

## JOURNAL OF THE HOUSE

## Fifty-sixth Legislative Assembly

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Bismarck, March 24, 1999

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

The prayer was offered by Pastor Randy Mantik, Evangel Temple, Bismarck.

The roll was called and all members were present except Representatives Aarsvold, Bernstein, Byerly, Dalrymple, Drovdal, Gulleson, Gunter, Hoffner, Huether, S. Kelsh, Kerzman, Lloyd, Metcalf, Monson, Nichols, Poolman, Svedjan, Sveen, Timm, Tollefson, and Wentz.

A quorum was declared by the Speaker.

## CORRECTION AND REVISION OF THE JOURNAL

**MR. SPEAKER:** Your **Committee on Correction and Revision of the Journal (Rep. DeKrey, Chairman)** has carefully examined the Journal of the Fifty-second Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 937, remove lines 34 through 39

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

## MOTION

**REP. DORSO MOVED** that Engrossed HB 1093, which is on the Twelfth order, be laid over one legislative day, which motion prevailed.

## CONSIDERATION OF MESSAGE FROM THE SENATE

**REP. KEISER MOVED** that the House do concur in the Senate amendments to HB 1079 as printed on HJ page 880, which motion prevailed.

HB 1079, as amended, was placed on the Eleventh order of business on the calendar.

## SECOND READING OF HOUSE BILL

**HB 1079:** A BILL for an Act to create and enact a new subsection to section 39-03-09 of the North Dakota Century Code, relating to the powers of the highway patrol; 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 88 YEAS, 0 NAYS, 0 EXCUSED, 10 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Kerzman; Klein; Klemm; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Meyer; Mickelson; Monson; Mueller; Nelson; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

**ABSENT AND NOT VOTING:** Carlson; Clark; Drovdal; Gulleson; Gunter; Kelsh, S.; Metcalf; Nicholas; Sveen; Tollefson

Engrossed HB 1079 passed, the title was agreed to, and the emergency clause was declared carried.

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**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. KLEIN MOVED** that the House do concur in the Senate amendments to Engrossed HB 1257 as printed on HJ pages 880-881, which motion prevailed.

Engrossed HB 1257, as amended, was placed on the Eleventh order of business on the calendar.

**SECOND READING OF HOUSE BILL**

**HB 1257:** A BILL for an Act to create and enact chapter 54-52.6 of the North Dakota Century Code, relating to a defined contribution retirement plan for nonclassified state employees; to amend and reenact subsection 3 of section 54-52-01, sections 54-52-02.5, 54-52-26, and subsection 1 of section 54-52.1-03.2 of the North Dakota Century Code, relating to definitions, participation by newly appointed officials in a defined contribution retirement plan, confidentiality of records, and retiree health benefit fund contributions under the public employees retirement system; to provide a penalty; to provide an appropriation and a continuing appropriation; 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 60 YEAS, 30 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

**YEAS:** Belter; Berg; Bernstein; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Dalrymple; DeKrey; Delzer; Devlin; Disrud; Dorso; Ekstrom; Froseth; Galvin; Grande; Grosz; Haas; Hanson; Hawken; Herbel; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Klein; Klemin; Kliniske; Koppang; Koppelman; Lloyd; Maragos; Martinson; Meyer; Mickelson; Monson; Nelson; Nicholas; Nottestad; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Schmidt; Severson; Svedjan; Thoreson, B.; Thoreson, L.; Timm; Warner; Weisz; Wentz; Wikenheiser; Speaker Wald

**NAYS:** Aarsvold; Boucher; Carlisle; Cleary; Delmore; Eckre; Fairfield; Froelich; Glassheim; Gorder; Grumbo; Gulleson; Henegar; Hoffner; Huether; Kerzman; Kroeber; Lemieux; Lundgren; Mahoney; Mueller; Nichols; Niemeier; Nowatzki; Rose; Sandvig; Solberg; Stefonowicz; Thorpe; Winrich

**ABSENT AND NOT VOTING:** Carlson; Clark; Drovdal; Gunter; Kelsh, S.; Metcalf; Sveen; Tollefson

Reengrossed HB 1257 passed, the title was agreed to, and the emergency clause was declared carried.

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**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. DEKREY MOVED** that the House do concur in the Senate amendments to Engrossed HB 1295 as printed on HJ pages 917-918, which motion prevailed.

Engrossed HB 1295, as amended, was placed on the Eleventh order of business on the calendar.

**SECOND READING OF HOUSE BILL**

**HB 1295:** A BILL for an Act to amend and reenact sections 5-01-08, 12.1-36-06, and subsection 1 of section 29-06-15 of the North Dakota Century Code, relating to consumption of alcohol, inhalation of volatile chemicals, and to arrest without a warrant; 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 90 YEAS, 0 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleson; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Thoreson, B.;

Thoreson, L.; Thorpe; Timm; Warner; Weisz; Wentz; Wikenheiser; Winrich;  
Speaker Wald

**ABSENT AND NOT VOTING:** Carlson; Clark; Drovdal; Gunter; Kelsh, S.; Metcalf; Sveen;  
Tollefson

Reengrossed HB 1295 passed and the title was agreed to.

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#### CONSIDERATION OF MESSAGE FROM THE SENATE

**REP. FROSETH MOVED** that the House do concur in the Senate amendments to HB 1377 as printed on HJ page 861, which motion prevailed.

HB 1377, as amended, was placed on the Eleventh order of business on the calendar.

#### SECOND READING OF HOUSE BILL

**HB 1377:** A BILL for an Act to create and enact three new sections to chapter 11-28.2 of the North Dakota Century Code, relating to annexation of territory by a recreation service district; and to amend and reenact section 11-28.2-01 of the North Dakota Century Code, relating to annexation of territory by a recreation service district.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 91 YEAS, 0 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Guleson; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Warner; Weisz; Wentz; Wikenheiser; Winrich;  
Speaker Wald

**ABSENT AND NOT VOTING:** Clark; Drovdal; Gunter; Kelsh, S.; Metcalf; Sveen; Tollefson

Engrossed HB 1377 passed and the title was agreed to.

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#### CONSIDERATION OF MESSAGE FROM THE SENATE

**REP. BELTER MOVED** that the House do concur in the Senate amendments to Engrossed HB 1406 as printed on HJ page 825, which motion prevailed.

Engrossed HB 1406, as amended, was placed on the Eleventh order of business on the calendar.

#### SECOND READING OF HOUSE BILL

**HB 1406:** A BILL for an Act to amend and reenact sections 11-18-05 and 11-18-11 of the North Dakota Century Code, relating to register of deeds fees and recording certificates.

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

**YEAS:** Aarsvold; Belter; Berg; Bernstein; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Guleson; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Warner; Weisz; Wentz; Wikenheiser; Winrich;  
Speaker Wald

**ABSENT AND NOT VOTING:** Boucher; Clark; Drovdal; Gunter; Kelsh, S.; Metcalf; Sveen; Tollefson

Reengrossed HB 1406 passed and the title was agreed to.

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#### **CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. KLEIN MOVED** that the House do concur in the Senate amendments to HB 1415 as printed on HJ page 918, which motion prevailed.

HB 1415, as amended, was placed on the Eleventh order of business on the calendar.

#### **MOTION**

**REP. DORSO MOVED** that Representative Boucher and Representative Dorso be excused from voting on HB 1415, which motion prevailed.

#### **SECOND READING OF HOUSE BILL**

**HB 1415:** A BILL for an Act to amend and reenact section 54-03-20 of the North Dakota Century Code, relating to compensation of members of the legislative assembly.

#### **ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 82 YEAS, 9 NAYS, 2 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Belter; Berg; Bernstein; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulletson; Gunter; Haas; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Meyer; Mickelson; Monson; Nelson; Nicholas; Nichols; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Thoreson, B.; Thoreson, L.; Timm; Warner; Weisz; Wentz; Wikenheiser; Speaker Wald

**NAYS:** Aarsvold; Hanson; Kerzman; Lundgren; Martinson; Mueller; Niemeier; Thorpe; Winrich

**ABSENT AND NOT VOTING:** Drovdal; Kelsh, S.; Metcalf; Sveen; Tollefson

Engrossed HB 1415 passed and the title was agreed to.

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#### **CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. FROSETH MOVED** that the House do concur in the Senate amendments to HB 1446 as printed on HJ page 880, which motion prevailed.

HB 1446, as amended, was placed on the Eleventh order of business on the calendar.

#### **SECOND READING OF HOUSE BILL**

**HB 1446:** A BILL for an Act to amend and reenact sections 11-11-17, 24-06-14, and 57-15-22 of the North Dakota Century Code, relating to the appointment of district overseer of highways for unorganized territory and the levy for roads and bridges in unorganized territory; 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 92 YEAS, 0 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulletson; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan;

Thoreson, B.; Thoreson, L.; Thorpe; Timm; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

**ABSENT AND NOT VOTING:** Dalrymple; Drovdal; Kelsh, S.; Metcalf; Sveen; Tollefson

Engrossed HB 1446 passed and the title was agreed to.

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#### **CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. PRICE MOVED** that the House do concur in the Senate amendments to Engrossed HB 1467 as printed on HJ page 918, which motion prevailed.

Engrossed HB 1467, as amended, was placed on the Eleventh order of business on the calendar.

#### **SECOND READING OF HOUSE BILL**

**HB 1467:** A BILL for an Act to create and enact three new sections to chapter 43-40 of the North Dakota Century Code, relating to complaints and investigations against occupational therapists and occupational therapy assistants and the board of occupational therapy practice recovering costs of prosecution; to amend and reenact sections 43-40-01, 43-40-02, 43-40-03, 43-40-04, 43-40-08, 43-40-10, 43-40-11, 43-40-12, 43-40-13, 43-40-15, 43-40-16, and 43-40-18 of the North Dakota Century Code, relating to licensing and practice of occupational therapists; to repeal section 43-40-09 of the North Dakota Century Code, relating to licensing occupational therapy assistants; 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 93 YEAS, 0 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleson; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

**ABSENT AND NOT VOTING:** Drovdal; Kelsh, S.; Metcalf; Sveen; Tollefson

Reengrossed HB 1467 passed and the title was agreed to.

