amend and reenact" with a period

Page 1, remove lines 3 and 4

Page 1, remove the underscore under lines 8 through 19

Page 1, remove lines 20 through 24

Page 2, remove lines 1 through 8

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1403

Page 1, line 20, after "dollars" insert "in the aggregate during the reporting period"

Page 2, line 16, after "~~dollars~~" insert "in the aggregate during the reporting period"

Renumber accordingly

SENATE AMENDMENTS TO HOUSE CONCURRENT RESOLUTION NO. 3045

Page 1, line 1, replace "alternative budgeting methods" with "the current budget process, the results of the program performance-based budgeting pilot projects, and budget reforms in other states."

Page 1, remove line 2

Page 1, line 12, after "study" insert "the current budget process including its advantages and disadvantages; and

BE IT FURTHER RESOLVED, that the study review the results of the program performance-based budgeting pilot project and budgeting reforms in other states; and

BE IT FURTHER RESOLVED, that the study review how agency and institution appropriation balances at the end of a biennium should be handled; and

BE IT FURTHER RESOLVED, that the study determine the benefits that new information technology could provide in budget development and budget presentation; and

BE IT FURTHER RESOLVED, that the study include consideration of the effect of budget recommendations on future biennial budgets; and

BE IT FURTHER RESOLVED, that the study include a review of the detailed information supporting agency budget requests and the executive recommendation; and

BE IT FURTHER RESOLVED, that the study include a review of"

Page 1, remove lines 14 and 15

Renumber accordingly

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

MADAM PRESIDENT: The Speaker has appointed Rep. Koppelman to replace Rep. Stenejem on the Conference Committee on HB 1112.

SIXTH ORDER OF BUSINESS

REP. DORSO MOVED that the amendments on the Sixth order of business to Engrossed SB 2005, Engrossed SB 2007, Engrossed SB 2011, SB 2012, and Engrossed SB 2353 be adopted, which motion prevailed.

Engrossed SB 2005, Engrossed SB 2007, Engrossed SB 2011, SB 2012, and Engrossed SB 2353, as amended, were placed on the Fourteenth order of business on the calendar.

SIXTH ORDER OF BUSINESS

SB 2003, as engrossed: REP. DALRYMPLE (Appropriations Committee) MOVED that the amendments on HJ pages 1059-1069 be adopted and then be placed on the Fourteenth order with **DO PASS**.

REQUEST

REP. FREIER REQUESTED that the question of the adoption of the proposed amendments to Engrossed SB 2003 be divided to have the sections voted on separately in the following manner, which request was granted.

DIVISION A

That part of Sections 6 and 7 authorizing the following projects:

North Dakota state college of science	Bute gym remodeling	\$1,700,000
Minot state university	Moore hall renovation	4,000,000
Department of corrections and rehabilitation	Youth correctional center - Gymnasium renovation	1,400,000

DIVISION B

That part of Section 6 that authorizes the following project:

University of North Dakota	Renovation and addition to the Ed James Wing of the Medical School building	\$3,000,000
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DIVISION C

That part of Sections 6 and 7 that authorizes the following project:

North Dakota state university	Animal research facility at North Dakota state university	\$5,000,000
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DIVISION D

The remainder of the amendments

Renumber accordingly and correct the title

REQUEST

REP. BOUCHER REQUESTED printed copies of the proposed divided amendments to Engrossed SB 2003, which request was granted.

RULING BY THE SPEAKER

SPEAKER TIMM 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.

REQUEST

REP. GLASSHEIM REQUESTED a recorded roll call vote on each of the proposed divisions of the proposed amendments to Engrossed SB 2003, which request was granted.

ROLL CALL

The question being on the adoption of Division A of the proposed amendments to Engrossed SB 2003, the roll was called and there were 76 YEAS, 20 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Axtman; Berg; Bernstein; Boehm; Boucher; Brandenburg; Callahan; Carlisle; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Devlin; Dorso;

Fairfield; Froseth; Gerntholz; Glassheim; Grumbo; Gulleson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jensen; Johnsen, C.; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Murphy; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Poolman; Price; Renner; Rose; Sabby; Sandvig; Schmidt; Soukup; Stenehjem; Svedjan; Sveen; Thoreson; Thorpe; Tollefson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

NAYS: Belter; Brown; Brusegaard; Byerly; Carlson; Delzer; Drovdal; Freier; Galvin; Gorder; Grande; Grosz; Jacobs; Kempenich; Monson; Olson; Rennerfeldt; Skarphol; Thompson; Torgerson

ABSENT AND NOT VOTING: Johnson, D.

Division A of the proposed amendments to Engrossed SB 2003 was adopted.

ROLL CALL

The question being on the adoption of Division B of the proposed amendments to Engrossed SB 2003, roll was called and there were 69 YEAS, 27 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Axtman; Bernstein; Boucher; Brusegaard; Callahan; Carlisle; Christenson; Christopherson; Clark; Coats; Dalrymple; Delmore; Fairfield; Galvin; Gerntholz; Glassheim; Grumbo; Gulleson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jensen; Johnsen, C.; 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; Rose; Sabby; Sandvig; Schmidt; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Wald; Wardner; Warner; Wentz

NAYS: Belter; Berg; Boehm; Brandenburg; Brown; Byerly; Carlson; DeKrey; Delzer; Devlin; Dorso; Drovdal; Freier; Froseth; Gorder; Grande; Grosz; Jacobs; Kempenich; Renner; Rennerfeldt; Skarphol; Soukup; Torgerson; Weisz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Johnson, D.

Division B of the proposed amendments to Engrossed SB 2003 was adopted.

ROLL CALL

The question being on the adoption of Division C of the proposed amendments to Engrossed SB 2003, the roll was called and there were 58 YEAS, 38 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Axtman; Berg; Bernstein; Boucher; Brusegaard; Callahan; Carlisle; Christenson; Christopherson; Clark; Coats; Dalrymple; Delmore; Fairfield; Gerntholz; Glassheim; Grumbo; Gunter; Hawken; Henegar; Huether; Jensen; Johnsen, C.; Keiser; Kelsch, R.; Kelsh, S.; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kunkel; Lloyd; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Rose; Sabby; Sandvig; Svedjan; Thoreson; Thorpe; Tollefson; Wald; Wardner; Wentz

NAYS: Belter; Boehm; Brandenburg; Brown; Byerly; Carlson; DeKrey; Delzer; Devlin; Dorso; Drovdal; Freier; Froseth; Galvin; Gorder; Grande; Grosz; Gulleson; Hanson; Hausauer; Jacobs; Kempenich; Kerzman; Kroeplin; Mahoney; Renner; Rennerfeldt; Schmidt; Skarphol; Soukup; Stenehjem; Sveen; Thompson; Torgerson; Warner; Weisz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Johnson, D.

Division C of the proposed amendments to Engrossed SB 2003 was adopted.

ROLL CALL

The question being on the motion to adopt Division D of the proposed amendments to Engrossed SB 2003, the roll was called and there were 74 YEAS, 21 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Axtman; Berg; Bernstein; Boucher; Callahan; Carlisle; Christenson; Christopherson; Clark; Coats; Dalrymple; Delmore; Devlin; Dorso; Fairfield; Froseth; Galvin; Gerntholz; Glassheim; Grumbo; Gulleson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jensen; Johnsen, C.; 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; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Stenehjerm; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Wald; Wardner; Warner; Wentz; Wilkie; Speaker Timm

NAYS: Belter; Boehm; Brandenburg; Brown; Brusegaard; Byerly; Carlson; DeKrey; Delzer; Drovdal; Freier; Gorder; Grande; Grosz; Jacobs; Kempenich; Renner; Skarphol; Soukup; Torgerson; Weisz

ABSENT AND NOT VOTING: Johnson, D.; Keiser

Division D of the proposed amendments to Engrossed SB 2003 was adopted.

The question then was on the motion to adopt the proposed amendments to Engrossed SB 2003 including Divisions A, B, C, and D with the title amended appropriately and lines, sections, and pages renumbered accordingly, which motion prevailed.

Engrossed SB 2003, as amended, was placed on the Fourteenth order of business on the calendar.

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; to provide a contingent appropriation; to authorize the industrial commission to issue and sell bonds for capital projects; to provide an appropriation; to amend and reenact sections 54-02-11 and 54-17.2-23 of the North Dakota Century Code, relating to the state art gallery and limitation on state building authority lease payments; 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, 23 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Axtman; Berg; Bernstein; Boucher; Byerly; Callahan; Carlisle; Christenson; Christopherson; Clark; Coats; Dalrymple; Delmore; Fairfield; Froseth; Galvin; Gerntholz; Glassheim; Grumbo; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jensen; Johnsen, C.; 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; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Stenehjerm; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Wald; Wardner; Warner; Wentz; Wilkie; Speaker Timm

NAYS: Belter; Boehm; Brandenburg; Brown; Brusegaard; Carlson; DeKrey; Delzer; Devlin; Dorso; Drovdal; Freier; Gorder; Grande; Grosz; Gulleson; Jacobs; Kempenich; Renner; Skarphol; Soukup; Torgerson; Weisz

ABSENT AND NOT VOTING: Johnson, D.

Engrossed SB 2003, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

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 Timm presiding.

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

MR. SPEAKER: The Senate does not concur in the House amendments to SB 2132 and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2132: Sens. Klein; Sand; Thompson

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bills were delivered to the Governor for his approval at the hour of 11:19 a.m., March 26, 1997: HB 1039, HB 1092, HB 1117, HB 1156, HB 1256.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following resolution was delivered to the Secretary of State for his filing at the hour of 11:19 a.m., March 26, 1997: HCR 3046.

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-fourth Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 1080, line 24, replace "1270" with "1274"

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

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

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

SCR 4010: Sens. Grindberg; Cook; O'Connell

MOTION

REP. DORSO MOVED that the House Conference Committee on SCR 4010 be dissolved and that a new conference committee be appointed, which motion prevailed.

THE SPEAKER APPOINTED as a new Conference Committee on SCR 4010: Reps. DeKrey, Kretschmar, Callahan.

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

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

SCR 4010: Reps. DeKrey; Kretschmar; Callahan

MOTION

REP. FREIER MOVED that the House waive the reading of the title to Engrossed SB 2046, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2046: A BILL for an Act to amend and reenact subsection 4 of section 10-19.spel1-129, sections 11-04-01, 11-18-14, subsection 1 of section 14-07.3-01, subsection 4 of section 15-27.6-13, subsection 10 of section 15-29-08, section 15-37-01, subsection 1 of section 15-45-02, subsection 1 of section 15-47-27.2, sections 15-47-46, 16.1-16-02, subsection 5 of section 20.1-03-04, section 23-01-03, subsection 4 of section 23-03-07, section 24-01-13, subsection 13 of section 25-01.3-06, subsection 6 of section 26.1-08-01, section 26.1-41-07, subsection 4 of section 26.1-47-01, section 26.1-48-02, subsection 3 of section 27-01-10, section 28-20.1-02, subsection 1 of section 28-20.1-03, subdivision q of subsection 1 of section 28-32-01, subsection 7 of section 30.1-10-03, section 35-21-01, subsection 6 of section 37-27-01, subsection 5 of section 38-08-04, subsection 3 of section 39-04-19, subsection 9 of section 41-09-28, sections 42-03-01, 42-03-03, subsection 1 of section 45-22-03, section 46-05-01, subsection 2 of section 47-02-27.5, section 50-06-01.8, subdivision a of subsection 4 of section 54-52-17, and section 54-56-01 of the North Dakota Century Code, relating to technical corrections and improper, inaccurate, redundant, missing, or obsolete references; and to repeal sections 29-01-32, 32-03-19, and 32-03-26 of the North Dakota Century Code, relating to obsolete provisions relating to damages for breach of promise to marry and seduction.

