

JOURNAL OF THE SENATE

Fifty-seventh Legislative Assembly

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Bismarck, March 30, 2001

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

The prayer was offered by Pastor John Luhmann, Bismarck Evangelical Church, Bismarck.

The roll was called and all members were present except Senator Nething.

A quorum was declared by the President.

CONSIDERATION OF AMENDMENTS

HB 1025, as engrossed: SEN. TALLACKSON (Appropriations Committee) MOVED that the amendments on SJ pages 1035-1036 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1025: A BILL for an Act to provide an appropriation for defraying the expenses of various state retirement and investment agencies.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 48 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Nething

Engrossed HB 1025, as amended, passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

HB 1215, as engrossed: SEN. HEITKAMP (Appropriations Committee) MOVED that the amendments on SJ pages 1036-1037 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1215: A BILL for an Act to provide an appropriation to the adjutant general's office for maintenance and repair of political subdivision-owned armories and to provide a report to the budget section.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 48 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Nething

Engrossed HB 1215, as amended, passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

HB 1272, as engrossed: SEN. ERBELE (Agriculture Committee) MOVED that the amendments on SJ page 1037 be adopted and then be placed on the Fourteenth order **WITHOUT RECOMMENDATION**, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1272: A BILL for an Act to amend and reenact subsection 3 of section 20.1-03-11 of the North Dakota Century Code, relating to gratis licenses to hunt deer; 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 6 YEAS, 42 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Christmann; Klein; Krebsbach; Robinson; Wanzek

NAYS: Bercier; Bowman; Christenson; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Krauter; Kringstad; Kroepflin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nichols; O'Connell; Polovitz; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wardner; Watne

ABSENT AND NOT VOTING: Nothing

Engrossed HB 1272, as amended, lost.

CONSIDERATION OF AMENDMENTS

HB 1321, as reengrossed: SEN. WANZEK (Appropriations Committee) MOVED that the amendments on SJ page 1037 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1321: A BILL for an Act to amend and reenact section 15-40.1-07.7 of the North Dakota Century Code or in the alternative to amend and reenact section 15.1-27-12 of the North Dakota Century Code, relating to the payments for limited English proficient students.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 48 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroepflin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Nothing

Reengrossed HB 1321, as amended, passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

HB 1386, as engrossed: SEN. LEE (Political Subdivisions Committee) MOVED that the amendments on SJ pages 1037-1038 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1386: A BILL for an Act to amend and reenact sections 54-44.7-01, 54-44.7-02, subsection 1 of section 54-44.7-03, and subsection 1 of section 54-44.7-04 of the North Dakota Century Code, relating to construction management.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 48 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Nothing

Engrossed HB 1386, as amended, passed and the title was agreed to.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4049: A concurrent resolution directing the Legislative Council to study limiting actions for lead-based paint claims.

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO PASS.

SCR 4049 was declared adopted, and the title was agreed to on a voice vote.

SECOND READING OF HOUSE BILL

HB 1065: A BILL for an Act to create and enact section 57-38-08.1 of the North Dakota Century Code, relating to the allocation and apportionment of partnership income for income tax purposes; to amend and reenact subsections 4, 5, and 6 of section 57-38-04 and section 57-38-08 of the North Dakota Century Code, relating to the allocation and apportionment of an individual's gross income and the distribution of partnership income for income tax purposes; to repeal section 57-38-10 of the North Dakota Century Code, relating to allocation and apportionment of partnership income for income tax purposes; and to provide an effective date.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 41 YEAS, 7 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, G.; Polovitz; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

NAYS: Bercier; Lindaas; Nelson, C.; Nichols; O'Connell; Robinson; Tomac

ABSENT AND NOT VOTING: Nothing

Engrossed HB 1065 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1160: A BILL for an Act to amend and reenact subsection 3 of section 62.1-04-03 of the North Dakota Century Code, relating to disposition of fees for concealed weapons licenses.