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#### **CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. PRICE MOVED** that the House do concur in the Senate amendments to HCR 3001 as printed on HJ page 826, which motion prevailed.

HCR 3001, as amended, was placed on the Eleventh order of business on the calendar.

#### **SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 3001:** A concurrent resolution directing the Legislative Council to study the expansion of psychiatric and geropsychiatric training for primary care physicians at the University of North Dakota School of Medicine and Health Sciences.

#### **ROLL CALL**

The question being on the adoption of the amended resolution, which has been read, the roll was called and there were 92 YEAS, 0 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleson; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren;

Mahoney; Maragos; Martinson; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

**ABSENT AND NOT VOTING:** Drovdal; Kelsh, S.; Kempenich; Metcalf; Sveen; Tollefson

Engrossed HCR 3001 was declared adopted on a roll call vote.

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#### **CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. PRICE MOVED** that the House do concur in the Senate amendments to HCR 3005 as printed on HJ page 918, which motion prevailed.

HCR 3005, as amended, was placed on the Eleventh order of business on the calendar.

#### **SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 3005:** A concurrent resolution directing the Legislative Council to study the feasibility and desirability of facilitating pro se representation in domestic relations matters.

#### **ROLL CALL**

The question being on the adoption of the amended resolution, which has been read, the roll was called and there were 93 YEAS, 0 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gordier; Grande; Grosz; Grumbo; Gulleon; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

**ABSENT AND NOT VOTING:** Drovdal; Kelsh, S.; Metcalf; Sveen; Tollefson

Engrossed HCR 3005 was declared adopted on a roll call vote.

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#### **CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. GROSZ MOVED** that the House do concur in the Senate amendments to HCR 3013 as printed on HJ page 903, which motion prevailed.

HCR 3013, as amended, was placed on the Eleventh order of business on the calendar.

#### **SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 3013:** A concurrent resolution directing the Legislative Council to study basinwide water management of the Red River Basin.

#### **ROLL CALL**

The question being on the adoption of the amended resolution, which has been read, the roll was called and there were 92 YEAS, 1 NAY, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; Delmore; Delzer; Devlin; Disrud; Dorso; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gordier; Grande; Grosz; Grumbo; Gulleon; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

**NAYS:** DeKrey

**ABSENT AND NOT VOTING:** Drovdal; Kelsh, S.; Metcalf; Sveen; Tollefson

Engrossed HCR 3013 was declared adopted on a roll call vote.

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#### **CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. KEISER MOVED** that the House do concur in the Senate amendments to HCR 3080 as printed on HJ page 903, which motion prevailed.

HCR 3080, as amended, was placed on the Eleventh order of business on the calendar.

#### **SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 3080:** A concurrent resolution directing the Legislative Council to study the provision of air service and Amtrak service in this state.

#### **ROLL CALL**

The question being on the adoption of the amended resolution, which has been read, the roll was called and there were 94 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gordier; Grande; Grosz; Grumbo; Gulleson; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

**ABSENT AND NOT VOTING:** Drovdal; Metcalf; Sveen; Tollefson

Engrossed HCR 3080 was declared adopted on a roll call vote.

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#### **APPOINTMENT OF CONFERENCE COMMITTEE**

**THE SPEAKER ANNOUNCED** the following appointment to a Conference Committee on SB 2127: Reps. Jensen, Sveen, Grumbo.

#### **APPOINTMENT OF CONFERENCE COMMITTEE**

**THE SPEAKER ANNOUNCED** the following appointment to a Conference Committee on SB 2170: Reps. Devlin, Porter, Rose.

#### **APPOINTMENT OF CONFERENCE COMMITTEE**

**THE SPEAKER ANNOUNCED** the following appointment to a Conference Committee on SB 2189: Reps. Klemin, Gunter, Cleary.

#### **APPOINTMENT OF CONFERENCE COMMITTEE**

**THE SPEAKER ANNOUNCED** the following appointment to a Conference Committee on SB 2319: Reps. Koppelman, Klemin, Mahoney.

#### **APPOINTMENT OF CONFERENCE COMMITTEE**

**THE SPEAKER ANNOUNCED** the following appointment to a Conference Committee on SB 2320: Reps. Jensen, Weisz, Metcalf.

#### **APPOINTMENT OF CONFERENCE COMMITTEE**

**THE SPEAKER ANNOUNCED** the following appointment to a Conference Committee on SCR 4036: Reps. Galvin, Porter, Metcalf.

#### **MESSAGE TO THE SENATE FROM THE HOUSE (LANCE HAGEN, CHIEF CLERK)**

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

**SB 2181:** Reps. Kempenich; Koppang; Lemieux

**SCR 4023:** Reps. L. Thoreson; Hawken; Kroeber

**MESSAGE TO THE SENATE FROM THE HOUSE (LANCE HAGEN, CHIEF CLERK)**

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

**SB 2127:** Reps. Jensen; Sveen; Grumbo

**SB 2170:** Reps. Devlin; Porter; Rose

**SB 2189:** Reps. Klemin; Gunter; Cleary

**SB 2319:** Reps. Koppang; Klemin; Mahoney

**SB 2320:** Reps. Jensen; Weisz; Metcalf

**SCR 4036:** Reps. Galvin; Porter; Metcalf

**MESSAGE TO THE SENATE FROM THE HOUSE (LANCE HAGEN, CHIEF CLERK)**

**MADAM PRESIDENT:** The House has concurred in the Senate amendments and subsequently passed: HB 1079, HB 1257, HB 1295, HB 1377, HB 1406, HB 1415, HB 1446, HB 1467, HCR 3001, HCR 3005, HCR 3013, HCR 3080.

**MOTION**

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

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

**SPECIAL ORDER OF BUSINESS****MOTION**

**REP. MONSON MOVED** that a committee of two be appointed to escort Ms. Sonya Gette, Miss North Dakota, to the rostrum.

**SPEAKER. WALD APPOINTED** Representatives Grande and Meyer to such committee and Ms. Gette was escorted to the rostrum and introduced to the Assembly.

**MOTION**

**REP. MONSON MOVED** that the remarks of Miss North Dakota be printed in the Journal, which motion prevailed.

**REMARKS OF MISS NORTH DAKOTA, SONJA GEDDE**

Good afternoon. My name is Sonja Gedde, and I am honored to stand before you today as Miss North Dakota 1998. I received this title last June at the Miss North Dakota Scholarship Pageant and went on to represent our state at the national Miss America pageant in September.

I am currently a sophomore at Concordia College, double majored in English education and communications, and my family resides in Fargo.

As Miss North Dakota, one of my main jobs is to spend my year of service traveling throughout our state presenting information on my platform issue to students in our schools. To date, I have spoken in over 60 school districts, and addressed over 15,000 students from around the state.

The platform issue I have chosen to address is that of teenage sexual postponement. It is my belief that this is an issue which saturates the lives of youth, and misinformation and misguidance have led many young people to gain information in the wrong way: through experience. We do not want our young people to let curiosity guide them through such life-altering decisions as whether or not to become sexually active. The price is too high - the consequences too many.

I encourage youth to look for friendship within their relationships, to consider the future in the moment, to develop a sense of integrity, a set of personal values, and a respect for themselves which allows them to say, "I am worth a good decision."

Today, I come to share the stories of these young people with you. I come to give you an inside look at our schools and our young people - a view that few will get the chance to see, but many should know about. Let me introduce you to some of the children I have met.

The story can start right here in our state capital city. Picture a local middle school - 5th, 6th, 7th graders roaming the halls with normal junior high activities in mind. When I think of this age, I see laughter, the excitement of going to a first school dance, or the fun in spending an afternoon at the mall.

But, on the day I visited this school, I saw more than this. I saw a young 5th grade girl that I would like you to meet.



She was young and pretty. But, she waddled up to me after my presentation, told me she was 7 months pregnant, and as an 11 year old girl, looked me square in the eye, and said, "You were right. I wish someone had told me sooner."

As clear as day I still remember that I could find no words for a moment or two - all I could do was to think, "This could be my little sister - she is still a child, but soon she will be a mother."

Another young man crossed my path in late November. After spending a few hours in the Bottineau school, I was gathering my materials to go home, when I felt a tap on my shoulder. Let me introduce you to him.

He was a 7th grader - a small-framed boy who was notorious for being the "lady's man of the class" - well, however much one can be a lady's man in 7th grade! When I greeted him, he looked at the floor - refusing to make eye contact, embarrassed and struggling to say whatever it was that was clearly occupying his mind. He started to cry.

Then he looked up and said, "Last year I did something with a girl, and I feel so bad about it. I don't know what to do." He proceeded to tell me that things had gotten out of hand in a hotel room at a church youth gathering. He was frightened to realize that what he had done was to have sex with her - he as a 6th grader at the time, and she as 5th grader. Now he was scared and embarrassed, and he had never had the ability to tell anyone about the incident until one year later when I met him.

Finally, meet a young girl from Williston. As a confused teenager in high school she had a hard time dealing with peer pressure and influence. She was successful, talented, and pretty though, and even became Miss Teen North Dakota 1997. However, by the time her reign came to an end, she gave up the crown from her head with a baby in her womb.

These are some of the young people I have met. Of course scattered throughout these terrible situations lie many bright and successful students making informed and responsible choices. However, it has never failed that in every town I visit, I am encountered with a situation just like any one of these. I am encountered with confused adolescents who want to make the right choice, but don't know what the right choice is, or how to execute it.

The problems surrounding premature sexual activity are not problems that only affect older teenagers in larger cities. From Fargo to Hebron and Grand Forks to Golden Valley, I have seen the same questions, concerns, and issues arise. The young people need education - not education which teaches them how to use a condom correctly, but rather, education which teaches them how to say no to a bad choice and yes to a future.