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 93 YEAS, 0 NAYS, 0 EXCUSED, 4 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; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price;

Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjøm; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Dorso; Johnson, D.; Nicholas; Renner

Engrossed SB 2046, as amended, passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2255: A BILL for an Act relating to dogs running at large; 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 64 YEAS, 29 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Carlson; Christenson; Christopherson; Clark; Coats; DeKrey; Delmore; Dorso; Drovda; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grumbo; Gulleon; Gunter; Hanson; Hausauer; Hawken; Huether; Jensen; Johnsen, C.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Klein; Kliniske; Koppelman; Kunkel; Mahoney; Martinson; Mickelson; Monson; Nelson; Nichols; Nottestad; Olson; Price; Sabby; Schmidt; Skarphol; Stenehjøm; Svedjan; Thoreson; Torgerson; Wald; Wardner; Warner; Weisz; Wilkie; Speaker Timm

NAYS: Byerly; Callahan; Carlisle; Dalrymple; Delzer; Devlin; Fairfield; Freier; Grosz; Henegar; Jacobs; Kerzman; Kilzer; Kretschmar; Kroeplin; Lloyd; Maragos; Murphy; Niemeier; Oban; Poolman; Rennerfeldt; Rose; Sandvig; Sveen; Thompson; Thorpe; Tollefson; Wentz

ABSENT AND NOT VOTING: Johnson, D.; Nicholas; Renner; Soukup

SB 2255, as amended, passed, the title was agreed to, but the emergency clause lost.

MOTION

REP. DORSO MOVED that Engrossed SB 2294 be moved to the foot of the calendar, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2362: A BILL for an Act to create and enact two new sections to chapter 61-28.1 of the North Dakota Century Code, relating to a drinking water treatment revolving loan fund; to amend and reenact section 61-28.1-03 and subsections 2 and 3 of section 61-28.1-10 of the North Dakota Century Code, relating to the powers and duties of the state department of health; and to provide a penalty.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 66 YEAS, 28 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Brown; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christopherson; Clark; Dalrymple; DeKrey; Delzer; Dorso; Drovda; Freier; Froseth; Galvin; Gerntholz; Gorder; Grande; Grosz; Grumbo; Gunter; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Keiser; Kelsch, R.; Kempenich; Klein; Kliniske; Koppelman; Kretschmar; Kunkel; Martinson; Monson; Nichols; Niemeier; Nottestad; Olson; Poolman; Rennerfeldt; Sabby; Sandvig; Skarphol; Soukup; Stenehjøm; Svedjan; Sveen; Thompson; Thoreson; Tollefson; Torgerson; Wald; Wardner; Weisz; Speaker Timm

NAYS: Boucher; Brandenburg; Christenson; Coats; Delmore; Devlin; Fairfield; Glassheim; Gulleon; Hanson; Kelsh, S.; Kerzman; Kilzer; Kroeplin; Lloyd; Mahoney; Maragos; Mickelson; Murphy; Nelson; Oban; Price; Rose; Schmidt; Thorpe; Warner; Wentz; Wilkie

ABSENT AND NOT VOTING: Johnson, D.; Nicholas; Renner

Engrossed SB 2362, as amended, passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2366: A BILL for an Act to provide for deposit of certain oil extraction and oil and gas gross production tax excess revenues into a permanent oil tax trust fund and deposit of interest earned on the fund to the general 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 91 YEAS, 3 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: 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; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nichols; Nottestad; Oban; Olson; Poolman; Price; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjerm; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

NAYS: Aarsvold; Gulleson; Niemeier

ABSENT AND NOT VOTING: Johnson, D.; Nicholas; Renner

Reengrossed SB 2366, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2116: Reps. Carlson, Skarphol, Glassheim.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2136: Reps. Froseth, Axtman, Thorpe.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KRETSCHMAR MOVED that the House do concur in the Senate amendments to Engrossed HB 1063 as printed on HJ pages 1007-1008, which motion prevailed.

Engrossed HB 1063, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1063: A BILL for an Act to create and enact two new sections to chapter 28-04 and a new section to chapter 29-01 of the North Dakota Century Code, relating to civil and criminal proceedings; to amend and reenact sections 28-04-02, 28-04-03, 28-04-04, 28-04-05, 29-03-07, 29-03-08, and 54-18-12 of the North Dakota Century Code, relating to the location of civil and criminal proceedings; and to repeal section 28-04-06 of the North Dakota Century Code, relating to the proper location of civil trials.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 88 YEAS, 5 NAYS, 0 EXCUSED, 4 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; Grosz; Grumbo; Gulleson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Maragos; Martinson; Mickelson; Monson; Nelson; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Rennerfeldt; Rose; Sabby; Sandvig;

Schmidt; Skarphol; Soukup; Stenehjelm; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Weisz; Wentz; Speaker Timm

NAYS: Mahoney; Murphy; Nichols; Warner; Wilkie

ABSENT AND NOT VOTING: Grande; Johnson, D.; Nicholas; Renner

Engrossed HB 1063, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. WARDNER MOVED that the House do concur in the Senate amendments to HB 1137 as printed on HJ page 1005, which motion prevailed on a voice vote.

HB 1137, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1137: A BILL for an Act to amend and reenact subdivision a of subsection 3 and subdivisions a and e of subsection 4 of section 54-52-17, sections 54-52-17.5, and 54-52-17.10 of the North Dakota Century Code, relating to normal retirement date, computation of benefits, disability retirement benefits, postretirement adjustments, and prior service retiree adjustments under the public employees retirement system.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 85 YEAS, 9 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

NAYS: Boehm; Brusegaard; Carlson; DeKrey; Delzer; Dorso; Freier; Grosz; Weisz

ABSENT AND NOT VOTING: Johnson, D.; Nicholas; Renner

HB 1137, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. WARDNER MOVED that the House do concur in the Senate amendments to HB 1138 as printed on HJ pages 1005-1006, which motion prevailed on a voice vote.

HB 1138, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1138: A BILL for an Act to create and enact a new section to chapter 54-52 of the North Dakota Century Code, relating to postretirement adjustments for supreme and district court judges under the public employees retirement system.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 85 YEAS, 9 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Callahan; Carlisle; Christenson; Christopherson; Clark; Coats; Dalrymple; Delmore; Devlin; Drovdal; Fairfield; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grumbo; Gulleon; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nichols; Niemeier; Nottestad; Oban; Poolman; Price; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup;

Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Speaker Timm

NAYS: Carlson; DeKrey; Delzer; Dorso; Freier; Grosz; Kempenich; Olson; Wilkie

ABSENT AND NOT VOTING: Johnson, D.; Nicholas; Renner

HB 1138, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. WARDNER MOVED that the House do concur in the Senate amendments to HB 1141 as printed on HJ page 989, which motion prevailed.

HB 1141, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1141: A BILL for an Act to create and enact a new subsection to section 54-52.1-03.3 of the North Dakota Century Code, relating to benefit options under the retiree health benefits plan; 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 93 YEAS, 0 NAYS, 0 EXCUSED, 4 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; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Gulleeson; Johnson, D.; Nicholas; Renner

HB 1141, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. WARDNER MOVED that the House do concur in the Senate amendments to Engrossed HB 1142, which motion prevailed.

Engrossed HB 1142, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1142: A BILL for an Act to create and enact two new sections to chapter 15-39.1 of the North Dakota Century Code, relating to the composition and administrative authority of the teachers' fund for retirement board; to amend and reenact subsection 1 of section 54-07-01.2 of the North Dakota Century Code, relating to appointments to the teachers' fund for retirement board; and to repeal section 15-39.1-05 of the North Dakota Century Code, relating to management of the teachers' fund for retirement.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 92 YEAS, 0 NAYS, 0 EXCUSED, 5 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; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman;

Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjerm; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Weisz; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Gulleeson; Johnson, D.; Nicholas; Renner; Warner

Engrossed HB 1142, as amended, passed and the title was agreed to.

MOTION

REP. DORSO MOVED that Engrossed HB 1440 be placed at the top of the Twelfth order, which motion prevailed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. BERG MOVED that the House do concur in the Senate amendments to Engrossed HB 1440, which motion prevailed.

Engrossed HB 1440 was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1440: A BILL for an Act to create and enact a new subsection to section 65-01-02 and four new sections to chapter 65-02 of the North Dakota Century Code, relating to a workers compensation board of directors; to amend and reenact section 65-02-01 of the North Dakota Century Code, relating to the director and division directors of the workers compensation bureau; to repeal section 65-02-08.1 of the North Dakota Century Code, relating to the workers compensation state advisory council; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 77 YEAS, 14 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brown; Brusegaard; Byerly; Carlisle; Carlson; Christopherson; Clark; Coats; Dalrymple; Delmore; Delzer; Devlin; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Grande; Grosz; Grumbo; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nichols; Nottestad; Olson; Poolman; Price; Rennerfeldt; Sabby; Skarphol; Soukup; Stenehjerm; Svedjan; Sveen; Thompson; Thoreson; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Speaker Timm

NAYS: Aarsvold; Brandenburg; Callahan; Fairfield; Gorder; Gulleeson; Kerzman; Niemeier; Oban; Rose; Sandvig; Schmidt; Thorpe; Wilkie

ABSENT AND NOT VOTING: Christenson; DeKrey; Glassheim; Johnson, D.; Nicholas; Renner

Engrossed HB 1440, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. R. KELSCH MOVED that the House do concur in the Senate amendments to Engrossed HB 1147 as printed on HJ page 958, which motion prevailed.

Engrossed HB 1147, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1147: A BILL for an Act to create and enact a new section to chapter 15-47 and a new section to chapter 27-20 of the North Dakota Century Code, relating to school personnel notification of juvenile offenses; and to amend and reenact subsection 4 of section 27-20-51 of the North Dakota Century Code, relating to school personnel receipt of juvenile orders of disposition.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 94 YEAS, 0 NAYS, 0 EXCUSED, 3 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; Gulleon; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjerm; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Johnson, D.; Nicholas; Renner

Engrossed HB 1147, as amended, passed and the title was agreed to.

THE HOUSE RECOGNIZED THE PRESENCE OF:

Former Representative Jack Olin.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KRETSCHMAR MOVED that the House do concur in the Senate amendments to Engrossed HB 1158 as printed on HJ page 958, which motion prevailed.

Engrossed HB 1158, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1158: A BILL for an Act to create and enact a new subsection to section 28-32-01, and two new sections to chapter 28-32 of the North Dakota Century Code, relating to adjudicative proceedings, specific agency statutes and rules, and emergency adjudicative proceedings; and to amend and reenact sections 23-01-23, 28-32-05, 28-32-05.1, 28-32-06, 28-32-07, 28-32-08, 28-32-08.2, subsection 1 of section 28-32-08.4, sections 28-32-09, 28-32-12, 28-32-12.1, 28-32-12.2, 28-32-13, subsection 1 of section 28-32-17, sections 43-18.2-05, and 43-18.2-06 of the North Dakota Century Code, relating to procedures for adjudicative proceedings.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 94 YEAS, 0 NAYS, 0 EXCUSED, 3 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; Gulleon; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjerm; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Johnson, D.; Nicholas; Renner

Engrossed HB 1158, 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 1159 as printed on HJ page 958, which motion prevailed.

Engrossed HB 1159, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1159: A BILL for an Act to create and enact a new section to chapter 16.1-12 of the North Dakota Century Code, relating to the time allowed for independent candidates to circulate nominating petitions; to amend and reenact sections 16.1-12-02.2 and 16.1-12-04 of the North Dakota Century Code, relating to election boards counting write-in votes, certificates of write-in candidacy, write-in candidates seeking more than one office, and the secretary of state and county auditors certifying independent nominations to one another; and to repeal section 16.1-12-05 of the North Dakota Century Code, relating to the secretary of state certifying independent nominations to the county auditor.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 94 YEAS, 0 NAYS, 0 EXCUSED, 3 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; Gulleon; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Johnson, D.; Nicholas; Renner

Engrossed HB 1159, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. PRICE MOVED that the House do concur in the Senate amendments to Engrossed HB 1161 as printed on HJ page 857, which motion prevailed.

Engrossed HB 1161, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1161: A BILL for an Act to create a new section to chapter 43-41 of the North Dakota Century Code, relating to fees charged by the North Dakota board of social work examiners; to amend and reenact subdivision e of subsection 2 of section 26.1-36-09, and sections 43-41-01, 43-41-04, 43-41-05, 43-41-10, and 43-41-12 of the North Dakota Century Code, relating to group health policy and health service contract mental disorder coverage and social work licensures; and to repeal sections 43-41-06 and 43-41-12.1 of the North Dakota Century Code, relating to licensing requirements for social workers.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 94 YEAS, 0 NAYS, 0 EXCUSED, 3 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; Gulleon; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Johnson, D.; Nicholas; Renner

Engrossed HB 1161, 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 1162 as printed on HJ page 1029, which motion prevailed.