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 48 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Nothing

Engrossed HB 1160, as amended, passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1318: A BILL for an Act to amend and reenact subsection 2 of section 16.1-05-01, subsection 2 of section 16.1-07-08, subsection 3 of section 16.1-10-01, sections 16.1-10-02, 16.1-10-04.1, 16.1-11-18, 16.1-11-19, and 16.1-15-25 of the North Dakota Century Code, relating to political party reorganization, election officer appointment, absentee ballot affidavits, corrupt election practices, and filling vacancies; and to repeal sections 16.1-12-08 and 46-05-05 of the North Dakota Century Code, relating to filling vacancies and rates for political announcements.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 45 YEAS, 3 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espgaard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroepelin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nichols; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

NAYS: Andrist; O'Connell; Thane

ABSENT AND NOT VOTING: Nothing

Engrossed HB 1318 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1210: A BILL for an Act to create and enact a new section to chapter 54-21.3 of the North Dakota Century Code, relating to recognition of third-party building, electrical, fire, and plumbing inspections for modular residential and commercial structures.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 46 YEAS, 2 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espgaard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroepelin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Nelson, C.; Nelson, G.; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

NAYS: Mutch; Nichols

ABSENT AND NOT VOTING: Nothing

Engrossed HB 1210 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1400: A BILL for an Act to create and enact a new section to chapter 54-34.3 of the North Dakota Century Code, relating to a rural growth incentive program administered by the department of economic development and finance; and to provide for allocation of the North Dakota development fund.

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 48 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Nothing

Reengrossed HB 1400, as amended, passed and the title was agreed to.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3007: A concurrent resolution directing the Legislative Council to study the establishment of regional water entities to manage water based on regional or watershed boundaries.

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO NOT PASS.

HCR 3007 was declared lost on a voice vote.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS ON CONSENT CALENDAR

HCR 3016: A concurrent resolution urging Congress to make grain grading for federal crop insurance more equivalent to industry standards.

HCR 3035: A concurrent resolution urging Congress to support efforts to prohibit meatpackers from owning, feeding, or controlling livestock for more than 14 days before slaughter and to amend the federal Packers and Stockyards Act to accomplish this goal.

HCR 3042: A concurrent resolution urging Congress to ensure the economic viability and competitiveness of American farmers by adopting legislation that would grant states the authority to issue state registrations to parties who wish to import Canadian crop protection products that are identical or substantially similar to products registered with the Environmental Protection Agency for use in the United States.

The question being on the final adoption of the resolutions, which have been read.

HCR 3016, HCR 3035, and HCR 3042 were declared adopted on a voice vote, and the titles were agreed to.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. LEE MOVED that the Senate do concur in the House amendments to Engrossed SB 2114 as printed on SJ pages 986-987, which motion prevailed on a voice vote.

Engrossed SB 2114, as amended, was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

SB 2114: A BILL for an Act to amend and reenact sections 43-12.1-02, 43-12.1-03, 43-12.1-04, 43-12.1-05, 43-12.1-07, 43-12.1-08, 43-12.1-09, 43-12.1-10, 43-12.1-11, 43-12.1-13, 43-12.1-14, 43-12.1-15, and 43-12.1-16 of the North Dakota Century Code, relating to specialty nursing practice, unlicensed assistive personnel, persons exempt from licensure, residency requirements for nursing practice, compensation of board members, disciplinary procedures, and the expiration date of the authority of a licensed nurse to delegate medication administration.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 41 YEAS, 7 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Nelson, C.; Nelson, G.; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Stenehjem; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

NAYS: Bercier; Bowman; Heitkamp; Mutch; Solberg; Tallackson; Thane

ABSENT AND NOT VOTING: Nothing

Reengrossed SB 2114 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. TRAYNOR MOVED that the Senate do concur in the House amendments to Engrossed SB 2117 as printed on SJ page 1004, which motion prevailed on a voice vote.