In the city of Williston, I was quoted a statistic this past summer that claimed almost 12 percent of the graduating class contained young women with babies. In Fargo, new programs for unwed teenage mothers have developed in the past year to cater to the ever-growing population. In Grand Forks, a freshman attending UND has struggled to gain the right to enter a sorority despite the fact that she had a school-age son.

But, pregnancy is not the only problem we face. I often tell young people that pregnancy should not be the biggest fear of a consequence regarding sexual activity. Why? Well, a person does not die from pregnancy, but a person does die from a sexually transmitted disease.

We may think that this is not an issue affecting life in North Dakota. However, when I met with our very own Department of Public Instruction, I was provided with the latest curriculum our state is producing in a campaign toward sexually transmitted disease education. If this was not a problem, then why is this the curriculum we have to set forth into our schools?

I am here today simply for one reason: to help you realize the power you have in determining the future of each child in this state. Not only are many of you parents who strongly believe in health-related education from the home, but as legislators you will set the standards for curriculum regarding issues like sexuality, you will bring the programs into our state which can teach values and choices, and you will go back to your districts and hometowns and be examples of what we need to teach our children.

What is more important than the future of every child in this state? As cliché as it may be, the youth are the leaders of tomorrow, and it will be myself and my peers who sit in these seats someday and consider the same issues you now consider.

I am 20 years old, and I have seen more pain and suffering in the past 8 months than I care to see for the rest of my life. I have seen kids half my age taking on roles that most adults could

barely fathom, and it is all because of a lack of proper education and guidance in relation to sexual activity. This must become a priority.

It is my hope that as these issues arise within our communities, our schools, and our government, we can all work toward the common goal of keeping our children abstinent. I truly believe if we expect the best, we will receive the best, and I know this is what we all want for our sons, daughters, and our friends. Please continue to work in this area. The children of our state need you.

Thank you for your time, and best wishes for continued success in your work.

#### **SIXTH ORDER OF BUSINESS**

**REP. DORSO MOVED** that the amendments on the Sixth order of business to Engrossed SB 2074, Engrossed SB 2188, SB 2254, Engrossed SB 2381, and Engrossed SB 2419 be adopted, which motion prevailed.

Engrossed SB 2188, as amended, was rereferred to the **Appropriations Committee**.

Engrossed SB 2074, SB 2254, Engrossed SB 2381, and Engrossed SB 2419, as amended, were placed on the Fourteenth order of business on the calendar.

#### **MOTION**

**REP. DORSO MOVED** that Engrossed SB 2381, as amended, be rereferred to the **Appropriations Committee**, which motion prevailed. Pursuant to Rep. Dorso's motion, Engrossed SB 2381, as amended, was rereferred.

#### **MOTION**

**REP. MARAGOS MOVED** that the House reconsider its action whereby the House did concur in the Senate amendments to Engrossed HB 1093 and Engrossed HB 1093 was placed on the Twelfth order of business on the calendar, which motion prevailed.

#### **CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. MARAGOS MOVED** that the House do not concur in the Senate amendments to Engrossed HB 1093 as printed on HJ page 847 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 1093: Reps. Froseth, N. Johnson, Niemeier.

#### **MOTION**

**REP. DORSO MOVED** that the House reconsider its action whereby Engrossed SB 2355 failed to pass for lack of a Constitutional majority, which motion prevailed.

#### **MOTION**

**REP. DORSO MOVED** that Engrossed SB 2355 be rereferred to the **Agriculture Committee**, which motion prevailed. Pursuant to Rep. Dorso's motion, Engrossed SB 2355 was rereferred.

#### **MOTION**

**REP. DORSO MOVED** that House Rule 329(4) be suspended until Friday, March 26, 1999, at the close of business, which motion prevailed.

#### **SECOND READING OF SENATE BILL**

**SB 2365:** A BILL for an Act to create and enact a new section to chapter 23-25 of the North Dakota Century Code, relating to state department of health odor readings.

#### **ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 72 YEAS, 25 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Berg; Bernstein; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Dalrymple; DeKrey; Delzer; Devlin; Disrud; Dorso; Drovda; Froelich; Froseth; Galvin; Gorder; Grande; Grosz; Grumbo; Gullerson; Gunter; Haas; Hawken; Herbel; Huether; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Lemieux; Lloyd; Maragos; Martinson; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nottestad; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Schmidt; Severson; Svedjan; Thoreson, B.; Thoreson, L.; Timm; Tollefson; Weisz; Wentz; Wikenheiser; Speaker Wald

**NAYS:** Boucher; Cleary; Delmore; Eckre; Ekstrom; Fairfield; Glassheim; Hanson; Henegar; Hoffner; Jensen; Kelsh, S.; Kroeber; Lundgren; Mahoney; Niemeier; Nowatzki; Rose; Sandvig; Solberg; Stefanowicz; Sveen; Thorpe; Warner; Winrich

**ABSENT AND NOT VOTING:** Metcalf

Engrossed SB 2365, as amended, passed and the title was agreed to.

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#### **POINT OF PERSONAL PRIVILEGE**

**REP. WINRICH:** Mr. Speaker: I rise on a point of personal privilege and request that my remarks be printed in the Journal, which request was granted.

**WHEREAS,** today, Wednesday, March 24, 1999, is designated as Helen Hamilton Day at the University of North Dakota Law School; and

**WHEREAS,** Helen Hamilton was the first woman to graduate from the University of North Dakota Law School; and

**WHEREAS,** Helen Hamilton was graduated in 1905 but was refused admission to the bar and denied the right to practice law for about twenty years solely because she was a woman; and

**WHEREAS,** women still face discrimination in employment and professional recognition in North Dakota and throughout the world;

**NOW, THEREFORE, BE IT RESOLVED,** that the North Dakota House of Representatives hereby expresses its gratitude and congratulations to the students of the Law Women's Caucus for their sponsorship of Helen Hamilton Day at the University of North Dakota Law School.

#### **SECOND READING OF SENATE BILL**

**SB 2411:** A BILL for an Act to amend and reenact section 54-46.1-01 of the North Dakota Century Code, relating to the provision of microfilm services; and to provide for a legislative council study.

#### **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 52 YEAS, 43 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Belter; Berg; Bernstein; Brandenburg; Brekke; Brusegaard; Byerly; Carlson; Clark; Dalrymple; Delzer; Devlin; Disrud; Dorso; Drovdal; Froseth; Galvin; Grande; Grosz; Gunter; Haas; Henegar; Herbel; Jensen; Johnson, D.; Johnson, N.; Keiser; Kempenich; Klein; Klemin; Kliniske; Koppang; Koppelman; Lloyd; Mickelson; Monson; Nelson; Nicholas; Nottestad; Pollert; Poolman; Price; Rennerfeldt; Severson; Svedjan; Thoreson, B.; Thoreson, L.; Timm; Tollefson; Weisz; Wikenheiser; Speaker Wald

**NAYS:** Aarsvold; Boehm; Boucher; Carlisle; Cleary; Delmore; Eckre; Ekstrom; Fairfield; Froelich; Glassheim; Gorder; Grumbo; Guleson; Hanson; Hawken; Hoffner; Huether; Kelsch, R.; Kelsh, S.; Kerzman; Kroeber; Lemieux; Lundgren; Mahoney; Maragos; Martinson; Meyer; Mueller; Nichols; Niemeier; Nowatzki; Porter; Renner; Rose; Sandvig; Schmidt; Solberg; Stefanowicz; Sveen; Thorpe; Wentz; Winrich

**ABSENT AND NOT VOTING:** DeKrey; Metcalf; Warner

Engrossed SB 2411, as amended, passed, and the title was agreed to.

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#### **SECOND READING OF SENATE CONCURRENT RESOLUTION**

**SCR 4010:** A concurrent resolution to create and enact a new section to article XI of the Constitution of North Dakota, relating to authorizing the legislative assembly to provide that public moneys may be paid over to certain entities if the legislative assembly provides for regular audits and reports.

**ROLL CALL**

The question being on the adoption of the amended resolution, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 15 YEAS, 80 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Brekke; Carlson; Devlin; Dorso; Grosz; Gunter; Herbel; Klein; Klemin; Meyer; Mueller; Nelson; Nicholas; Nichols; Speaker Wald

**NAYS:** Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brusegaard; Byerly; Carlisle; Clark; Cleary; Dalrymple; Delmore; Delzer; Disrud; Drovdal; Eckre; Ekstrom; Fairfield; Froseth; Galvin; Glassheim; Gorder; Grande; Grumbo; Gulleson; Haas; Hanson; Hawken; Henegar; Hoffner; Huether; Jensen, Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Mickelson; Monson; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich

**ABSENT AND NOT VOTING:** DeKrey; Froelich; Metcalf

Engrossed SCR 4010, as amended, was declared lost.

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**SECOND READING OF SENATE CONCURRENT RESOLUTION**

**SCR 4022:** A concurrent resolution for the amendment of section 2 of article V, section 3 of article IX, and section 12 of article X of the Constitution of North Dakota, relating to the office of state treasurer; to repeal section 15 of article XII of the Constitution of North Dakota, relating to the duties of the state treasurer upon the issuance of legal tender by banks in the state; to provide for transition; and to provide an effective date.

**ROLL CALL**

The question being on the adoption of the amended resolution, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 52 YEAS, 43 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Belter; Berg; Bernstein; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Dalrymple; Delzer; Devlin; Disrud; Dorso; Drovdal; Froseth; Galvin; Grande; Grosz; Gunter; Haas; Herbel; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Klein; Klemin; Kliniske; Koppang; Koppelman; Lloyd; Martinson; Mickelson; Monson; Nottestad; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Svedjan; Thoreson, B.; Thoreson, L.; Timm; Tollefson; Weisz; Wikenheiser; Speaker Wald

**NAYS:** Aarsvold; Boucher; Cleary; Delmore; Eckre; Ekstrom; Fairfield; Froelich; Glassheim; Gorder; Grumbo; Gulleson; Hanson; Hawken; Henegar; Hoffner; Huether; Jensen; Johnson, D.; Kelsh, S.; Kerzman; Kroeber; Lemieux; Lundgren; Mahoney; Maragos; Meyer; Mueller; Nelson; Nichols; Niemeier; Nowatzki; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Sveen; Thorpe; Warner; Wentz; Winrich

**ABSENT AND NOT VOTING:** DeKrey; Metcalf; Nicholas

Engrossed SCR 4022, as amended, was declared adopted.