Engrossed HB 1162, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1162: A BILL for an Act to create and enact three new subsections to section 54-23.4-10 of the North Dakota Century Code, relating to closure of crime victims compensation claims; to amend and reenact sections 54-23.4-01, 54-23.4-03, 54-23.4-06, 54-23.4-11, and 54-23.4-12 of the North Dakota Century Code, relating to definitions, award of benefits, attorney's fees, and subrogation for purposes of crime victims compensation; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 93 YEAS, 0 NAYS, 0 EXCUSED, 4 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; Gulleson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Johnson, D.; Nicholas; Renner; Skarphol

Engrossed HB 1162, as amended, passed and the title was agreed to.

MOTION

REP. FREIER MOVED that the House stand in recess until 4:15 p.m., which motion prevailed.

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

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

MR. SPEAKER: The President has signed: HB 1084, HB 1089, HB 1146.

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 2045, SB 2122, SB 2139, SB 2237, SB 2285, SB 2385, SCR 4005, SCR 4041, SCR 4057, SCR 4058.

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 2116: Reps. Carlson; Skarphol; Glassheim

SB 2136: Reps. Froseth; Axtman; Thorpe

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

MADAM PRESIDENT: The House does not concur in the Senate amendments to HB 1085 and HB 1478 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1085: Reps. Koppelman; Kretschmar; Callahan

HB 1478: Reps. Kliniske; Kilzer; Kerzman

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 1063, HB 1137, HB 1138, HB 1141, HB 1142, HB 1147, HB 1158, HB 1159, HB 1161, HB 1162, HB 1440.

SIGNING OF BILLS AND RESOLUTIONS

The Speaker signed the following enrolled bills: HB 1030, HB 1058, HB 1083, HB 1135, HB 1170, HB 1185, HB 1330.

SIGNING OF BILLS AND RESOLUTIONS

The Speaker signed the following enrolled bill: SB 2057.

SIGNING OF BILLS AND RESOLUTIONS

The Speaker signed the following enrolled bills and resolutions: SB 2045, SB 2122, SB 2139, SB 2237, SB 2285, SB 2385, SCR 4005, SCR 4041, SCR 4057, SCR 4058.

SIGNING OF BILLS AND RESOLUTIONS

The Speaker signed the following enrolled bills and resolutions: 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 SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

MADAM PRESIDENT: The Speaker has signed and your signature is respectfully requested on: HB 1030, HB 1058, HB 1083, HB 1135, HB 1170, HB 1185, HB 1330.

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

MADAM PRESIDENT: The Speaker has signed: SB 2057.

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

MADAM PRESIDENT: The Speaker has signed: SB 2045, SB 2122, SB 2139, SB 2237, SB 2285, SB 2385, SCR 4005, SCR 4041, SCR 4057, SCR 4058.

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 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 has concurred in the House amendments and subsequently passed: SB 2023, SB 2052, SB 2054, SB 2056, SB 2070, SB 2071, SB 2072, SB 2089, SB 2091, SB 2099, SB 2198, SB 2260, SB 2369, SB 2379.

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 2101, SB 2106, SB 2117, SB 2118, SB 2128, SB 2157, SB 2175, SB 2200, SB 2208, SB 2210, SB 2221, SB 2235.

COMMUNICATION FROM GOVERNOR EDWARD T. SCHAFER

The following communication was received from the Governor at 4:10 p.m., March 26, 1997.

This is to inform you that on March 25, 1997, I signed the following: HB 1032, HB 1040, HB 1044, HB 1079, HB 1086, HB 1109, HB 1132, HB 1139, HB 1188, HB 1195, HB 1223, HB 1224, HB 1234, HB 1302, HB 1323, HB 1353, HB 1371, HB 1381, HB 1389, HB 1401, HB 1442, HB 1463, HB 1466, and HB 1470.

Also, on March 26, 1997, I signed the following: HB 1093, HB 1140, HB 1186, HB 1287, HB 1320, HB 1384, and HB 1471.

MOTION

REP. BROWN MOVED that the House reconsider its action whereby Engrossed SCR 4012 passed.

REQUEST

REP. BROWN REQUESTED a recorded roll call vote on the motion to reconsider the action whereby Engrossed SCR 4012 passed, which request was granted.

ROLL CALL

The question being on the motion to reconsider the action whereby Engrossed SCR 4012 passed, the roll was called and there were 60 YEAS, 33 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Carlisle; Carlson; Christopherson; Clark; Dalrymple; Delzer; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleon; Hanson; Hausauer; Henegar; Huether; Jacobs; Johnsen, C.; Kempenich; Kilzer; Koppelman; Kroeplin; Kunkel; Lloyd; Martinson; Mickelson; Monson; Murphy; Nelson; Niemeier; Olson; Rennerfeldt; Skarphol; Soukup; Thompson; Thoreson; Thorpe; Tollefson; Wald; Wardner; Wilkie; Speaker Timm

NAYS: Aarsvold; Callahan; Christenson; Coats; DeKrey; Delmore; Gunter; Hawken; Jensen; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Klein; Kliniske; Kretschmar; Mahoney; Maragos; Nichols; Nottestad; Oban; Poolman; Price; Rose; Sabby; Sandvig; Schmidt; Svedjan; Sveen; Torgerson; Warner; Weisz; Wentz

ABSENT AND NOT VOTING: Johnson, D.; Nicholas; Renner; Stenehjem

So the motion to reconsider the action whereby Engrossed SCR 4012 passed, prevailed.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4012: A concurrent resolution for the amendment of sections 1 and 5 of article V of the Constitution of North Dakota, relating to the election of executive branch officers.

ROLL CALL

The question being on the final passage of the resolution, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 30 YEAS, 63 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Callahan; Christenson; DeKrey; Delmore; Fairfield; Gunter; Hawken; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Klein; Kliniske; Kretschmar; Mahoney; Maragos; Murphy; Nichols; Nottestad; Oban; Poolman; Price; Rose; Sandvig; Schmidt; Svedjan; Sveen; Warner; Weisz

NAYS: Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Carlisle; Carlson; Christopherson; Clark; Coats; Dalrymple; Delzer; Devlin; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleon; Hanson; Hausauer; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Kempenich; Kilzer; Koppelman; Kroeplin; Kunkel; Lloyd; Martinson; Mickelson; Monson; Nelson; Niemeier; Olson; Rennerfeldt; Sabby; Skarphol; Soukup; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Johnson, D.; Nicholas; Renner; Stenehjem

Engrossed SCR 4012 was declared lost.

SECOND READING OF SENATE BILL

SB 2294: A BILL for an Act to amend and reenact sections 61-16.1-12.1, 61-16.1-18, and 61-16.1-19 of the North Dakota Century Code, relating to notice and approval of proposed water projects.

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 19 YEAS, 76 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Bernstein; Carlisle; Clark; Coats; DeKrey; Glassheim; Henegar; Jacobs; Keiser; Kelsh, S.; Kilzer; Nicholas; Nottestad; Oban; Schmidt; Soukup; Thoreson; Tollefson; Wentz

NAYS: Aarsvold; Axtman; Belter; Berg; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Callahan; Carlson; Christenson; Christopherson; Dalrymple; Delmore; Delzer; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Gorder; Grande; Grosz; Grumbo; Gulleon; Gunter; Hanson; Hausauer; Hawken; Huether; Jensen; Johnsen, C.; Kelsch, R.; Kempenich; Kerzman; Klein; Kliniske; Koppelman; Kretschmar;

Kroeplin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nichols; Niemeier; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Skarphol; Svedjan; Sveen; Thompson; Thorpe; Torgerson; Wald; Wardner; Warner; Weisz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Johnson, D.; Stenehjem

Engrossed SB 2294, as amended, was declared lost.

THE HOUSE RECOGNIZED THE PRESENCE OF:

Former Representative Allen Richard.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. R. KELSCH MOVED that the House do not concur in the Senate amendments to Engrossed HB 1456 as printed on HJ pages 1049-1050 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 1456: Reps. R. Kelsch, Grande, Grumbo.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DALRYMPLE MOVED that the House do not concur in the Senate amendments to Engrossed HB 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 1007: Reps. Gerntholz, Soukup, Huether.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KRETSCHMAR MOVED that the House do not concur in the Senate amendments to HB 1085 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 1085: Reps. Koppelman, Kretschmar, Callahan.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. PRICE MOVED that the House do not concur in the Senate amendments to HB 1478 as printed on HJ page 959 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 1478: Reps. Kliniske, Kilzer, Kerzman.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. BERG MOVED that the House do concur in the Senate amendments to HB 1189 as printed on HJ page 1006, which motion prevailed.

HB 1189, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1189: A BILL for an Act to amend and reenact section 8-10-11 of the North Dakota Century Code, relating to the interruption of telecommunications in certain emergencies; and to provide a penalty.

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; Gulleeson;

Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; 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; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Johnson, D.; Stenehjem

HB 1189, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. BERG MOVED that the House do concur in the Senate amendments to Engrossed HB 1210 as printed on HJ page 1008, which motion prevailed.

Engrossed HB 1210, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1210: A BILL for an Act to create and enact a new section to chapter 43-04 of the North Dakota Century Code, relating to continuing education of barbers; and to amend and reenact sections 43-04-07 and 43-04-42 of the North Dakota Century Code, relating to the state board of barber examiners and fees.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 70 YEAS, 24 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Axtman; Belter; Berg; Bernstein; Callahan; Carlson; Christenson; Christopherson; Coats; Dalrymple; DeKrey; Delmore; Devlin; Drovdal; Fairfield; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Keiser; Kelsch, R.; Kempenich; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Maragos; Mickelson; Monson; Murphy; Nelson; Niemeier; Nottestad; Oban; Olson; Price; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Weisz; Wentz; Speaker Timm

NAYS: Aarsvold; Boehm; Boucher; Brandenburg; Brown; Brusegaard; Byerly; Carlisle; Clark; Delzer; Dorso; Freier; Grosz; Grumbo; Guleson; Kelsh, S.; Kerzman; Martinson; Nichols; Poolman; Renner; Rennerfeldt; Warner; Wilkie

ABSENT AND NOT VOTING: Johnson, D.; Nicholas; Stenehjem

Engrossed HB 1210, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. BERG MOVED that the House do concur in the Senate amendments to Engrossed HB 1259 as printed on HJ page 1046, which motion prevailed.

Engrossed HB 1259, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1259: A BILL for an Act to create and enact chapters 26.1-12.1 and 26.1-12.2 of the North Dakota Century Code, relating to the reorganization of mutual insurance companies and formation by mutual insurance companies of mutual insurance holding companies and demutualization of insurers.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 85 YEAS, 10 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Axtman; Belter; Berg; Bernstein; Boehm; 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; Gulleson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Nelson; Nicholas; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Svedjan; Sveen; Thompson; Thoreson; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Speaker Timm

NAYS: Aarsvold; Boucher; Brandenburg; Grumbo; Kerzman; Murphy; Nichols; Niemeier; Thorpe; Wilkie

ABSENT AND NOT VOTING: Johnson, D.; Stenehjem

Engrossed HB 1259, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. SKARPHOL MOVED that the House do concur in the Senate amendments to Engrossed HB 1267 as printed on HJ page 1008, which motion prevailed.