Engrossed SB 2117, as amended, was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

SB 2117: A BILL for an Act to create and enact a new subsection to section 43-17-32.1, a new subsection to section 44-04-17.1, a new subsection to section 44-04-18, a new subsection to section 44-04-18.7, and section 44-04-21.3 of the North Dakota Century Code, relating to open records and open meetings; to amend and reenact subsection 1 of section 6-09-35, subsections 10, 12, and 13 of section 44-04-17.1, subsections 5 and 7 of section 44-04-18, subsection 1 of section 44-08-18.1, subsection 6 of section 44-04-19.1, subsection 5 of section 44-04-19.2, and subsections 1 and 3 of section 44-04-21.2 of the North Dakota Century Code, relating to open records and open meetings; 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 48 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Nothing

Reengrossed SB 2117 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. MUTCH MOVED that the Senate do concur in the House amendments to Engrossed SB 2121 as printed on SJ page 966, which motion prevailed on a voice vote.

Engrossed SB 2121, as amended, was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

SB 2121: A BILL for an Act to amend and reenact sections 65-01-05 and 65-05-33 of the North Dakota Century Code, relating to workers' compensation fraud; to provide a penalty; 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 47 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Kringstad; Nothing

Reengrossed SB 2121 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. MUTCH MOVED that the Senate do concur in the House amendments to Engrossed SB 2144 as printed on SJ page 938, which motion prevailed on a voice vote.

Engrossed SB 2144, as amended, was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