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**SECOND READING OF SENATE BILL**

**SB 2398:** A BILL for an Act to amend and reenact subsection 2 of section 4-09-03 of the North Dakota Century Code, relating to the state seed commission membership.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 52 YEAS, 44 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Berg; Bernstein; Brandenburg; Byerly; Carlisle; Carlson; Cleary; Dalrymple; Delzer; Devlin; Disrud; Fairfield; Froelich; Froseth; Galvin; Grande; Grosz; Hoffner; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Klein; Kliniske; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Meyer; Mickelson; Nelson; Nicholas; Niemeier; Nottestad;

Pollert; Poolman; Porter; Price; Rennerfeldt; Rose; Severson; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Timm; Tollefson; Weisz; Wentz

**NAYS:** Boehm; Boucher; Brekke; Brusegaard; Clark; Delmore; Dorso; Drovdal; Eckre; Ekstrom; Glassheim; Gorder; Grumbo; Gulleson; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Huether; Jensen; Johnson, D.; Johnson, N.; Kempenich; Klemin; Koppang; Koppelman; Lundgren; Martinson; Monson; Mueller; Nichols; Nowatzki; Renner; Sandvig; Schmidt; Solberg; Stefonowicz; Thorpe; Warner; Wikenheiser; Winrich; Speaker Wald

**ABSENT AND NOT VOTING:** DeKrey; Metcalf

SB 2398 passed and the title was agreed to.

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### SECOND READING OF SENATE BILL

**SB 2316:** A BILL for an Act to amend and reenact sections 16.1-08.1-01, 16.1-08.1-02, 16.1-08.1-03, 16.1-08.1-03.2, subsection 3 of section 16.1-08.1-03.3, sections 16.1-08.1-03.6, and 16.1-08.1-06 of the North Dakota Century Code, relating to campaign contribution statements.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 31 YEAS, 63 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Boucher; Cleary; Delmore; Eckre; Ekstrom; Fairfield; Glassheim; Grumbo; Gulleson; Hanson; Hoffner; Huether; Kelsh, S.; Kerzman; Kroeber; Lemieux; Lundgren; Mahoney; Meyer; Mueller; Nichols; Niemeier; Nowatzki; Rose; Sandvig; Solberg; Stefonowicz; Thorpe; Warner; Winrich

**NAYS:** Belter; Berg; Bernstein; Boehm; Brandenburg; Brusegaard; Byerly; Carlisle; Carlson; Clark; Dalrymple; Delzer; Devlin; Disrud; Dorso; Drovdal; Froelich; Froseth; Galvin; Gorder; Grande; Grosz; Gunter; Haas; Hawken; Henegar; Herbel; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Klein; Klemin; Kliniske; Koppang; Koppelman; Lloyd; Maragos; Martinson; Mickelson; Monson; Nelson; Nottestad; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Schmidt; Severson; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Timm; Tollefson; Weisz; Wentz; Wikenheiser; Speaker Wald

**ABSENT AND NOT VOTING:** Brekke; DeKrey; Metcalf; Nicholas

Engrossed SB 2316 was declared lost.

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### SECOND READING OF SENATE BILL

**SB 2361:** A BILL for an Act to create and enact a new subsection to section 53-06.2-01, a new subsection to section 53-06.2-04, a new subsection to section 53-06.2-05, and a new section to chapter 53-06.2 of the North Dakota Century Code, relating to definitions, funds administered by the racing commission, and a continuing appropriation; to amend and reenact subsections 1, 2, and 3 of section 53-06.2-11 of the North Dakota Century Code, relating to the use of racing funds; and to provide an expiration date.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 49 YEAS, 46 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Boehm; Boucher; Brekke; Cleary; Delmore; Ekstrom; Froelich; Glassheim; Grumbo; Gulleson; Gunter; Hanson; Hawken; Henegar; Hoffner; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Koppelman; Kroeber; Lemieux; Lundgren; Mahoney; Maragos; Martinson; Meyer; Mickelson; Mueller; Nelson; Nicholas; Nichols; Nottestad; Nowatzki; Pollert; Renner; Rose; Schmidt; Severson; Solberg; Stefonowicz; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Warner; Weisz; Wikenheiser; Winrich

**NAYS:** Aarsvold; Belter; Berg; Bernstein; Brandenburg; Brusegaard; Byerly; Carlisle; Carlson; Clark; Dalrymple; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Fairfield; Froseth; Galvin; Gorder; Grande; Grosz; Haas; Herbel; Jensen; Johnson, N.; Kempenich;

Kerzman; Klein; Klemin; Kliniske; Koppang; Lloyd; Monson; Niemeier; Poolman; Porter; Price; Rennerfeldt; Sandvig; Svedjan; Timm; Tollefson; Wentz; Speaker Wald

**ABSENT AND NOT VOTING:** DeKrey; Huether; Metcalf

SB 2361 was declared lost for lack of a Constitutional majority.

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#### REQUEST

**REP. HUETHER REQUESTED** that the record show that he intended to vote YEA on SB 2361, which request was granted.

#### ANNOUNCEMENT BY THE SPEAKER

**SPEAKER WALD ANNOUNCED** that in accordance with House Rule 347(6), reconsideration of Engrossed SB 2355 required a verification vote, therefore a verification vote was taken. The motion prevailed and Engrossed SB 2355 was rereferred to the **Agriculture Committee** as was previously reported.

#### MESSAGE TO THE SENATE FROM THE HOUSE (LANCE HAGEN, CHIEF CLERK)

**MADAM PRESIDENT:** The House does not concur in the Senate amendments to HB 1093 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

**HB 1093:** Reps. Froseth; N. Johnson; Niemeier

#### MESSAGE TO THE SENATE FROM THE HOUSE (LANCE HAGEN, CHIEF CLERK)

**MADAM PRESIDENT:** The House has amended and subsequently passed: SB 2365, SB 2411, SCR 4022.

#### MOTION

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

#### MOTION

**REP. MONSON MOVED** that the House be on the Fifth, Seventh, Twelfth, and Sixteenth orders of business and at the conclusion of those orders, the House stand adjourned until 9:00 a.m., Thursday, March 25, 1999, which motion prevailed.

#### REPORT OF STANDING COMMITTEE

**SB 2008, as engrossed: Appropriations Committee (Rep. Dalrymple, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 8 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2008 was placed on the Sixth order on the calendar.

Page 1, line 2, after "49-01-05" insert "and subsection 3 of section 49-21-01"

Page 1, line 3, after "commissioners" insert "and the definition of essential telecommunications service"

Page 1, line 11, replace "4,389,004" with "4,383,989"

Page 1, line 12, replace "1,067,294" with "1,054,694"

Page 1, line 16, replace "9,202,101" with "9,184,486"

Page 1, line 17, replace "5,633,045" with "5,663,045"

Page 1, line 18, replace "3,569,056" with "3,521,441"

Page 2, after line 3, insert:

**"SECTION 3. AMENDMENT.** Subsection 3 of section 49-21-01 of the 1997 Supplement to the North Dakota Century Code is amended and reenacted as follows:

3. "Essential telecommunications service" means service that is necessary for switched access to interexchange telecommunications companies and necessary for two-way switched communications for both residential and business service within a local exchange area. A charge based on measured service may not be required for residential and business local exchange service. Essential telecommunications services are limited to:

- a. Switched access;
- b. Any new product or service offered in North Dakota after July 1, 1989, deemed essential by the commission after notice and hearing in accordance with chapter 28-32;
- c. Billing and collection of the billing company's own essential telecommunications services and billing and collection recording for interexchange carriers to which the local exchange carrier provides feature group C access service;
- d. Primary directory listing, including nonlisted and nonpublished service, and ~~local exchange access to~~ directory assistance;
- e. Emergency 911 services and emergency operator assistance in local exchange areas in which emergency 911 service is not available;
- f. Except as provided in section 49-02-01.1, mandatory, flat-rate extended area service to designated nearby local exchange areas;
- g. Installation of the service connection for essential services from the end user's premises to the local exchange network;
- h. Transmission service necessary for the connection between the end user's premises and the local exchange central office switch including a trunk connection that has direct inward dialing and necessary signaling service such as touchtone used by end users for essential telecommunications services;
- i. Single or multiparty flat-rate or measured residence and business service;
- j. Single or multiparty flat-rate or measured combination business and residence service; and
- k. The transmission service line for a coin or pay telephone."