Engrossed HB 1267, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1267: A BILL for an Act to amend and reenact section 39-06-13 of the North Dakota Century Code, relating to motor vehicle operator's license examinations.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 64 YEAS, 30 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Boehm; Boucher; Brandenburg; Brusegaard; Callahan; Carlisle; Christenson; Christopherson; Clark; Coats; Delmore; Devlin; Fairfield; Froseth; Glassheim; Gorder; Grande; Grumbo; Gulleson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kilzer; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Maragos; Martinson; Mickelson; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Poolman; Price; Rose; Sandvig; Schmidt; Skarphol; Svedjan; Sveen; Thoreson; Thorpe; Wardner; Warner; Wentz; Wilkie

NAYS: Axtman; Berg; Bernstein; Brown; Byerly; Carlson; Dalrymple; DeKrey; Delzer; Dorso; Drovdal; Freier; Galvin; Gertholz; Grosz; Kempenich; Klein; Mahoney; Monson; Murphy; Olson; Renner; Rennerfeldt; Sabby; Soukup; Thompson; Tollefson; Torgerson; Weisz; Speaker Timm

ABSENT AND NOT VOTING: Johnson, D.; Stenehjem; Wald

Engrossed HB 1267, as amended, passed and the title was agreed to.

ANNOUNCEMENT BY THE SPEAKER

SPEAKER TIMM ANNOUNCED that Representative Delmore would replace Representative Callahan on the Conference Committee on SCR 4010.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KRETSCHMAR MOVED that the House do concur in the Senate amendments to Engrossed HB 1324 as printed on HJ page 958, which motion prevailed.

Engrossed HB 1324, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1324: A BILL for an Act to amend and reenact section 28-21-06 of the North Dakota Century Code, relating to the contents of writs of execution.

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; Gulleston; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; 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; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Johnson, D.; Stenehjem

Engrossed HB 1324, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. NICHOLAS MOVED that the House do concur in the Senate amendments to HB 1339, as printed on HJ pages 1027 and 1028, which motion prevailed.

HB 1339, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1339: A BILL for an Act to amend and reenact sections 4-09-08, 4-09-10, 4-09-14.3, 4-10.3-01, 4-10.3-02, 4-10.3-03, 4-10.3-04, 4-10.3-05, 4-10.3-08, 4-10.3-09, 4-24-09, and 4-24-10 of the North Dakota Century Code, relating to the North Dakota dry bean council and the assessment on dry beans; to provide an effective date; 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 94 YEAS, 1 NAY, 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; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleston; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; 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; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

NAYS: Delzer

ABSENT AND NOT VOTING: Johnson, D.; Stenehjem

HB 1339, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KRETSCHMAR MOVED that the House do concur in the Senate amendments to HB 1344 as printed on HJ page 924, which motion prevailed.

HB 1344, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1344: A BILL for an Act to amend and reenact section 47-16-30.1 of the North Dakota Century Code, relating to a lessor's rights in abandoned property.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 94 YEAS, 0 NAYS, 0 EXCUSED, 3 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.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; 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; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Johnson, D.; Rennerfeldt; Stenehjem

HB 1344, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. SKARPHOL MOVED that the House do concur in the Senate amendments to Engrossed HB 1346 as printed on HJ pages 1046-1047, which motion prevailed.

Engrossed HB 1346, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1346: A BILL for an Act to create and enact a new section to chapter 39-04 of the North Dakota Century Code, relating to issuance of distinctive motor vehicle license plates to individuals eligible for interment in the North Dakota veterans' cemetery; and to amend and reenact section 21-10-06 of the North Dakota Century Code, relating to the state investment board.

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.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; 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; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Johnson, D.; Stenehjem

Engrossed HB 1346, 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 1351 as printed on HJ pages 1008-1009, which motion prevailed.

Engrossed HB 1351, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1351: A BILL for an Act to provide for a waiver of privilege for health care providers and informal discussions.

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.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; 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; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Johnson, D.; Stenehjem

Engrossed HB 1351, 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 HB 1359 as printed on HJ page 959, which motion prevailed.

HB 1359, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1359: A BILL for an Act to amend and reenact subsection 4 of section 19-03.1-23 of the North Dakota Century Code, relating to drug offenses.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, 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; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grosz; Grumbo; Guleson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Koppelman; Kretschmar; Kroepelin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Olson; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Torgerson; Wald; Wardner; Weisz; Wentz; Wilkie; Speaker Timm

NAYS: Grande; Kliniske; Poolman; Tollefson; Warner

ABSENT AND NOT VOTING: Johnson, D.; Stenehjem

HB 1359, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. NICHOLAS MOVED that the House do concur in the Senate amendments to HB 1362 as printed on HJ page 988, which motion prevailed.

HB 1362, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1362: A BILL for an Act to create and enact two new sections to chapter 4-24 of the North Dakota Century Code, relating to induction in the North Dakota agricultural hall of fame; and to amend and reenact section 4-24-08 of the North Dakota Century code, relating to the North Dakota agricultural hall of fame.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 85 YEAS, 9 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brown; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore;

Delzer; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleon; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Olson; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wardner; Warner; Weisz; Wentz; Speaker Timm

NAYS: Brusegaard; Byerly; Keiser; Kilzer; Murphy; Poolman; Price; Wald; Wilkie

ABSENT AND NOT VOTING: Brandenburg; Johnson, D.; Stenehjem

HB 1362, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. BELTER MOVED that the House do concur in the Senate amendments to Engrossed HB 1364 as printed on HJ page 1009, which motion prevailed.

Engrossed HB 1364, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1364: A BILL for an Act to create and enact a new section to chapter 39-04 of the North Dakota Century Code, relating to park model trailer fees; to amend and reenact subsection 2 of section 57-40.3-01 and subsection 2 of section 57-55-10 of the North Dakota Century Code, relating to the definition of motor vehicle and a mobile home tax exemption for a park model trailer; to provide an effective date; and to provide an expiration date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 79 YEAS, 15 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Axtman; Belter; Boucher; Brusegaard; Byerly; Callahan; Carlisle; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Devlin; Dorso; Drovdal; Fairfield; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grumbo; Gulleon; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Monson; Murphy; Nelson; Nicholas; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Svedjan; Sveen; Thompson; Tollefson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

NAYS: Berg; Bernstein; Boehm; Brown; Carlson; Delzer; Freier; Grosz; Mickelson; Nichols; Renner; Soukup; Thoreson; Thorpe; Torgerson

ABSENT AND NOT VOTING: Brandenburg; Johnson, D.; Stenehjem

Engrossed HB 1364, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. R. KELSCH MOVED that the House do concur in the Senate amendments to Engrossed HB 1368 as printed on HJ pages 1047-1048, which motion prevailed.

Engrossed HB 1368, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1368: A BILL for an Act to amend and reenact subsection 1 of section 15-34.1-00.1, subsection 5 of section 15-34.1-03, sections 15-34.1-06, 15-34.1-07, 15-34.1-08, 15-34.1-09, 15-34.1-10, and 15-34.1-11 of the North Dakota Century Code, relating to home education.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 86 YEAS, 7 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

NAYS: Aarsvold; Boucher; Callahan; Coats; Nichols; Niemeier; Wilkie

ABSENT AND NOT VOTING: Brandenburg; Johnson, D.; Nicholas; Stenehjem

Engrossed HB 1368, 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 1399, which motion prevailed.

Engrossed HB 1399, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1399: A BILL for an Act to amend and reenact section 32-21-03 of the North Dakota Century Code, relating to persons who may bring a wrongful death action.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 92 YEAS, 1 NAY, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Boucher; 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; Gulleson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

NAYS: Kerzman

ABSENT AND NOT VOTING: Brandenburg; Johnson, D.; Nicholas; Stenehjem

Engrossed HB 1399, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. PRICE MOVED that the House do concur in the Senate amendments to Engrossed HB 1418 as printed on HJ pages 1048-1049, which motion prevailed.

Engrossed HB 1418, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1418: A BILL for an Act to create and enact three new subsections to section 26.1-04-03 of the North Dakota Century Code, relating to the restriction or interference with medical communications between health care providers and patients and unfair indemnification provisions in contracts with health care providers; and to provide a penalty.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 94 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Boucher; 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.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; 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; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Brandenburg; Johnson, D.; Stenehjem

Engrossed HB 1418, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. WARDNER MOVED that the House do concur in the Senate amendments to Engrossed HB 1445 as printed on HJ page 1007, which motion prevailed.

Engrossed HB 1445, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1445: A BILL for an Act to create and enact a new section to chapter 48-01.1 of the North Dakota Century Code, relating to the use of a construction manager for public improvement projects; and to amend and reenact section 48-01.1-01 of the North Dakota Century Code, relating to definitions regarding public improvement contracts.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 76 YEAS, 18 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Belter; Berg; Bernstein; Boehm; Brown; Brusegaard; Byerly; Carlisle; Carlson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Delzer; Dorso; Fairfield; Freier; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grosz; Gunter; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Kliniske; Koppelman; Kretschmar; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Niemeier; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Schmidt; Skarphol; Soukup; Svedjan; Sveen; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Wentz; Wilkie; Speaker Timm

NAYS: Aarsvold; Axtman; Boucher; Callahan; Christenson; Devlin; Drovdal; Froseth; Grumbo; Gulleeson; Hanson; Klein; Kroeplin; Nichols; Nottestad; Sandvig; Thompson; Weisz

ABSENT AND NOT VOTING: Brandenburg; Johnson, D.; Stenehjem

Engrossed HB 1445, as amended, passed and the title was agreed to.

HOUSE ENGROSSING AND ENROLLING REPORT

The following bills were engrossed and enrolled: HB 1137, HB 1161, HB 1162, and HB 1440.

MOTION

REP. FREIER MOVED that the absent member 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 9:00 a.m., Thursday, March 27, 1997, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2002, as engrossed: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (20 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2002 was placed on the Sixth order on the calendar.

Page 1, line 3, after "reenact" insert "subsection 1 of section 11-17-04," replace the third "and" with a comma, and after "27-05-03" insert ", 27-11-17, 27-11-22, and 27-12-04"

Page 1, line 4, after "to" insert "filing fees," and after "judges" insert ", and attorney license fees"

Page 1, line 14, replace "4,721,870" with "4,644,087"

Page 1, line 15, replace "1,511,006" with "1,490,790"

Page 1, line 19, replace "6,722,981" with "6,624,982"

Page 1, line 21, replace "6,714,018" with "6,616,019"

Page 2, line 2, replace "8,132,820" with "7,851,086"

Page 2, line 5, replace "31,265,142" with "30,983,408"

Page 2, line 7, replace "30,881,053" with "30,599,319"

Page 2, after line 7, insert:

"Subdivision 3."

Page 2, line 9, replace "Salaries and wages" with "Judicial conduct commission and disciplinary board" and replace "394,078" with "460,000"

Page 2, remove lines 10 and 11

Page 2, line 12, replace "523,629" with "460,000"

Page 2, line 13, replace "72,000" with "360,000"

Page 2, line 14, replace "451,629" with "100,000"

Page 2, line 15, replace "38,046,700" with "37,315,338"

Page 2, line 16, replace "465,052" with "753,052"

Page 2, line 17, replace "38,511,752" with "38,068,390"

Page 2, after line 31, insert:

"SECTION 5. COURT AUTOMATION. The supreme court and the district courts may not require any county to spend county funds on computer equipment relating to the automation of the court system."

Page 3, replace lines 1 through 3 with:

"SECTION 6. 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 dollars.
 - (1) ~~Ten~~ Fifteen 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) For the filing of a petition for dissolution of marriage, annulment, or separation from bed and board, 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 and fifteen dollars of this fee must be paid by the clerk of court to the state treasurer for deposit in the state general fund.

- (3) For all other filings, ~~five~~ sixty-five dollars of this fee must be paid by the clerk of court to the state treasurer for deposit in the state general fund.
- b. 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. For filing a small claims action in district court, ten dollars.
- d. 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. 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. 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."

Page 3, after line 24, insert:

"SECTION 9. AMENDMENT. Section 27-11-17 of the North Dakota Century Code is amended and reenacted as follows:

27-11-17. Fee payable by all applicants for admission to bar - Disposition of fees. The state bar board shall receive a fee to be determined from time to time by the state bar board with the approval of the supreme court of an amount not to exceed fifty dollars from each applicant for admission to the bar of this state who submits to examination by the state bar board and shall receive a fee to be determined from time to time by the state bar board with the approval of the supreme court of an amount not to exceed ~~two~~ four hundred dollars from each applicant for admission to the bar of this state who seeks admission upon motion in accordance with state law or supreme court rule. All such fees received must be deposited and disbursed in accordance with section 54-44-12.

SECTION 10. AMENDMENT. Section 27-11-22 of the North Dakota Century Code is amended and reenacted as follows:

27-11-22. Annual licenses to practice law and to serve on certain courts - Requirement - Issuance - Fees. Every person who has an unrevoked certificate of admission to the bar of this state and who desires to engage in the practice of law, or who is to serve as a judge of a court of record, shall secure an annual license from the state bar board on or before January first of each year. The secretary-treasurer of the board shall issue the license upon compliance with the rules adopted or approved by the supreme court to assure the professional competence of attorneys, and upon payment of a fee established by the state bar association at its annual meeting, by a majority vote of its members in attendance at the meeting, not to exceed ~~two~~ four hundred ~~five~~ dollars. The license is valid for the calendar year for which it is issued. Issuance of an annual license to practice law may not be conditioned upon payment of any surcharge, assessment, or fee in excess of the maximum fee established by this section. This section does not prohibit imposition of a reasonable fee for filing and processing reports of compliance with continuing education requirements.

SECTION 11. AMENDMENT. Section 27-12-04 of the North Dakota Century Code is amended and reenacted as follows:

27-12-04. Moneys payable from state bar fund to state bar association. The state bar association of North Dakota, out of the state bar fund, ~~annually shall must~~ receive one hundred dollars of each annual license fee for the operation of the attorney discipline board, and eighty percent of the remaining amount of the annual license fees paid by licensed members, for the purpose of paying for the printing and distribution of the annual report and proceedings of said the association and for the payment of other necessary expenses of the association. ~~Such sum~~ These sums must be paid quarterly

to the association by the state bar board upon vouchers drawn in accordance with section 54-44-12."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 180 - JUDICIAL BRANCH

HOUSE - This amendment makes the following changes:

Supreme Court changes:

	1997-99 AGENCY REQUEST	SENATE CHANGES	ENGROSSED BILL	REMOVE RISK MANAGEMENT PREMIUMS	REMOVE NEW .5 FTE COMPUTER PROGRAMMER	REMOVE EXISTING .5 FTE COMPUTER PROGRAMMER	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$4,765,332	\$ (43,462)	\$4,721,870					\$4,644,087
Operating expenses	1,525,506	(14,500)	1,511,006	\$ (20,216)	\$ (35,260)	\$ (42,523)	\$ (77,783)	1,490,790
Equipment	132,700		132,700				(20,216)	132,700
Judges retirement	342,416	(5,011)	337,405					337,405
Dispute resolution options	<u>20,000</u>		<u>20,000</u>					<u>20,000</u>
Total all funds	\$6,785,954	\$ (62,973)	\$6,722,981	\$ (20,216)	\$ (35,260)	\$ (42,523)	\$ (97,999)	\$6,624,982
Less estimated income	<u>8,963</u>		<u>8,963</u>					<u>8,963</u>
General fund	\$6,776,991	\$ (62,973)	\$6,714,018	\$ (20,216)	\$ (35,260)	\$ (42,523)	\$ (97,999)	\$6,616,019
FTE	45.50	0.00	45.50		(0.50)	(0.50)	(1.00)	44.50

District court changes:

	1997-99 AGENCY REQUEST	SENATE CHANGES	ENGROSSED BILL	REMOVE RISK MANAGEMENT PREMIUMS	DECREASE INDIGENT DEFENSE COSTS	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$21,640,674	\$ (122,538)	\$21,518,136				\$21,518,136
Operating expenses	8,178,820	(46,000)	8,132,820	\$ (81,734)	\$ (200,000)	\$ (281,734)	7,851,086
Equipment	654,954		654,954				654,954
Judges retirement	973,584	(14,352)	959,232				959,232
Total all funds	\$31,448,032	\$ (182,890)	\$31,265,142	\$ (81,734)	\$ (200,000)	\$ (281,734)	\$30,983,408
Less estimated income	384,089		384,089				384,089
General fund	\$31,063,943	\$ (182,890)	\$30,881,053	\$ (81,734)	\$ (200,000)	\$ (281,734)	\$30,599,319
FTE	190.50	0.00	190.50			0.00	190.50

Judicial Conduct Commission changes:

	1997-99 AGENCY REQUEST	SENATE CHANGES	ENGROSSED BILL	REMOVE RISK MANAGEMENT PREMIUMS	CHANGE FUNDING FOR THE JUDICIAL CONDUCT COMMISSION AND DISCIPLINARY BOARD TO A SINGLE LINE ITEM ¹	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$394,078		\$394,078		\$(394,078)	\$(394,078)	
Operating expenses	119,551		119,551	\$(2,151)	(117,400)	(119,551)	
Equipment	13,000	\$(3,000)	10,000		(10,000)	(10,000)	
Judicial Conduct Commission and disciplinary board					460,000	46,000	\$460,000
Total all funds	\$526,629	\$(3,000)	\$523,629	\$(2,151)	\$(61,478)	\$(63,629)	\$46,000
Less estimated income	72,000		72,000		288,000	288,000	360,000
General fund	\$454,629	\$(3,000)	\$451,629	\$(2,151)	\$(349,478)	\$(351,629)	\$100,000
FTE	4.00		4.00			0.00	4.00

¹ The change also reduces the general fund support by \$61,478 and increases the other funds by \$288,000 to a total of \$360,000. The other funds of \$360,000 are to be generated from a \$100 annual assessment on license fees to practice law in the state of North Dakota.

This amendment also:

- Adds a new Section 5 providing that neither the Supreme Court or the district courts can require counties to purchase, with county funds, computer equipment relating to court automation.
- Removes the current Section 5 which provided for the maximum authorized FTE levels.
- Adds a new Section 6 changing the distribution of the \$80 filing fee for a case that is not a small claims action. The following table shows the change in the distribution of the \$80 filing fee:

	CURRENT DISTRIBUTION		PROPOSED DISTRIBUTION		CHANGE	
	Divorce Filings	All other Filings	Divorce Filings	All other Filings	Divorce Filings	All other Filings
Civil legal services fund	\$10	\$10	\$15	\$15	\$ 5	\$ 5
Displaced homemaker fund	50		50			
State general fund		50	15	65	15	15
County	<u>20</u>	<u>20</u>	<u>—</u>	<u>—</u>	<u>(20)</u>	<u>(20)</u>
Total filing fee	\$80	\$80	\$80	\$80	\$ 0	\$ 0

The proposed change will have the following revenue impacts:

Civil legal services fund	\$131,805
State general fund	395,415
County revenues	<u>(527,220)</u>
Total	\$0

- Adds Sections 9, 10, and 11 relating to the maximum annual license fee to practice law in this state. The amendments increase the maximum annual license fee from \$250 to \$400. The amendments also provide that \$100 of the annual license fee is to be for the operation of the attorney discipline board.

REPORT OF STANDING COMMITTEE

SB 2004, as engrossed: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (20 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). Engrossed SB 2004 was placed on the Sixth order on the calendar.

Page 1, line 4, remove "23-09-17,"

Page 1, line 7, replace "an expiration date" with "legislative intent"

Page 1, line 16, replace "25,038,634" with "24,851,601"

Page 1, line 17, replace "31,421,679" with "31,307,181"

Page 1, line 18, replace "1,280,850" with "1,230,440"

Page 1, line 20, replace "19,777,146" with "19,498,646"

Page 1, line 21, replace "77,546,452" with "76,916,011"

Page 1, line 22, replace "62,063,038" with "62,020,071"

Page 1, line 23, replace "15,483,414" with "14,895,940"

Page 2, line 2, replace "\$400,000" with "\$300,000"

Page 3, line 27, remove "Food processing plant means a commercial operation that manufactures."

Page 3, remove lines 28 and 29

Page 3, line 30, remove "7."

Page 4, line 4, remove the overstrike over "~~7.~~" and remove "8."

Page 4, line 11, remove the overstrike over "~~8.~~" and remove "9."

Page 4, line 13, remove the overstrike over "~~9.~~" and remove "10."

Page 4, line 16, remove the overstrike over "~~10.~~" and remove "11."

Page 4, line 18, remove the overstrike over "~~11.~~" and remove "12."

Page 4, line 23, remove the overstrike over "~~12.~~" and remove "13."

Page 4, line 30, remove the overstrike over "~~13.~~" and remove "14."

Page 5, line 4, remove the overstrike over "~~14.~~" and remove "15."

Page 5, line 7, remove the overstrike over "~~15.~~" and remove "16."

Page 10, line 29, replace "year" with "two years"

Page 12, remove line 27

Page 13, remove lines 10 through 31

Page 14, remove lines 1 through 23

Page 15, line 22, remove "- EXPIRATION DATE"

Page 15, line 23, remove ", and expires as of January 1, 1999" and remove "Section 20 of this"

Page 15, replace line 24 with:

"SECTION 26. LEGISLATIVE INTENT. It is the intent of the legislative assembly that women, infants, and children food payments be budgeted as a separate line item in the department of health's 1999-2001 budget request."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 301 - DEPARTMENT OF HEALTH

HOUSE - This amendment removes a proposed \$50 annual fee for food processing plants and makes the following changes:

	1997-99 EXECUTIVE BUDGET	TOTAL SENATE CHANGES	SENATE RECOMMENDED AMOUNTS	REDUCE LOCAL HEALTH DISTRICTS AND COMPUTER EQUIPMENT FUNDING	REMOVE RISK MANAGEMENT PREMIUMS	REDUCE ABANDONED AUTO GRANTS	RESTORE TRAUMA CARE FTE POSITION	REMOVE 5 FTE POSITIONS	TOTAL HOUSE CHANGES	HOUSE RECOMMENDED AMOUNTS
Salaries and wages	\$25,101,601	\$ (62,967)	\$25,038,634							\$24,851,601
Operating expenses	32,106,219	(684,540)	31,421,679							31,307,181
Equipment	1,293,480	(12,630)	1,280,850	\$ (50,410)	\$ (171,531)		\$ 62,967	\$ (250,000)	(114,498)	1,230,440
Capital improvements	28,143		28,143				57,033		(50,410)	28,143
Grants	<u>19,623,646</u>	<u>153,500</u>	<u>19,777,146</u>	<u>(178,500)</u>	<u></u>	<u>\$ (100,000)</u>	<u></u>	<u></u>	<u>(278,500)</u>	<u>19,498,646</u>
Total all funds	\$78,153,089	\$ (606,637)	\$77,546,452	\$ (228,910)	\$ (171,531)	\$ (100,000)	\$120,000	\$ (250,000)	\$ (630,441)	\$76,916,011
Less estimated income	<u>62,483,338</u>	<u>(420,300)</u>	<u>62,063,038</u>	<u></u>	<u></u>	<u>(100,000)</u>	<u>57,033</u>	<u></u>	<u>(42,967)</u>	<u>62,020,071</u>
Total general fund appropriation	\$15,669,751	\$ (186,337)	\$15,483,414	\$ (228,910)	\$ (171,531)	\$ 0	\$ 62,967	\$ (250,000)	\$ (587,474)	\$14,895,940
FTE	311.00	(1.00)	310.00				1.00	(5.00)	(4.00)	306.00

In addition, this amendment:

- Provides that the department's reduction of five FTE positions required by this amendment not include the one new FTE chemist for methamphetamine cases and the one new FTE chemist for the forensic unit authorized in the budget.
- Amends Section 16 to allow the department to inspect food establishments once every two years rather than once every year.
- Removes Section 20, which would have provided a license fee increase on January 1, 1999, for food and lodging establishments, a reduction of general fund revenue of \$30,250 from the Senate level. Total additional general fund revenue would be \$70,949 rather than \$101,199.
- Adds a new section of legislative intent that the Department of Health include the WIC food payments as a separate line item in the 1999-2001 budget request.

REPORT OF STANDING COMMITTEE

SB 2014, as engrossed: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (19 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2014 was placed on the Sixth order on the calendar.

Page 1, line 15, replace "97,445" with "83,757"

Page 1, line 17, replace "all" with "special", after "funds" insert "appropriation", and replace "5,643,444" with "5,629,756"

Page 2, after line 11, insert:

"SECTION 5. LEGISLATIVE INTENT - PARTICIPATING ENTITIES. It is the intent of the legislative assembly that the department of human services inform eligible organizations that are not currently participating in "refinancing" activities of the benefits and the opportunity to participate in the program for the biennium beginning July 1, 1997, and ending June 30, 1999.