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### DEPARTMENT 408 - PUBLIC SERVICE COMMISSION

HOUSE - This amendment makes the following changes:

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$4,614,184	\$4,389,004	(\$5,015)	\$4,383,989
Operating expenses	1,074,694	1,067,294	(12,600)	1,054,694
Equipment	71,311	71,311		71,311
Grants	6,000	6,000		6,000
AML contractual services	<u>3,668,492</u>	<u>3,668,492</u>		<u>3,668,492</u>
Total all funds	\$9,434,681	\$9,202,101	(\$17,615)	\$9,184,486
Less special funds	<u>5,640,789</u>	<u>5,633,045</u>	<u>30,000</u>	<u>5,663,045</u>
General fund	\$3,793,892	\$3,569,056	(\$47,615)	\$3,521,441
FTE	43.00	42.00	1.00	43.00

Detail of House changes to the Senate version includes:

	RESTORE ATTORNEY POSITION 1	REDUCE SALARY FUNDING	REDUCE OPERATING EXPENSES	FUNDING SOURCE CHANGE	TOTAL HOUSE CHANGES
Salaries and wages	\$144,985	(\$150,000) <sup>2</sup>			(\$5,015)
Operating expenses	7,400		(\$20,000) <sup>3</sup>		(12,600)
Equipment					
Grants					
AML contractual services					
Total all funds	\$152,385	(\$150,000)	(\$20,000)	\$0	(\$17,615)
Less special funds				<u>30,000</u> <sup>4</sup>	<u>30,000</u>
General fund	\$152,385	(\$150,000)	(\$20,000)	(\$30,000) <sup>4</sup>	(\$47,615)
FTE	1.00	0.00	0.00	0.00	1.00

House changes narrative:

- <sup>1</sup> Restores 1 FTE attorney position removed by the Senate.
- <sup>2</sup> Reduces salaries and wages funding. The Public Service Commission may designate the specific areas to reduce within the salaries and wages line item.
- <sup>3</sup> Reduces operating expenses as follows:

Office supplies	(\$10,000)
Travel	(10,000)
Total	(\$20,000)

- <sup>4</sup> Provides for a funding source change of \$117,027 rather than the \$147,027 approved in the executive budget and the Senate version relating to increasing the general fund support for the Public Service Commission as a result of an anticipated reduction in federal administrative cost reimbursements.

#### REPORT OF STANDING COMMITTEE

**SB 2017, as engrossed: Appropriations Committee (Rep. Dalrymple, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (20 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2017 was placed on the Sixth order on the calendar.

Page 1, line 21, replace "18,254,815" with "18,354,815"

Page 1, line 22, replace "8,461,742" with "8,361,742"

ReNUMBER accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 540 - ADJUTANT GENERAL

HOUSE - This amendment reduces the general fund appropriation by \$100,000 and increases the other funds by \$100,000 for an unspecified funding source change.

#### REPORT OF STANDING COMMITTEE

**SB 2022, as engrossed: Appropriations Committee (Rep. Dalrymple, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2022 was placed on the Sixth order on the calendar.

Page 1, line 10, replace "3,270,437" with "3,220,437"

Page 1, line 13, replace "48,995" with "248,995"

Page 1, line 14, replace "4,350,026" with "4,500,026"

Page 1, line 16, replace "3,987,026" with "4,137,026"

ReNUMBER accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 740 - TOURISM DEPARTMENT

HOUSE - This amendment makes the following changes:

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$1,005,933	\$985,216		\$985,216
Operating expenses	3,350,437	3,270,437	(\$50,000)	3,220,437
Equipment	15,378	15,378		15,378
Grants	30,000	30,000		30,000
Lewis and Clark bicentennial	<u>698,502</u>	<u>48,995</u>	<u>200,000</u>	<u>248,995</u>
Total all funds	\$5,100,250	\$4,350,026	\$150,000	\$4,500,026
Less special funds	<u>363,000</u>	<u>363,000</u>		<u>363,000</u>
General fund	\$4,737,250	\$3,987,026	\$150,000	\$4,137,026
FTE	12.00	11.00	0.00	11.00



Detail of House changes to the Senate version includes:

	REDUCE OPERATING EXPENSES	ADD LEWIS AND CLARK FUNDING	TOTAL HOUSE CHANGES
Salaries and wages			
Operating expenses	(\$50,000) <sup>1</sup>		(\$50,000)
Equipment			
Grants			
Lewis and Clark bicentennial		\$200,000 <sup>2</sup>	200,000
Total all funds	(\$50,000)	\$200,000	\$150,000
Less special funds			
General fund	(\$50,000)	\$200,000	\$150,000
FTE	0.00	0.00	0.00

House changes narrative:

- <sup>1</sup> The operating expenses line item is reduced by \$50,000 from the general fund. The Tourism Department may determine the specific areas to reduce.
- <sup>2</sup> The Lewis and Clark bicentennial line item is increased by \$200,000 from the general fund for promoting and marketing the Lewis and Clark bicentennial event. The Senate removed the \$500,000 of general fund moneys included in the executive recommendation for marketing the Lewis and Clark bicentennial.

#### REPORT OF STANDING COMMITTEE

**SB 2023, as engrossed: Appropriations Committee (Rep. Dalrymple, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (19 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed SB 2023 was placed on the Sixth order on the calendar.

Page 1, line 2, replace the first "and" with "to provide an appropriation to the public service commission;"

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

Page 1, line 11, replace "8,048,657" with "7,973,109"

Page 1, line 12, replace "6,050,687" with "5,983,487"

Page 1, line 13, replace "160,656" with "152,556"

Page 1, line 17, replace "54,719,269" with "54,568,421"

Page 1, line 19, replace "9,283,348" with "9,132,500"

Page 1, after line 19, insert:

**"SECTION 2. APPROPRIATION - PUBLIC SERVICE COMMISSION.** There is hereby appropriated from federal funds, the sum of \$25,000, or so much of the sum as may be necessary, to the public service commission for the purpose of promoting the "one-call" call-before-you-dig program for the period beginning with the effective date of this Act and ending June 30, 1999."

Page 2, after line 23, insert:

**"SECTION 8. EMERGENCY.** Section 2 of this Act is declared an emergency measure."

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 770 - STATE WATER COMMISSION

HOUSE - This amendment makes the following changes:

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$8,128,141	\$8,048,657	(\$75,548)	\$7,973,109
Operating expenses	6,050,687	6,050,687	(67,200)	5,983,487

Equipment	160,656	160,656	(8,100)	152,556
Capital improvements	23,624,024	23,624,024		23,624,024
Grants	13,785,245	13,785,245		13,785,245
Cooperative research	3,050,000	3,050,000		3,050,000
Total all funds	\$54,798,753	\$54,719,269	(\$150,848)	\$54,568,421
Less special funds	45,446,368	45,435,921		45,435,921
General fund	\$9,352,385	\$9,283,348	(\$150,848)	\$9,132,500
FTE	82.00	82.00	(1.00)	81.00

Detail of House changes to the Senate version includes:

	REMOVE 1 FTE INFORMATION TECHNOLOGY POSITION	REDUCE EQUIPMENT	REDUCE OPERATING * EXPENSES	TOTAL HOUSE CHANGES
Salaries and wages	(\$75,548)			(\$75,548)
Operating expenses			(\$67,200)	(67,200)
Equipment		(\$8,100)		(8,100)
Capital improvements				
Grants				
Cooperative research				
Total all funds	(\$75,548)	(\$8,100)	(\$67,200)	(\$150,848)
Less special funds				
General fund	(\$75,548)	(\$8,100)	(\$67,200)	(\$150,848)
FTE	(1.00)	0.00	0.00	(1.00)

House changes narrative:

\* Includes \$35,000 for travel, \$21,500 for the intern pilot program, \$7,000 for professional development, and \$3,700 for computer software.

#### DEPARTMENT 408 - PUBLIC SERVICE COMMISSION

HOUSE - This amendment adds a \$25,000 federal funds appropriation to the Public Service Commission for promoting the "One-Call" call-before-you-dig program for the remainder of the 1997-99 biennium.

#### REPORT OF STANDING COMMITTEE

**SB 2024, as engrossed: Appropriations Committee (Rep. Dalrymple, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2024 was placed on the Sixth order on the calendar.

Page 1, line 9, replace "15,518,850" with "15,098,851"

Page 1, line 10, replace "7,380,549" with "7,508,962"

Page 1, line 11, replace "1,206,840" with "1,206,840"

Page 1, remove line 12

Page 1, line 13, replace "24,234,652" with "23,814,653"

Page 1, after line 13, insert:

**"SECTION 2. INTERNET WEB APPLICATION.** The appropriation in section 1 of this Act includes funding for the bureau to develop an internet web application with electronic commerce capability, including the ability for employers to file payroll reports for workers' compensation coverage electronically through the internet. It is the intent of the fifty-sixth legislative assembly that in developing this internet web application, the bureau communicate with job service North Dakota and investigate ways in which the application can accommodate combined or streamlined reporting of common payroll and employment data to the bureau and to job service North Dakota."

ReNUMBER accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### DEPARTMENT 485 - WORKERS COMPENSATION BUREAU

HOUSE - This amendment makes the following changes:

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$15,129,163	\$15,518,850	(\$419,999)	\$15,098,851
Operating expenses	7,280,549	7,380,549	128,413	7,508,962
Equipment	1,206,840	1,206,840		1,206,840
Managed care/TPA	<u>128,413</u>	<u>128,413</u>	<u>(128,413)</u>	
Total all funds	\$23,744,965	\$24,234,652	(\$419,999)	\$23,814,653
Less special funds	<u>23,744,965</u>	<u>24,234,652</u>	<u>(419,999)</u>	<u>23,814,653</u>
General fund	\$0	\$0	\$0	\$0
FTE	179.00	179.00	0.00	179.00

Detail of House changes to the Senate version includes:

	REDUCE PAY FOR PERFORMANCE FUNDING	MOVE MANAGED CARE/ TPA LINE ITEM INTO OPERATING EXPENSES	TOTAL HOUSE CHANGES
Salaries and wages	(\$419,999)		(\$419,999)
Operating expenses		\$128,413	128,413
Equipment			
Managed care/TPA		<u>(128,413)</u>	<u>(128,413)</u>
Total all funds	(\$419,999)	\$0	(\$419,999)
Less special funds	<u>(419,999)</u>		<u>(419,999)</u>
General fund	\$0	\$0	\$0
FTE	0.00	0.00	0.00

House changes narrative:

The amendment reduces the pay for performance system funding by \$419,999, from \$919,999 to \$500,000. The amendment also moves the managed care/TPA funding into the operating expenses line item because the costs are primarily administrative costs for contracting for the services. The amendment also adds a section directing the bureau to develop an Internet application which is to allow employers to file payroll reports electronically through the Internet.

#### REPORT OF STANDING COMMITTEE

**SB 2026, as engrossed: Appropriations Committee (Rep. Dalrymple, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (19 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed SB 2026 was placed on the Sixth order on the calendar.