SECTION 6. LEGISLATIVE INTENT - REGIONAL CONSOLIDATION - REPORT TO BUDGET SECTION. It is the intent of the legislative assembly that because of relatively high administrative expenses as compared to income of some regional and tribal children's services coordinating committees, the Children's Services Coordinating Committee conduct an analysis and develop a plan to reduce, by consolidation, the administrative costs of the regional and tribal committees during the biennium beginning July 1, 1997, and ending June 30, 1999. The committee shall present its report and recommendations to the budget section by October 1, 1998."

Page 2, line 26, replace "Regional" with "Children's services coordinating committee - Grants to regional" and replace "18 percent" with "\$1,080,000 (estimated at 18 percent)"

Page 2, line 27, replace "- Administration" with "for administrative costs"

Page 2, line 28, replace "59.5" with "62" and replace "25" with "15"

Page 2, line 31, replace "10" with "7.5"

Page 3, after line 1, insert "If less than \$6,000,000 is generated as a result of participating entities claiming federal administrative cost reimbursements for the 1997-99 biennium, the children's services coordinating committee shall proportionately reduce the percentage allocations for statewide grants and regional and tribal children's services coordinating committee grants to generate the funds necessary to provide a total of \$1,080,000 for the 1997-99 biennium for grants to regional and tribal committees for administrative costs under this section."

Page 3, remove lines 7 and 8

Page 3, line 9, replace "83.5" with "90"

Page 3, line 10, replace "25" with "15"

Page 3, line 12, replace "14" with "10"

Page 3, line 18, remove the overstrike over "~~the attorney general or a designee of the attorney general;~~"

Page 3, line 19, remove the overstrike over the third "~~the~~"

Page 3, line 20, remove the overstrike over "~~superintendent of public instruction~~" and insert immediately thereafter an underscored comma

Page 3, line 24, remove the overstrike over "~~the director of the department of~~"

Page 3, remove the overstrike over line 25

Page 3, line 26, remove the overstrike over "~~rehabilitation;~~"

Page 4, line 27, overstrike "charter", remove "up to twelve ", overstrike "public corporations", remove the overstrike over "~~designate~~" and insert immediately thereafter "up to twelve", and remove the overstrike over "~~organizations~~"

Page 4, line 31, overstrike "corporations or" and after the period insert "The committee shall discontinue the designation of regional and tribal committees if grant funds are not available for distribution to the regional and tribal committees."

Page 5, line 14, remove "~~temporary~~"

Page 5, line 21, replace "twenty-five" with "fifteen"

Page 5, line 25, replace "five" with "twenty"

Page 5, line 26, after "balance" insert ", excluding income received during the final thirty days of each fiscal year"

Page 5, line 27, replace "twenty-two" with "fifty", remove "five hundred", and after "dollars" insert "or twenty percent of annual gross income, whichever is less,"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 324 - CHILDREN'S SERVICES COORDINATING COMMITTEE

HOUSE - The amendment reduces the operating expenses line item by \$13,688 of special funds, \$645 of which relates to removing funds for risk management premiums and \$13,043 to reducing operating expenses to match the 2.5 percent administrative expense limit based on federal funds generated by "refinancing" activities.

The amendment changes the membership of the Children's Services Coordinating Committee and selected duties and responsibilities of the committee and of regional and tribal committees.

The amendment clarifies that the state Children's Services Coordinating Committee will determine the allocation of the 18 percent of the "refinancing" funds received to the regional and tribal committees for their administrative costs.

The amendment adds sections of legislative intent regarding informing local eligible organizations of the opportunity to participate in the "refinancing" activities and regarding options for reducing administrative costs of the regional and tribal committees.

The amendment changes the method by which the Children's Services Coordinating Committee distributes its grants as follows:

	HOUSE VERSION	SENATE VERSION	CURRENT METHOD
Department of Human Services	10 percent up to a maximum of \$600,000	10 percent up to a maximum of \$600,000	10 percent
Children's Services Coordinating Committee - Administration	2.5 percent up to a maximum of \$150,000	2.5 percent	5 percent
Regional and tribal children's services coordinating	N/A	N/A	70 percent

committees			
Participating entities generating federal funds	15 percent	25 percent of total	15 percent
Children's Services Coordinating Committee - Statewide grants	7.5 percent	10 percent	
Children's Services Coordinating Committee - Grants to regional and tribal children's services coordinating committees for administrative costs	\$1,080,000 (estimated at 18 percent)	18 percent up to a maximum of \$1,080,000	
Regional and tribal children's services coordinating committees - Grants to providers	47 percent	34.5 percent	
Children's services providers	As approved by the Legislative Assembly or Budget Section based on Children's Services Coordinating Committee or other requests and as distributed by regional and tribal committees	As approved by the Legislative Assembly or Budget Section based on Children's Services Coordinating Committee or other requests and as distributed by regional and tribal committees	As allocated from the regional or tribal children's services coordinating committees
Total	100 percent	100 percent	100 percent

Any federal fund reimbursements received by the state in excess of \$6,000,000 during the 1997-99 biennium will be distributed, subject to Emergency Commission approval, as follows:

	HOUSE VERSION	SENATE VERSION
Children's Services Coordinating Committee - Administration	0 percent	2.5 percent
Participating entities generating federal funds	15 percent	25 percent
Regional and tribal children's services coordinating committees - Grants	75 percent	58.5 percent
Children's Services Coordinating Committee - Statewide grants	10 percent	14 percent
Total	100 percent	100 percent

REPORT OF STANDING COMMITTEE

SB 2016, as reengrossed: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (17 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). Reengrossed SB 2016 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "15-40.1 and a new" with "12-46"

Page 1, line 3, remove "subsection to section 15-40.2-08"

Page 1, line 4, replace "in cases of residential placements and to the transfer of funds appropriated for" with "for students committed to the youth correctional center"

Page 1, line 5, remove "foundation aid" and remove "; to provide an effective date"

Page 1, line 17, replace "77,929" with "73,713"

Page 1, line 19, replace "880,823" with "876,607"

Page 1, line 21, replace "781,924" with "777,708"

Page 2, line 2, replace "4,188,200" with "4,127,066"

Page 2, after line 5, insert:

"Delinquency prevention consortium 100,000"

Page 2, line 7, replace "14,902,468" with "14,941,334"

Page 2, line 8, replace "5,006,447" with "5,456,447"

Page 2, line 9, replace "9,896,021" with "9,484,887"

Page 2, line 12, replace "20,392,705" with "20,202,555"

Page 2, line 13, replace "8,921,787" with "8,479,128"

Page 2, line 21, replace "45,833,323" with "45,200,514"

Page 2, line 23, replace "35,350,206" with "34,717,397"

Page 2, line 27, replace "5,964,326" with "5,951,678"

Page 2, line 30, replace "8,699,211" with "8,686,563"

Page 2, line 31, replace "46,028,151" with "44,979,992"

Page 3, line 1, replace "24,287,674" with "24,725,026"

Page 3, line 2, replace "70,315,825" with "69,705,018"

Page 3, replace lines 16 through 26 with:

"SECTION 5. A new section to chapter 12-46 of the North Dakota Century Code is created and enacted as follows:

Youth correctional center - Payment of tuition. The superintendent shall charge a student's school district of residence tuition as follows:

1. The amount of tuition must be determined pursuant to this section for each student under the age of eighteen who is committed to the youth correctional center.
2. The amount of tuition is the average net foundation aid payment for all high schools for the fiscal year during which the student is committed to the youth correctional center, multiplied by the number of instructional days the student has been committed to the youth correctional center during the period for which the district is being charged, divided by one hundred eighty.
3. The average net foundation aid payment for all high schools is the average per student foundation aid payment for all high school districts, reduced by the average mill deduct per student, as determined by the superintendent of public instruction."

Page 3, replace lines 30 and 31 with "to grant recipients that the amount of funds appropriated for crime victims' grants for the 1997-99 biennium may not continue at the same level during the 1999-2001 biennium. The fifty-sixth legislative assembly is not obligated to provide an appropriation from the state general fund to continue the crime victims' grant program at the"

Page 4, remove line 1

Page 4, line 5, after "of" insert "section 1 of"

Page 4, after line 9, insert:

"SECTION 8. PURCHASE OF LAND AND BUILDINGS - EXEMPTION FROM CHAPTERS 48-01.1 AND 54-44.7. The department of corrections and rehabilitation may purchase, within the limits of legislative appropriations provided for that purpose, the forensic unit building, the extended treatment building, a gymnasium building, and surrounding real property at the state hospital for development of a medium security correctional facility. The department of corrections and rehabilitation is not subject to

the provisions of chapters 48-01.1 and 54-44.7, relating to public improvement contract bids and architect, engineer, and land surveying services, for construction and renovation relating to the medium security correctional facility.

SECTION 9. DELINQUENCY PREVENTION CONSORTIUM. During the 1997-99 biennium, the department of corrections and rehabilitation, the department of human services, and the department of public instruction shall develop a delinquency prevention consortium, including representatives of those departments, other state agencies, and private organizations. The delinquency prevention consortium shall study, develop, and implement, during the 1997-99 biennium, programs to prevent crime and delinquency and reduce incarceration. The consortium shall consider crime prevention programs other than incarceration, such as the following programs identified in the 1996 research report "Diverting Children from a Life of Crime - Measuring Costs and Benefits": early childhood interventions for children at risk of developing antisocial behavior, interventions for families with children exhibiting aggressive or antisocial behavior, providing graduation incentives for disadvantaged high school students, and early monitoring of youth exhibiting delinquent behavior. The delinquency prevention consortium shall, during the 1997-99 biennium, present reports to the legislative council or its designated committee on programs studied, developed, and implemented and recommendations for the 1999-2001 biennium."

Page 4, remove line 10

Page 4, line 12, replace "is" with "and section 8 of this Act are"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 530 - DEPARTMENT OF CORRECTIONS AND REHABILITATION

HOUSE - This amendment removes risk management premiums of \$210,807 (\$198,159 general fund, \$12,648 other funds) from the Department of Corrections and Rehabilitation.

This amendment transfers \$90,150 general fund appropriation authority from salaries and wages to operating expenses for a .3 FTE physician position. The Senate transferred the authority for the .3 FTE position from the State Hospital to the Department of Corrections and Rehabilitation. However, the position will not be transferred. The Department of Corrections and Rehabilitation will contract for these services.

This amendment increases other fund appropriation authority for the Juvenile Services Division by \$350,000 and decreases general fund appropriation authority by the same amount to reflect tuition payments that the Youth Correctional Center will receive from school districts.

This amendment removes Sections 5 and 6 of the reengrossed bill. Section 5, which was effective on July 1, 1999, prohibited the transfer of foundation aid to the Youth Correctional Center. Section 6 provided that school districts were not liable for tuition for students at the Youth Correctional Center.

This amendment adds a new section which provides that school districts are responsible for the payment of tuition for students at the Youth Correctional Center. The tuition payment is equal to the statewide average foundation aid payment for high school districts, based on the number of days the student is at the Youth Correctional Center.

This amendment also reduces general fund appropriation authority for the Adult Services Division by \$500,000 (\$400,000 operating expenses, \$100,000 salaries and wages). The operating expenses reduction is for programmatic reductions to be determined by the Department of Corrections and Rehabilitation. The salaries and wages reduction is to encourage the department to postpone filling unspecified positions relating to the proposed medium security facility in Jamestown.

This amendment directs the Department of Corrections and Rehabilitation, the Department of Human Services, and the Department of Public Instruction to develop a delinquency prevention consortium. The consortium will study, develop, and implement programs to prevent crime and delinquency through early intervention methods and present results and recommendations to a Legislative Council committee. This amendment also appropriates \$100,000 of federal or other funds to the Department of Corrections and Rehabilitation for the delinquency prevention consortium.