Page 1, line 23, replace "13,500,000" with "15,100,000"

Page 1, line 24, replace "13,500,000" with "15,100,000"

Page 2, line 15, replace "19,842,334" with "21,442,334"

Page 2, line 17, replace "20,092,334" with "21,692,334"

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 512 - DIVISION OF EMERGENCY MANAGEMENT

HOUSE - This amendment increases the deficiency appropriation to the Division of Emergency Management by \$1,600,000 from the general fund, from \$13,500,000 to \$15,100,000 for the estimated amount needed for disaster claims to be closed by June 30, 1999.

#### REPORT OF STANDING COMMITTEE

**SB 2047: Judiciary Committee (Rep. DeKrey, Chairman)** recommends **DO PASS** (9 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). SB 2047 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2071: Appropriations Committee (Rep. Dalrymple, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). SB 2071 was placed on the Sixth order on the calendar.

Page 1, line 10, remove "to provide an appropriation;"

Page 5, remove lines 23 through 28

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

DEPARTMENT 192 - PUBLIC EMPLOYEES RETIREMENT SYSTEM

HOUSE - This amendment removes Section 10 of the bill, which provided a special fund appropriation of \$250,000 and authorization for three FTE positions to the Public Employees Retirement System.

**REPORT OF STANDING COMMITTEE**

**SB 2114, as engrossed: Human Services Committee (Rep. Price, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2114 was placed on the Sixth order on the calendar.

Page 1, line 1, after "reenact" insert "subsection 2 of section 50-01.2-00.1 and"

Page 1, line 2, after "to" insert "local expenses of administration and" and after "families" insert "; to authorize the department of human services to negotiate a pilot project for the state's participation in direct funding and administration of tribal temporary assistance to needy families; and to provide for reports to the legislative council"

Page 1, after line 3, insert:

**"SECTION 1. AMENDMENT.** Subsection 2 of section 50-01.2-00.1 of the 1997 Supplement to the North Dakota Century Code is amended and reenacted as follows:

2. "Local expenses of administration" includes costs for personnel, space, equipment, computer software, ~~costs associated with achieving caseload ratios of sixty five cases to one worker,~~ materials, travel, utilities, and related costs, and the indirect costs properly allocated to those costs. The term does not include initial acquisition of computers and related hardware approved by the department for the training, education, employment, and management program, custom computer programs, custom software development, computer operations undertaken at the direction of the department, and computer processing costs to the extent those costs exceed, in any calendar year, that county's costs of operation of the technical eligibility computer system in calendar year 1995 increased by the increase in the consumer price index for all urban consumers (all items, United States city average) after January 1, 1996, or, unless agreed to by the county social service board, any costs related to pilot programs before the programs are implemented on a statewide basis."

Page 3, line 5, overstrike "Not exempt" and insert immediately thereafter "Consider exempting"

Page 3, line 9, replace "that is most appropriate" with "provided by job service North Dakota"

Page 4, after line 22, insert:

**"SECTION 3. REPORTS TO LEGISLATIVE COUNCIL - UNEMPLOYMENT IN INDIAN COUNTRY.** The department of human services shall periodically report to the legislative council, or an interim study committee designated by the legislative council, on the progress in its efforts to determine the most reliable current data concerning the proportion of adults living in Indian country who are unemployed.

**SECTION 4. LEGISLATIVE INTENT - DEPARTMENT TO NEGOTIATE PILOT PROJECT - REPORTS TO LEGISLATIVE COUNCIL.**

1. It is the legislative intent of the legislative assembly that the department of human services offer to negotiate with the tribal government of any Indian tribe in this state to establish a pilot project to begin operation no sooner than July 1, 2001, under which that tribal government will secure direct funding for the administration of a tribal family assistance grant under 42 U.S.C. 612 from the United States department of health and human services, and under which the state will participate, in cash or in kind, in the cost of providing services under the tribal family assistance grant, provided:

- a. All components of the program are administered by the department of human services, one or more county social service boards, one or more or more contractors with the department of human services, or any combination thereof;
  - b. Interagency agreements entered into between the department of human services and other state or federal agencies, essential to the state's receipt of federal funds otherwise available under title IV-A, title IV-B, title IV-D, or title IV-E of the Social Security Act, will be honored by the tribe to the extent the department of human services requires the county social service boards to honor those agreements;
  - c. The annual funding contributed by the state may not exceed an amount calculated by dividing the nonfederal share of total state expenditures under title IV-A of the Social Security Act for the twelve-month period beginning October 1, 1993, and ending September 30, 1994, by the monthly average number of title IV-A filing units receiving title IV-A benefits in the state during that period, and multiplying the result times the number of IV-A filing units on April 1, 1999, with a primary information person who:
    - (1) Is an enrolled member of the tribe or is married to an enrolled member of the tribe who is also a member of that IV-A filing unit; and
    - (2) Lives in Indian country within a North Dakota county that also includes Indian reservation lands subject to the exclusive jurisdiction of the tribe;
  - d. The state's financial participation in the pilot project will be terminated upon breach of the negotiated agreement.
2. The department of human services shall periodically report to the legislative council, or to an interim study committee designated by the legislative council, on the progress of any negotiation conducted under subsection 1.
  3. An interim committee designated by the legislative council to receive reports under subsection 2 shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the fifty-seventh legislative assembly."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2162, as reengrossed: Education Committee (Rep. R. Kelsch, Chairman) A MAJORITY** of your committee (Reps. R. Kelsch, Brandenburg, Brusegaard, Haas, D. Johnson, Nelson, Nottestad, L. Thoreson) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee**.

Page 1, line 2, after "enact" insert "a new section to chapter 15-29 of the North Dakota Century Code, or in the alternative to create and enact a new section to chapter 15.1-09 of the North Dakota Century Code, and" and after the second "to" insert "the joint employment of school district superintendents,"

Page 1, line 3, after the first "payments" insert a comma

Page 1, line 6, after the first semicolon insert "to provide for a legislative council study;"

Page 1, after line 8, insert:

**"SECTION 1.** If House Bill No. 1034 does not become effective, a new section to chapter 15-29 of the North Dakota Century Code is created and enacted as follows:

**School district superintendent - Joint employment - Accreditation.** The superintendent of public instruction may not impose through the accreditation process any penalties or sanctions on a school district for employing a superintendent jointly with one or more other districts."

Page 1, line 18, after the second underscored comma insert "transportation aid."

Page 1, overstrike line 24

Page 2, line 3, replace "thirty-nine" with "thirty-four"

Page 2, line 5, replace "ten" with "forty"

Page 12, after line 27, insert:

**"SECTION 8.** A new section to chapter 15.1-09 of the North Dakota Century Code is created and enacted as follows:

**School district superintendent - Joint employment - Accreditation.** The superintendent of public instruction may not impose through the accreditation process any penalties or sanctions on a school district for employing a superintendent jointly with one or more other districts."

Page 15, line 20, replace "the effective date of" with "July 1, 1999,"

Page 15, line 21, remove "sections 1 through 8 of this Act"

Page 15, after line 23, insert:

**"SECTION 12. LEGISLATIVE COUNCIL STUDY OF EDUCATIONAL EQUITY AND FUTURE EDUCATIONAL DELIVERY.** The legislative council shall study the provision of education to public school students in this state and shall examine the manner in which education to public school students will be delivered in the ensuing five, ten, and twenty years. Within this study, the council shall address demographic changes as they affect equity of educational opportunities with respect to courses, facilities, and extracurricular activities; equity with respect to teacher availability and qualifications; equity with respect to the organization and administration of school districts; and taxpayer equity in both rural and urban school districts. The legislative council shall report its findings and recommendations, together with any legislation necessary to implement the recommendations, to the fifty-seventh legislative assembly."

Page 15, line 27, replace "financially assisting eligible school districts that have experienced declining student" with "providing special education payments to each school district in the state on the basis of students in average daily membership"

Page 15, line 28, remove "enrollments" and remove "A district is"

Page 15, remove lines 29 through 31

Page 16, remove lines 1 through 4

Page 16, line 6, replace "\$3,000,000" with "\$1,500,000"

Page 16, line 14, replace "9" with "11"

Renumber accordingly

The report of the majority was placed on the Seventh order of business on the calendar for the succeeding legislative day.

#### **REPORT OF STANDING COMMITTEE**

**SB 2162, as reengrossed: Education Committee (Rep. R. Kelsch, Chairman) A MINORITY** of your committee (Reps. Grumbo, Hanson, Lundgren, Mueller, Nowatzki, Solberg) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee**.

Page 1, line 1, after "districts" insert "and for guaranteed increases in per student payments"

Page 1, line 2, after "enact" insert " a new section to chapter 15-29 of the North Dakota Century Code, or in the alternative to create and enact a new section to chapter 15.1-09 of the North Dakota Century Code, and" and after the second "to" insert "the joint employment of school district superintendents,"

Page 1, line 3, after the first "payments" insert a comma

Page 1, line 6, after the first semicolon insert "to provide for a legislative council study;"

Page 1, after line 8, insert:

**"SECTION 1.** If House Bill No. 1034 does not become effective, a new section to chapter 15-29 of the North Dakota Century Code is created and enacted as follows:

**School district superintendent - Joint employment - Accreditation.** The superintendent of public instruction may not impose through the accreditation process any penalties or sanctions on a school district for employing a superintendent jointly with one or more other districts."

Page 1, line 18, after the second underscored comma insert "transportation aid,"

Page 1, overstrike line 24

Page 12, after line 27, insert:

**"SECTION 8.** A new section to chapter 15.1-09 of the North Dakota Century Code is created and enacted as follows:

**School district superintendent - Joint employment - Accreditation.** The superintendent of public instruction may not impose through the accreditation process any penalties or sanctions on a school district for employing a superintendent jointly with one or more other districts."

Page 15, line 20, replace "the effective date of" with "July 1, 1999,"

Page 15, line 21, remove "sections 1 through 8 of this Act"

Page 15, after line 23, insert:

**"SECTION 12. LEGISLATIVE COUNCIL STUDY OF EDUCATIONAL EQUITY AND FUTURE EDUCATIONAL DELIVERY.** The legislative council shall study the provision of education to public school students in this state and shall examine the manner in which education to public school students will be delivered in the ensuing five, ten, and twenty years. Within this study, the council shall address demographic changes as they affect equity of educational opportunities with respect to courses, facilities, and extracurricular activities; equity with respect to teacher availability and qualifications; equity with respect to the organization and administration of school districts; and taxpayer equity in both rural and urban school districts. The legislative council shall report its findings and recommendations, together with any legislation necessary to implement the recommendations, to the fifty-seventh legislative assembly."

Page 16, after line 13, insert:

**"SECTION 15. PER STUDENT PAYMENTS - GUARANTEED INCREASE.** Notwithstanding any other provisions of law, a school district that is entitled to receive per student payments under chapter 15-40.1 and which levied at least ninety percent of the statewide average school district general fund levy in mills for the most recent taxable year may not receive for the 1999-2000 school year total per student payments in an amount less than the total per student payments received by the district for the 1998-99 school year plus two percent. A school district that is entitled to receive per student payments under chapter 15-40.1 and which levied at least ninety percent of the statewide average school district general fund levy in mills for the most recent taxable year may not receive for the 2000-01 school year total per student payments in an amount less than the total per student payments received by the district for the 1999-2000 school year plus two percent."

Page 16, line 14, replace "9" with "11"

Renumber accordingly

The report of the minority was placed on the Seventh order of business on the calendar for the succeeding legislative day.

## REPORT OF STANDING COMMITTEE

**SB 2182, as engrossed: Human Services Committee (Rep. Price, Chairman) A MAJORITY** of your committee (Reps. Price, Weisz, Devlin, Galvin, Jensen, Kliniske, Pollert, Porter, B. Thoreson, Eckre) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee**.

Page 1, line 12, after the period insert "'Plan" means the North Dakota student plan, which is the children's health insurance program state plan.

5."

Page 1, line 16, replace "a state" with "the" and replace "for a children's health insurance" with "that includes eligibility determinations for self-employed applicants based on the average of the previous three years of adjusted gross income, which means the adjusted gross income as computed for an individual for federal income tax purposes under the Internal Revenue Code"

Page 1, line 17, remove "program in this state"

Page 1, line 21, replace ", including:" with a semicolon

Page 1, remove lines 22 through 24

Page 2, remove lines 1 through 3

Page 2, line 4, after the period insert "Apply for a federal waiver allowing twelve months of plan eligibility for a family whose income does not exceed one hundred seventy-five percent of the poverty line, is no longer eligible for temporary assistance for needy families because of increased earnings, and has exhausted transitional medical assistance;

5. Apply for a federal waiver allowing plan coverage for a family through an employer-based insurance policy if an employer-based family insurance policy is more cost-effective than the traditional plan coverage for the children;
6. Report annually to the legislative council and describe enrollment statistics and costs associated with the plan;

7."

Page 2, line 7, replace "5" with "8"

Page 2, line 9, replace "children's health insurance" with "plan"

Page 2, line 10, remove "program"

Page 2, line 11, replace "children's health insurance program" with "plan"

Page 2, after line 14, insert:

**"North Dakota student plan requirements.** The plan:

1. Must be provided through private contracts with insurance carriers;
2. Must allow conversion to another health insurance policy;
3. Must be based on an actuarial equivalent of a benchmark plan;
4. Must incorporate every state-required waiver approved by the federal government;
5. Must include community-based eligibility outreach services;
6. Must provide:
  - a. An income eligibility limit of one hundred forty percent of the poverty line;



- b. A copayment requirement for each pharmaceutical prescription and for each emergency room visit;
- c. A deductible for each inpatient hospital visit;
- d. A deductible for each emergency room visit;
- e. Coverage for:
  - (1) Inpatient hospital, medical, and surgical services;
  - (2) Outpatient hospital and medical services;
  - (3) Psychiatric and substance abuse services;
  - (4) Prescription medications;
  - (5) Preventive screening services; and
  - (6) Preventive dental and vision services; and
- f. A coverage effective date:
  - (1) That is either the first or fifteenth day of the month, whichever next succeeds the date of application; or
  - (2) In the case of a newborn, that is either the first or fifteenth day of the month, whichever next succeeds the later of the date of application or the date the newborn is discharged from the hospital; and

7. May not provide maternity services coverage."

Page 2, line 21, replace "the department estimates that" with "federal children's health insurance program funding decreases, the department may decrease the income eligibility limit to accommodate the decrease in federal funding,"

Page 2, remove lines 22 and 23

Renumber accordingly

The report of the majority was placed on the Seventh order of business on the calendar for the succeeding legislative day.

#### REPORT OF STANDING COMMITTEE

**SB 2182, as engrossed: Human Services Committee (Rep. Price, Chairman) A MINORITY of your committee (Reps. Niemeier, Rose, Sandvig) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS and BE REREFERRED to the Appropriations Committee.**

Page 1, line 17, replace the semicolon with ", including:

- a. Coverage for mental health services at levels comparable to physical health services coverage; substance abuse services, including residential treatment if necessary; well-child care, including all services provided during a well-baby or well-child visit that includes screening and diagnostic services; vision and dental services; medical nutrition therapy; and coverage for primary care services offered by a variety of health care professionals, including pediatricians, family physicians, and nurse practitioners;
- b. Community-based eligibility outreach services;
- c. Provisions allowing a crowd-out exception to be granted if loss of insurance coverage is beyond the control of the applicant;
- d. Twelve-month continuous eligibility for children enrolled in the children's health insurance program;

- e. Eligibility determinations for self-employed applicants based on the average of the previous three years of adjusted gross income, which means the adjusted gross income as computed for an individual for federal income tax purposes under the Internal Revenue Code; and
- f. Monitoring and evaluating the appropriateness and quality of the children's health insurance program;"

Page 2, line 2, remove "and"

Page 2, line 3, after the semicolon insert "and

- e. Imposing a premium for families with incomes over one hundred fifty percent of the poverty line which does not exceed five percent of the total family income;"

Page 2, line 4, after the period insert "Apply for a federal waiver allowing twelve months of plan eligibility for a family whose income does not exceed one hundred seventy-five percent of the poverty line, is no longer eligible for temporary assistance for needy families because of increased earnings, and has exhausted transitional medical assistance;

- 5. Apply for a federal waiver allowing plan coverage for a family through an employer-based insurance policy if an employer-based family insurance policy is more cost-effective than the traditional plan coverage for the children;

6."

Page 2, line 7, replace "5" with "7"

Renumber accordingly

The report of the minority was placed on the Seventh order of business on the calendar for the succeeding legislative day.

#### REPORT OF CONFERENCE COMMITTEE

**HB 1166:** Your conference committee (Sens. Traynor, Fischer, Redlin and Reps. Drovdal, DeKrey, Sandvig) recommends that the **SENATE RECEDE** from the Senate amendments on HJ page 810, adopt further amendments as follows, and place HB 1166 on the Seventh order:

That the Senate recede from its amendments as printed on page 810 of the House Journal and page 662 of the Senate Journal and that House Bill No. 1166 be amended as follows:

Page 1, line 4, replace the first "section" with "sections" and after "61-02-23.1" insert ", 61-24.3-19,"

Page 1, line 5, after "for" insert "the northwest area water supply project, validation of southwest pipeline project water service contracts,"

Page 1, after line 18, insert:

**"SECTION 2. AMENDMENT.** Section 61-24.3-19 of the North Dakota Century Code is amended and reenacted as follows:

**61-24.3-19. Validation of water service contracts.** Water service contracts entered ~~into~~ by the commission for the distribution and sale of water to water user entities from the southwest pipeline project are ~~hereby deemed~~ confirmed and approved by the legislative assembly. The commission may commence a special proceeding in and by which the proceedings of the commission and the making of water service contracts ~~shall be~~ are judicially examined, approved, and confirmed, or disapproved and disaffirmed. ~~Such~~ The proceeding shall must comply as nearly as possible with the procedure authorized by sections 61-07-22 through 61-07-28 for irrigation district contracts. The requirements of section 40-33-16 are not applicable to contracts between the state water commission and cities for water service and cities for water service from the southwest pipeline project, provided the contracts were approved by the city governing body and executed before January 1, 1999."

Renumber accordingly

HB 1166 was placed on the Seventh order of business on the calendar.

#### REPORT OF CONFERENCE COMMITTEE

**HB 1272, as engrossed:** Your conference committee (Sens. Lee, Flakoll, C. Nelson and Reps. Koppelman, Wikenheiser, Ekstrom) recommends that the **SENATE RECEDE** from the Senate amendments on HJ page 790, adopt further amendments as follows, and place Engrossed HB 1272 on the Seventh order:

That the Senate recede from its amendments as printed on page 790 of the House Journal and page 643 of the Senate Journal and that Engrossed House Bill No. 1272 be amended as follows:

Page 1, line 18, replace "with an" with "that owns or has a leasehold"

Renumber accordingly

Engrossed HB 1272 was placed on the Seventh order of business on the calendar.

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

**MR. SPEAKER:** The Senate has amended and subsequently passed: HB 1039, HB 1081, HB 1196, HB 1307, HB 1326, HB 1399, HCR 3046, HCR 3074.

#### SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1039

Page 1, line 9, replace the second comma with a colon

Page 1, line 10, replace "'emergency" with:

"a. "Emergency"

Page 1, line 15, after the period insert:

"b. "Prehospital emergency medical services" means a service or its personnel either licensed under chapter 23-27 or certified by the state health department.

2."