This amendment clarifies the legislative intent contained in Section 7 of the reengrossed bill, relating to crime victims' grants. This section provides legislative intent that crime victims' grant recipients be provided a notice that the federal funds available for grants during the 1997-99 biennium may not be available during the 1999-2001 biennium and may not be replaced with state funds.

This amendment also adds a new section which allows the Department of Corrections and Rehabilitation to purchase, from the State Hospital, the buildings and land for the medium security facility and exempts the department from the provisions of Chapters 48-01.1 and 54-44.7, relating to bidding requirements and architect, engineer, and land surveying services.

	1997-99 EXECUTIVE RECOMMENDATION	TOTAL SENATE CHANGES	SENATE VERSION	REMOVE RISK MANAGEMENT PREMIUMS	DELINQUENCY PREVENTION CONSORTIUM	REMOVE PHYSICIAN POSITION AND ADD OPERATING EXPENSES FOR CONTRACTED SERVICES	REDUCE SALARIES AND WAGES AND OPERATING EXPENSES	ADD OTHER FUNDS AUTHORITY AND REDUCE GENERAL FUND AUTHORITY FOR TUITION PAYMENTS	TOTAL HOUSE CHANGES	HOUSE VERSION
CENTRAL OFFICE										
Salaries and wages	\$ 798,494		\$ 798,494						\$ (4,216)	\$ 798,494
Operating expenses	77,929		77,929							73,713
Equipment	4,400		4,400							4,400
Total	\$ 880,823	\$ 0	\$ 880,823	\$ (4,216)	\$ 0	\$ 0	\$ 0	\$ 0	\$ (4,216)	\$ 876,607
General fund	\$ 781,924		\$ 781,924						\$ (4,216)	\$ 777,708
Other funds	98,899		98,899							98,899
Total	\$ 880,823	\$ 0	\$ 880,823	\$ (4,216)	\$ 0	\$ 0	\$ 0	\$ 0	\$ (4,216)	\$ 876,607
JUVENILE SERVICES										
Salaries and wages	\$ 8,708,389		\$ 8,708,389							\$ 8,708,389
Operating expenses	4,188,200		4,188,200						\$ (61,134)	4,127,066
Equipment	102,879		102,879							102,879
Capital improvements	573,000		573,000							573,000
Grants	1,280,000		1,280,000						100,000	1,280,000
Delinquency prevention consortium medical fees	50,000		50,000							100,000
Total	\$14,902,468	\$ 0	\$14,902,468	\$ (61,134)	\$100,000	\$ 0	\$ 0	\$ 0	\$ 38,866	\$14,941,334
General fund	\$ 9,100,456	\$ 795,565	\$ 9,896,021	\$ (61,134)	\$100,000	\$ 0	\$ 0	\$ (350,000)	\$ (411,134)	\$ 9,484,887
Other funds	5,802,012	(795,565)	5,006,447		\$100,000			350,000	450,000	5,456,447
Total	\$14,902,468	\$ 0	\$14,902,468	\$ (61,134)	\$100,000	\$ 0	\$ 0	\$ 0	\$ 38,866	\$14,941,334
ADULT SERVICES										
Salaries and wages	\$15,692,616	\$ 4,700,089	\$20,392,705			\$ (90,150)	\$ (100,000)		\$ (190,150)	\$20,202,555
Operating expenses	13,258,931	(4,337,144)	8,921,787	\$ (132,809)		90,150	(400,000)		(442,659)	8,479,128
Equipment	170,867		170,867							170,867
Capital improvements	1,010,650		1,010,650							1,010,650
Capital improvements - medium security facility		4,896,425	4,896,425							4,896,425
Institutional medical fees	850,000		850,000							850,000
Victim services	1,904,399	1,200,000	3,104,399							3,104,399
Institutional offender services	321,991		321,991							321,991
Community offender services	6,164,499		6,164,499							6,164,499

Total	\$39,373,953	\$ 0	\$45,833,323	\$(132,809)	\$ 0	\$ 0	\$ (500,000)	\$ 0	\$ (632,809)	\$45,200,514
General fund	\$34,513,731	\$ 836,475	\$35,350,206	\$ (132,809)			\$ (500,000)		\$ (632,809)	\$34,717,397
Other funds	<u>4,860,222</u>	<u>5,622,895</u>	<u>10,483,117</u>							<u>10,483,117</u>
Total	\$39,373,953	\$ 6,459,370	\$45,833,323	\$(132,809)	\$ 0	\$ 0	\$ (500,000)	\$ 0	\$ (632,809)	\$45,200,514
ROUGH RIDER INDUSTRIES										
Salaries and wages	\$ 2,427,773		\$ 2,427,773							\$ 2,427,773
Operating expenses	5,964,326		5,964,326	\$ (12,648)					\$ (12,648)	5,951,678
Equipment	<u>221,000</u>		<u>221,000</u>							<u>221,000</u>
Capital improvements	<u>50,000</u>	<u>36,112</u>	<u>86,112</u>							<u>86,112</u>
Total	\$ 8,663,099	\$ 36,112	\$ 8,699,211	\$ (12,648)	\$ 0	\$ 0	\$ 0	\$ 0	\$ (12,648)	\$ 8,686,563
General fund	<u>\$ 8,663,099</u>	<u>\$ 36,112</u>	<u>\$ 8,699,211</u>	<u>\$ (12,648)</u>					<u>\$ (12,648)</u>	<u>\$ 8,686,563</u>
Other funds										
Total	\$ 8,663,099	\$ 36,112	\$ 8,699,211	\$ (12,648)	\$ 0	\$ 0	\$ 0	\$ 0	\$ (12,648)	\$ 8,686,563
DCR total general fund	\$44,396,111	\$ 1,632,040	\$46,028,151	\$ (198,159)			\$ (500,000)	\$ (350,000)	\$ (1,048,159)	\$44,979,992
DCR total other funds	<u>19,424,232</u>	<u>4,863,442</u>	<u>24,287,674</u>	<u>(12,648)</u>	<u>\$100,000</u>				<u>437,352</u>	<u>24,725,026</u>
DCR total all funds	\$63,820,343	\$ 6,495,482	\$70,315,825	\$(210,807)	\$100,000	\$ 0	\$ (500,000)	\$ 0	\$ (610,807)	\$69,705,018
FTE	431.14	87.80	518.94			(0.30)			(0.30)	518.64

REPORT OF STANDING COMMITTEE

SB 2017: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). SB 2017 was placed on the Sixth order on the calendar.

Page 1, line 2, after "Dakota" insert "; to provide that job service North Dakota and the workers compensation bureau conduct mutual auditing assistance; to provide that student participation in school-to-work and work force 2000 is voluntary; to create and enact a new section to chapter 44-04 and a new section to chapter 52-02 of the North Dakota Century Code, relating to records of the North Dakota occupational information coordinating committee and audits of job service North Dakota; and to declare an emergency"

Page 1, line 10, replace "8,391,544" with "8,246,905"

Page 1, line 14, replace "2,000,754" with "1,700,754"

Page 1, line 16, replace "51,208,194" with "50,763,555"

Page 1, line 17, replace "49,207,440" with "49,062,801"

Page 1, line 18, replace "2,000,754" with "1,700,754"

Page 1, line 23, replace "\$2,000,754" with "\$1,700,754"

Page 2, after line 2, insert:

"SECTION 4. WORKERS COMPENSATION BUREAU AND JOB SERVICE NORTH DAKOTA - MUTUAL AUDITING ASSISTANCE. The workers compensation bureau and job service North Dakota shall establish a cooperative program under which each agency, during the performance of employer audits, gathers employer audit information relevant to the other agency. The workers compensation bureau shall coordinate training of the auditors of both agencies on the technical aspects and needs of the audit processes. The training must include training on the use of the form developed under section 2 of chapter 523 of the 1995 Session Laws for reporting workers' compensation and job service information on a single form. Training must be completed by December 31, 1997. The auditing program must begin in January 1998. The program must operate within federal funding requirements and any other applicable federal statutes and regulations affecting job service North Dakota, as well as within titles 52 and 65. The program's agreement must identify the amount and method of reimbursement between the workers compensation bureau and job service North Dakota for the mutual auditing services. The agreement also must identify a means by which the agencies will identify the employers to be audited by each to avoid a duplication of efforts by the agencies and to reduce the administrative burden on employers subject to the audits.

SECTION 5. SCHOOL-TO-WORK - STUDENT PARTICIPATION VOLUNTARY. Before any elementary or secondary school student may participate in any course, program, or project offered under the auspices of the School-to-Work Opportunities Act of 1994, Public Law No. 103-239 [108 Stat. 568; 20 U.S.C. 2394 et seq.], the student's school principal shall obtain the written consent of the student's parent or legal guardian. Participation by a student is voluntary and may not be deemed a condition of graduation. Neither school personnel, school district personnel, nor the superintendent of public instruction may impose any academic penalties or any other sanctions on a student for failure to participate. A student's participation in a course, program, or project offered under the auspices of the School-to-Work Opportunities Act of 1994 is subject to all state and federal child labor laws.

SECTION 6. A new section to chapter 44-04 of the North Dakota Century Code is created and enacted as follows:

Certain records of occupational information coordinating committee - Exempt. Records provided to the North Dakota occupational information coordinating committee by any person for use in the followup information on North Dakota education and training system for research or statistical purposes may only be used to prepare aggregate data compilations that do not identify any individual and may not be disclosed to the public by the occupational information coordinating committee. A request for disclosure of the records under section 44-04-18 or section 6 of article XI of

the Constitution of North Dakota must be directed to the person or entity that has provided the records to the occupational information coordinating committee.

SECTION 7. A new section to chapter 52-02 of the North Dakota Century Code is created and enacted as follows:

Independent audit. The state auditor shall appoint on a biennial basis an independent audit firm, with extensive expertise in job service practices and standards, to complete a performance audit of the divisions of job service North Dakota. The audit must evaluate divisions of job service North Dakota, as determined necessary by the state auditor, to determine whether the divisions are providing quality service in an efficient and cost-effective manner. The audit report must contain recommendations for divisional improvement or an explanation of why no recommendations are being made. The executive director of job service North Dakota and the auditor shall present the audit report and any action taken as a result of the audit to the legislative council's legislative audit and fiscal review committee and to the house and senate industry, business and labor standing committees during the next regular session of the legislative assembly following the audit. The executive director shall also provide a copy of the audit report to the state auditor.

SECTION 8. EMERGENCY. Section 6 of this Act is declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 380 - JOB SERVICE NORTH DAKOTA

HOUSE - This amendment reduces the operating expenses line item by \$144,639 of other funds due to the removal of risk management premiums. The amendment also reduces the general fund appropriation for Work Force 2000 by \$300,000, from \$2,000,754 to \$1,700,754.

This amendment also adds new Sections 4, 5, 6, 7, and 8 as follows:

Section 4 requires that Job Service North Dakota and the Workers Compensation Bureau begin a joint employer auditing program.

Section 5 provides that student participation in school-to-work programs is to be on a voluntary basis.

Section 6 creates a new section in North Dakota Century Code Chapter 44-04 relating to records provided to the North Dakota Occupational Information Coordinating Committee.

Section 7 creates a new section in North Dakota Century Code Chapter 52-02 relating to audits of Job Service North Dakota.

Section 8 makes Section 6 an emergency measure.

REPORT OF STANDING COMMITTEE

SB 2018: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (21 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2018 was placed on the Sixth order on the calendar.

Page 1, line 2, after "hearings" insert "; to create and enact a new section to chapter 54-57 of the North Dakota Century Code, relating to hearings by the office of administrative hearings; and to amend and reenact subsections 1 and 2 of section 54-57-07 of the North Dakota Century Code, relating to payment for administrative hearings"

Page 1, line 5, remove "in the general fund in"

Page 1, line 6, remove "the state treasury, not otherwise appropriated, and"

Page 1, line 10, replace "708,993" with "707,251"

Page 1, line 12, replace "all" with "special", after "funds" insert "appropriation", and replace "1,351,903" with "1,350,161"

Page 1, replace lines 13 and 14 with:

"SECTION 2. A new section to chapter 54-57 of the 1995 Supplement to the North Dakota Century Code is created and enacted as follows:

Hearings after judgment. The office of administrative hearings may not hold hearings on the same issue involving the same parties as the original hearing after a judgment has been rendered by a court concerning that issue unless authorized to or directed to by that court.