Page 1, line 22, replace "2" with "3"

Page 1, line 23, after "limits" insert "or internal policy limits dealing specifically with prehospital emergency medical services"

Page 2, line 1, replace "3" with "4"

Renumber accordingly

#### SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1081

Page 2, line 6, remove "by the board"

Page 2, line 8, after the underscored period insert "A nationwide criminal history check is not required under this section if an applicant for licensure or registration provides to the board the results of a nationwide criminal history check performed by the federal bureau of investigation at the request of another state and if the nationwide criminal history check was performed within the sixty days immediately preceding the date of the application. A state criminal history check is not required under this section if an applicant for registration provides to the board the results of a state background check performed by the state in which the applicant currently resides and if the state background check was performed within the sixty days immediately preceding the date of the application."

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

SENATE - This amendment adds language providing that a criminal history check is not needed if a nationwide criminal history check was performed within 60 days prior to the date of application.

**SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1196**

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact subsection 1 of section 57-15-14.2 and section 57-15-17.1 of the North Dakota Century Code, relating to mill levies for alternative education programs; and to provide an effective date.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1. AMENDMENT.** Subsection 1 of section 57-15-14.2 of the North Dakota Century Code is amended and reenacted as follows:

1. A school board of any school district may levy an amount sufficient to cover general expenses including the costs of the following:
  - a. Board and lodging for high school students as provided in section 15-34.2-06.
  - b. The teachers' retirement fund as provided in section 15-39.1-28.
  - c. Tuition for students in grades seven through twelve as provided in section 15-40.2-12.
  - d. Special education program as provided in section 15-59-08.
  - e. The establishment and maintenance of an insurance reserve fund for insurance purposes as provided in section 32-12.1-08.
  - f. A final judgment obtained against a school district.
  - g. The district's share of contribution to the old-age survivors' fund and matching contribution for the social security fund as provided by chapter 52-09 and to provide the district's share of contribution to the old-age survivors' fund and matching contribution for the social security fund for contracted employees of a multidistrict special education board.
  - h. The rental or leasing of buildings, property, or classroom space. Minimum state standards for health and safety applicable to school building construction shall apply to any rented or leased buildings, property, or classroom space.
  - i. Unemployment compensation benefits.
  - j. The removal of asbestos substances from school buildings or the abatement of asbestos substances in school buildings under any method approved by the United States environmental protection agency and any repair, replacement, or remodeling that results from such removal or abatement and for providing an alternative education program as provided in section 57-15-17.1.
  - k. Participating in cooperative vocational education programs approved by the state board.
  - l. Maintaining a vocational education program approved by the state board and established only for that school district.
  - m. Paying the cost of purchasing, contracting, operating, and maintaining schoolbuses.
  - n. Establishing and maintaining school library services.
  - o. Equipping schoolbuses with two-way communications and central station equipment and providing for the installation and maintenance of such equipment.
  - p. Establishing free public kindergartens in connection with the public schools of the district for the instruction of resident children below school age during the regular school term.

- q. Establishing, maintaining, and conducting a public recreation system.
- r. The district's share of contribution to finance an interdistrict cooperative agreement authorized by section 15-47-40.1.

**SECTION 2. AMENDMENT.** Section 57-15-17.1 of the North Dakota Century Code is amended and reenacted as follows:

**57-15-17.1. Multiyear asbestos abatement and alternative education program levy by school district.**

1. The governing body of any public school district may by resolution adopted by a two-thirds vote of the school board dedicate a tax levy for purposes of this section of not exceeding fifteen mills on the dollar of taxable valuation of property within the district for a period not longer than fifteen years. The school board may authorize and issue general obligation bonds to be paid from the proceeds of this dedicated levy for the purpose of ~~providing~~:
  - a. Providing funds for the removal of asbestos substances from school buildings or the abatement of asbestos substances in school buildings under any other method approved by the United States environmental protection agency and for any repair, replacement, or remodeling that results from removal or abatement of asbestos substances; and
  - b. Providing alternative education programs.
2. All revenue accruing from the levy under this section, except revenue deposited as allowed by subsection 3, must be placed in a separate fund known as the asbestos abatement fund and must be accounted for within the capital projects fund group and disbursements must be made from such funds within this fund group for the purpose of asbestos abatement.
3. All revenue accruing from up to ten mills of the fifteen-mill levy under this section may be placed in a separate fund known as the alternative education program fund. Disbursement may be made from the fund for the purpose of providing an alternative education program, but may not be used to construct or remodel facilities used to accommodate an alternative education program.
4. Any moneys remaining in the asbestos abatement fund after completion of the principal and interest payments for any bonds issued for any school asbestos abatement project and any funds remaining in the alternative education program fund at the termination of the program must be transferred to the general fund of the school district upon the order of the school board.

**SECTION 3. EFFECTIVE DATE.** This Act is effective for taxable years beginning after December 31, 1998."

Renumber accordingly

**SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1307**

In lieu of the amendments printed on page 663 of the Senate Journal, Engrossed House Bill No. 1307 is amended as follows:

Page 1, line 9, remove "or"

Page 1, line 11, replace "except that the Grand Forks housing authority is deemed" with ". On or before September first of each year, the state housing finance agency shall conduct an election by mail among housing authorities of the state and certify to the tax commissioner which housing authority received the greatest number of votes and is capable of compliance with the duties of a claimant agency under section 57-38.3-05. During the ensuing calendar year, the housing authority certified as selected under this subsection shall act as"

Renumber accordingly

**SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1326**

Page 1, line 5, after the comma insert "at minimum"

Renumber accordingly

**SENATE AMENDMENTS TO HOUSE BILL NO. 1399**

In addition to the amendments adopted by the Senate as printed on page 643 of the Senate Journal, House Bill No. 1399 is further amended as follows:

Page 1, line 2, after "use" insert "; and to provide an expiration date"

Page 2, after line 13, insert:

**"SECTION 2. EXPIRATION DATE.** This Act is effective through June 30, 2001, and after that date is ineffective."

Renumber accordingly

**SENATE AMENDMENTS TO HOUSE CONCURRENT RESOLUTION NO. 3046**

Page 1, line 1, remove "financial"

Page 1, line 2, replace "rural hospitals" with "the delivery of health care"

Page 1, line 3, after "services" insert ", technological innovation, and possible regionalization of services"

Page 1, line 4, replace "rural hospitals are" with "the delivery of health care is"

Page 1, after line 9, insert:

**"WHEREAS,** shifting populations may cause regionalization of provisions of hospital services; and

**WHEREAS,** technological innovations such as telemedicine will affect the delivery of rural health care; and"

Page 1, line 20, remove "financial" and replace "rural hospitals" with "the delivery of health care"

Page 1, line 21, after "services" insert ", technological innovations, and possible regionalization of services"

Renumber accordingly

**SENATE AMENDMENTS TO HOUSE CONCURRENT RESOLUTION NO. 3074**

Page 1, line 2, after "organizations" insert "and other tax-exempt entities, including ownership in trust for Indian tribes,"

Page 1, line 5, after "property" insert "and other exempt property"

Page 1, line 7, remove "nonprofit corporation"

Page 1, line 8, after "property" insert "by tax-exempt entities"

Page 1, line 10, replace "nonprofit organizations" with "tax-exempt entities"

Page 1, line 14, after "organizations" insert "and other tax-exempt entities, including ownership in trust for Indian tribes,"

Renumber accordingly

**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 1121.

**SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1121**

Page 1, line 1, replace "sections" with "section", after "14-09-08.1" insert ", subsection 9 of section 14-09-09.16,", and after the second "and" insert "section"

Page 4, after line 16, insert:

**"SECTION 2. AMENDMENT.** If Senate Bill No. 2170 is approved by the fifty-sixth legislative assembly and becomes effective, subsection 9 of section 14-09-09.16 of the North Dakota Century Code as amended by section 7 of Senate Bill No. 2170 is amended and reenacted as follows:

9. The income payor shall notify the clerk of court or the public authority in writing of the termination of a duty to pay income to the obligor within seven business days of the termination. The notification must include the name and address of the obligor's subsequent income payor, if known."

Page 4, line 25, replace "This" with "Sections 1 and 3 of this" and replace "becomes" with "become"

Page 4, line 26, replace "2" with "3"

Page 4, line 27, replace "2000" with "2001"

Page 4, line 28, replace "2000" with "2001"

Page 4, line 29, replace "This" with "Sections 1 and 3 of this" and replace "is" with "are"

Renumber accordingly

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

**MR. SPEAKER:** The Senate has amended and failed to pass: HCR 3044.

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

**MR. SPEAKER:** The Senate has failed to pass: HB 1057, HB 1314, HB 1412, HB 1424.

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

**MR. SPEAKER:** The Senate has passed and your favorable consideration is requested on: SCR 4058.

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

**MR. SPEAKER:** The Senate has passed unchanged: HB 1297, HB 1441.

**SIGNING OF BILLS AND RESOLUTIONS**

The Speaker signed the following enrolled bills: HB 1006, HB 1008, HB 1010, HB 1066, HB 1070, HB 1144, HB 1170, HB 1255, HB 1341.

**MESSAGE TO THE SENATE FROM THE HOUSE (LANCE HAGEN, CHIEF CLERK)**

**MADAM PRESIDENT:** The Speaker has signed and your signature is respectfully requested on: HB 1006, HB 1008, HB 1010, HB 1066, HB 1070, HB 1144, HB 1170, HB 1255, HB 1341.

**SIGNING OF BILLS AND RESOLUTIONS**

The Speaker signed the following enrolled bills and resolutions: SB 2011, SB 2356, SB 2393, SCR 4017, SCR 4028, SCR 4044, SCR 4045.

**MESSAGE TO THE SENATE FROM THE HOUSE (LANCE HAGEN, CHIEF CLERK)**

**MADAM PRESIDENT:** The Speaker has signed: SB 2011, SB 2356, SB 2393, SCR 4017, SCR 4028, SCR 4044, SCR 4045.

**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 2064, SB 2073, SB 2101, SB 2126, SB 2128, SB 2152, SB 2199, SB 2225, SB 2235, SB 2243, SB 2253, SB 2421, SCR 4051.

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

**LANCE HAGEN, Chief Clerk**