SECTION 3. AMENDMENT. Subsections 1 and 2 of section 54-57-07 of the 1995 Supplement to the North Dakota Century Code are amended and reenacted as follows:

1. The office of administrative hearings ~~may~~ shall require payment for services rendered by any administrative law judge provided by it to any agency, to any unit of local government in this state, to any tribal government in this state, or to the judicial branch, in the conduct of an administrative hearing and related proceedings, and those entities must make the required payment to the office. Payment ~~may~~ must include payment for support staff necessary to render administrative law judge services. General fund moneys may not be used for payment by state agencies pursuant to this subsection except for those payments required of the department of human services and the state department of health. Moneys received by the office of administrative hearings in payment for providing an administrative law judge to conduct an administrative hearing and related proceedings must be deposited into the operating fund of the office of administrative hearings.
2. The office of administrative hearings ~~may~~ shall require payment for mileage, meals, and lodging in connection with services rendered by an administrative law judge provided to any agency, to any unit of local government in this state, to any tribal government in this state, or to the judicial branch, in the conduct of an administrative hearing and related proceedings, and those entities must make the required payment to the office. Payment for meals and lodging must be in the amounts allowable under section 44-08-04. Payment for mileage when using state vehicles must be in amounts set for user charges under section 24-02-03.5. All other payments must be in amounts allowed for other state officials and employees. Either general fund or special fund moneys, or other income, may be used for the payment of mileage, meals, and lodging under this subsection."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 140 - OFFICE OF ADMINISTRATIVE HEARINGS

HOUSE - This amendment removes the \$248,196 general fund appropriation, provides the office's appropriation entirely from special funds from billing agencies for services, and reduces operating expenses by \$1,742 of special funds to remove risk management premiums.

REPORT OF STANDING COMMITTEE

SB 2020, as engrossed: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (17 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2020 was placed on the Sixth order on the calendar.

Page 1, line 16, replace "565,366" with "555,204"

Page 1, line 22, replace "25,773,782" with "25,763,620"

Page 1, line 23, replace "14,252,780" with "14,247,597"

Page 1, line 24, replace "11,521,002" with "11,516,023"

Page 2, line 27, overstrike "The" and remove "state"

Page 2, line 28, overstrike "board", remove "for vocational and technical education", and overstrike "may not allocate more than forty"

Page 2, overstrike line 29

Page 3, line 13, replace "commissioner" with "executive director"

Page 3, line 14, replace "labor" with "job service North Dakota"

Page 3, line 15, overstrike ", acting through the office of the superintendent of public instruction,"

Page 3, line 18, overstrike ", acting through the"

Page 3, line 19, overstrike "office of the superintendent of public instruction,"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 270 - VOCATIONAL AND TECHNICAL EDUCATION

HOUSE - This amendment removes risk management premiums of \$10,162 (\$4,979 general fund, \$5,183 other funds) and changes the proposed membership of the State Board for Vocational and Technical Education to include the executive director of Job Service North Dakota, rather than the Commissioner of Labor. This amendment removes the requirement that no more than 40 percent of the funds generated by the farm management delivery system be allocated to any one of the entities involved in the system. This amendment also removes the requirement that the State Board for Vocational and Technical Education act through the office of the Superintendent of Public Instruction to appoint a director and designate assistants to the director.

	1997-99 EXECUTIVE RECOMMENDATION	TOTAL SENATE CHANGES	SENATE VERSION	REMOVE RISK MANAGEMENT PREMIUMS	HOUSE VERSION
Salaries and wages	\$ 2,567,463		\$ 2,567,463		\$ 2,567,463
Operating expenses	565,366		565,366		555,204
Equipment	108,000		108,000	\$ (10,162)	108,000
Grants	21,619,356		21,619,356		21,619,356
Adult farm management	219,802	\$225,958	445,760		445,760
Postsecondary education grants	368,600		368,600		368,600
Small business management	99,237		99,237		99,237
Total	\$25,547,824	\$225,958	\$25,773,782	\$ (10,162)	\$25,763,620
General fund	\$11,521,002		\$11,521,002	\$ (4,979)	\$11,516,023
Other funds	14,026,822	\$225,958	14,252,780	5,183	14,247,597
Total	\$25,547,824	\$225,958	\$25,773,782	\$ (10,162)	\$25,763,620
FTE	29.50		29.50		29.50

REPORT OF STANDING COMMITTEE

SB 2214, as engrossed: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (19 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2214 was placed on the Sixth order on the calendar.

Page 1, line 3, remove "; and to provide an"

Page 1, line 4, remove "appropriation to the indigent civil legal services fund"

Page 2, remove lines 20 through 26

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2318, as engrossed: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION** (22 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2318 was placed on the Sixth order on the calendar.

In lieu of the amendments adopted by the House as printed on pages 902 and 903 of the House Journal, Engrossed Senate Bill No. 2318 is amended as follows:

Page 1, line 4, remove "to amend and reenact section 53-06.1-12.1 of the North"

Page 1, line 5, remove "Dakota Century Code, relating to the use of gaming and excise taxes;"

Page 1, remove the underscore under lines 10 through 12

Page 1, line 13, replace "Qualifying" with "Qualified treatment" and remove the underscore under "service provider" means an entity based in North Dakota which is"

Page 1, line 14, remove the underscore under "experienced in and capable of delivering compulsive gambling" and remove "education,"

Page 1, remove the underscore under lines 15 through 17

Page 1, line 20, remove the underscore under "**Compulsive gambling**", remove "**education,**", and remove the underscore under "**prevention, awareness, crisis intervention,**"

Page 1, remove the underscore under line 21

Page 1, line 22, replace "a qualifying service provider" with "qualified treatment service providers" and remove the underscore under "for the development and implementation of a program for gambling"

Page 1, line 23, remove "education," and remove the underscore under "prevention, awareness, crisis invention, rehabilitation, and financial counseling"

Page 2, remove the underscore under lines 1 and 2

Page 2, line 3, remove the underscore under "consultation", remove "and educational", and remove the underscore under "services; or other forms of preventative, rehabilitative, or treatment"

Page 2, line 4, remove the underscore under "services for compulsive gamblers." and remove "Educational services may include expanding the state's"

Page 2, remove line 5

Page 2, line 6, remove "engaged in counseling, treating, and rehabilitating compulsive gamblers." and remove the underscore under "An individual who"

Page 2, line 7, remove the underscore under "provides treatment services must" and replace "complete at least sixty hours of a nationally accredited" with "meet the minimum standards for certification as a gambling counselor as established by the national council on problem gambling"

Page 2, remove line 8

Page 2, line 9, remove "gamblers," and remove the underscore under "and be a mental health professional as defined in section 25-03.1-02. An individual"

Page 2, remove the underscore under lines 10 through 13

Page 2, line 14, remove the underscore under "compulsive gambling. Any service fee collected by", replace "a qualifying service provider" with "qualified treatment service providers", and remove the underscore under "for services"

Page 2, remove the underscore under lines 15 and 16

Page 2, remove lines 17 through 31

Page 3, remove lines 1 through 7

Page 3, line 8, replace "from special funds" with "out of any moneys in the general fund in the state treasury, not otherwise appropriated"

Page 3, remove line 9

Page 3, line 10, remove "services operating fund" and replace "\$750,000" with "\$150,000"

Page 3, remove lines 13 through 16

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 125 - ATTORNEY GENERAL

HOUSE - This amendment removes the \$750,000 appropriation from gaming and excise tax collections for gaming enforcement grants.

DEPARTMENT 325 - DEPARTMENT OF HUMAN SERVICES

HOUSE - This amendment removes provisions which would have transferred gaming and excise tax collections to a special fund rather than the general fund for gaming enforcement grants and compulsive gambling treatment services.

The amendment replaces the \$750,000 special funds appropriation with a \$150,000 general fund appropriation for compulsive gambling treatment services.

REPORT OF STANDING COMMITTEE

SB 2338, as reengrossed: Education Committee (Rep. R. Kelsch, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed SB 2338 was placed on the Sixth order on the calendar.

Page 1, line 3, remove "; and to provide an appropriation"

Page 1, line 19, replace "forty-two" with "forty-six"

Page 1, line 21, replace "eleven" with "forty-seven"

Page 4, line 19, replace "sixty-five" with "eighty"

Page 4, line 24, overstrike "1.625"

Page 4, overstrike line 25

Page 4, line 26, overstrike "representing" and insert immediately thereafter "that which represents"

Page 4, line 31, replace "sixty-five" with "eighty"

Page 5, line 5, overstrike "1.335 adjusted by sixty-five percent of the difference"

Page 5, line 6, overstrike "between 1.335 and the factor representing" and insert immediately thereafter "that which represents"

Page 5, line 12, replace "sixty-five" with "eighty"

Page 5, line 17, overstrike "1.24 adjusted by sixty-five percent of the difference"

Page 5, line 18, overstrike "between 1.24 and the factor representing" and insert immediately thereafter "that which represents"

Page 5, line 24, replace "sixty-five" with "eighty"

Page 5, line 29, overstrike "1.14 adjusted by sixty-five percent of the difference"

Page 5, line 30, overstrike "between 1.14 and the factor representing" and insert immediately thereafter "that which represents"

Page 7, line 21, replace "sixty-five" with "eighty"

Page 8, line 6, overstrike "1.28 adjusted by sixty-five percent of the difference"

Page 8, line 7, overstrike "between 1.28 and" and insert immediately thereafter "that which represents"

Page 8, line 11, replace "sixty-five" with "eighty"

Page 8, line 19, overstrike "1.09 adjusted by sixty-five percent of the difference between 1.09 and" and insert immediately thereafter "that which represents"

Page 8, line 26, replace "sixty-five" with "eighty"

Page 9, line 3, overstrike ".905 adjusted by sixty-five percent of the difference between"

Page 9, line 4, overstrike ".905 and" and insert immediately thereafter "that which represents"

Page 9, line 9, replace "sixty-five" with "eighty"

Page 9, line 16, overstrike ".95 adjusted by sixty-five percent of the difference"

Page 9, line 17, overstrike "between .95 and" and insert immediately thereafter "that which represents"

Page 9, line 22, replace "sixty-five" with "eighty"

Page 9, line 30, overstrike "1.01 adjusted by sixty-five percent of the difference between 1.01 and" and insert immediately thereafter "that which represents"

Page 10, line 6, replace "sixty-five" with "eighty"

Page 10, line 12, overstrike "1.01 adjusted by"

Page 10, line 13, overstrike "sixty-five percent of the difference between 1.01 and" and insert immediately thereafter "that which represents"

Page 10, line 18, replace "sixty-five" with "eighty"

Page 10, line 29, overstrike ".50 adjusted by sixty-five"

Page 10, line 30, overstrike "percent of the difference between .50 and" and insert immediately thereafter "that which represents"

Page 11, remove lines 8 through 19

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2232, as reengrossed: Appropriations Committee (Rep. Dalrymple, Chairman)
recommends **DO NOT PASS** (17 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING).
Reengrossed SB 2232 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2244: Agriculture Committee (Rep. Nicholas, Chairman) recommends **DO PASS** (9 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). SB 2244 was placed on the Fourteenth order on the calendar.

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 1259, HB 1267, HB 1324, HB 1339, HB 1344, HB 1346, HB 1351, HB 1359, HB 1362, HB 1364, HB 1368, HB 1399, HB 1418, HB 1445.

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 1189, HB 1210.

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

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

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

MADAM PRESIDENT: The House does not concur in the Senate amendments to HB 1007 and HB 1456 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1007: Reps. Gerntholz; Soukup; Huether

HB 1456: Reps. R. Kelsch; Grande; Grumbo

SIGNING OF BILLS AND RESOLUTIONS

The Speaker signed the following enrolled bills: HB 1137, HB 1161, HB 1162, HB 1440.

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 1137, HB 1161, HB 1162, HB 1440.

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

MR. SPEAKER: The President has signed: HB 1137, HB 1161, HB 1162, HB 1440.

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

ROY GILBREATH, Chief Clerk