SB 2144: A BILL for an Act to create and enact sections 26.1-26-13.1, 26.1-26-13.2, 26.1-26-13.3, 26.1-26-25.1, 26.1-26-30.1, 26.1-26-45.1, and 26.1-26-47.1 of the North Dakota Century Code, relating to the licensing of insurance producers; to amend and reenact subdivision n of subsection 1 of section 10-04-11, subsections 15, 16, and 22 of section 26.1-01-07, subsection 6 of section 26.1-02-06, section 26.1-02-24.1, subsection 3 of section 26.1-02.1-01, subdivision a of subsection 1 of section 26.1-02.1-02, subsections 2 and 3 of section 26.1-02.1-04, subsection 2 of section 26.1-03.1-08, subsection 2 of section 26.1-03.2-08, subsection 12 of section 26.1-04-03, sections 26.1-04-04, 26.1-04-05, 26.1-04-06, 26.1-04-07, 26.1-04-16, 26.1-04-17, and 26.1-05-07.2, subdivisions a and b of subsection 3 of section 26.1-06.1-04, subsection 4 of section 26.1-06.1-13, subdivision c of subsection 1 of section 26.1-06.1-21, subdivision a of subsection 3 of section 26.1-06.1-21, subdivision a of subsection 1 of section 26.1-06.1-32, subsection 1 of section 26.1-06.1-51, subsection 3 of section 26.1-08-11, sections 26.1-09-03, 26.1-09-11, and 26.1-09-13, subdivisions b and j of subsection 1 of section 26.1-10-02, subsection 9 of section 26.1-11-01, sections 26.1-11-07, 26.1-15.1-33, 26.1-16-12, 26.1-16-13, 26.1-17-23, and 26.1-17.1-15, subsection 1 of section 26.1-17.1-18, subsection 13 of section 26.1-18.1-01, subsection 2 of section 26.1-18.1-18, section 26.1-19-10, subsection 5 of section 26.1-19-14, subsection 3 of section 26.1-20.1-01, subsection 3 of section 26.1-20.1-02, subdivision b of subsection 1 of section 26.1-20.1-06, subsection 2 of section 26.1-20.1-06, subsection 1 of section 26.1-20.1-09, sections 26.1-22-21, 26.1-24-08, 26.1-24-09, 26.1-25-16, 26.1-26-01, 26.1-26-02, 26.1-26-03, 26.1-26-04, 26.1-26-05, 26.1-26-06, 26.1-26-07, 26.1-26-09, 26.1-26-10, 26.1-26-11, 26.1-26-17, 26.1-26-20, 26.1-26-25, 26.1-26-26, 26.1-26-30, 26.1-26-31, 26.1-26-31.1, 26.1-26-31.8, 26.1-26-32, 26.1-26-33, 26.1-26-34, 26.1-26-36, 26.1-26-41, 26.1-26-42, 26.1-26-43, 26.1-26-48, 26.1-26-52, 26.1-26.1-01, 26.1-26.1-02, 26.1-26.1-03, and 26.1-26.1-04, subdivision b of subsection 3 of section 26.1-26.3-01, subsections 1 and 2 of section 26.1-26.3-02, subdivision c of subsection 10 of section 26.1-26.3-03, subsection 6 of section 26.1-26.3-04, subdivision b of subsection 1 of section 26.1-26.3-06, subdivision h of subsection 1 of section 26.1-26.6-05, subsection 4 of section 26.1-27-01, sections 26.1-28-02, 26.1-28-03, 26.1-28-04, 26.1-29-26, and 26.1-30.1-01.1, subsection 4 of section 26.1-31.1-01, subsection 8 of section 26.1-33-28, subdivision b of subsection 1 of section 26.1-36-04, sections 26.1-36-40 and 26.1-36.1-09, subsection 29 of section 26.1-36.3-01, subsection 1 of section 26.1-38.1-16, subdivision d of subsection 3 of section 26.1-38.1-16, section 26.1-39-06, subsections 1 and 2 of section 26.1-39-11, subsections 2 and 3 of section 26.1-39-12, subsection 4 of section 26.1-39-16, section 26.1-39-17, subsection 1 of section 26.1-39-18, sections 26.1-39-19, 26.1-39-22, and 26.1-39-23, subsections 1 and 2 of section 26.1-40-01, section 26.1-40-07, subsections 2 and 3 of section 26.1-40-10, sections 26.1-40-11, 26.1-44-02, 26.1-44-03, 26.1-44-04, 26.1-44-05, 26.1-44-06, 26.1-44-08, and 26.1-45-04.1, paragraph 2 of subdivision a of subsection 2 of section 26.1-45-09, sections 26.1-45-11 and 26.1-45-12, subsections 3, 4, and 10 of section 26.1-46-03, subsection 8 of section 26.1-46-06, subsection 1 of section 26.1-46-08, subsection 2 of section 26.1-46-08.1, and section 26.1-46-11 of the North Dakota Century Code, relating to the licensing of insurance producers; to repeal sections 26.1-26-08, 26.1-26-12, 26.1-26-13, 26.1-26-15.1, 26.1-26-16, 26.1-26-16.1, 26.1-26-16.2, 26.1-26-18, 26.1-26-23, 26.1-26-24, 26.1-26-28, 26.1-26-29, and 26.1-26-38 of the North Dakota Century Code, relating to the licensing of insurance producers; 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 47 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjerm; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Kringstad; Nothing

Reengrossed SB 2144 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. FISCHER MOVED that the Senate do concur in the House amendments to SB 2223 as printed on SJ page 987, which motion prevailed on a voice vote.

SB 2223, as amended, was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

SB 2223: A BILL for an Act to amend and reenact sections 61-24.5-04, 61-24.5-08, and subsection 7 of section 61-35-12 of the North Dakota Century Code, relating to the board of directors of the southwest water authority and the reimbursement of water district employee expenses; and to repeal section 61-24.5-05 of the North Dakota Century Code, relating to the initial board of directors of the southwest water authority.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Kringstad; Nothing

Engrossed SB 2223 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. MUTCH MOVED that the Senate do concur in the House amendments to SB 2359 as printed on SJ page 968, which motion prevailed on a voice vote.

SB 2359, as amended, was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

SB 2359: A BILL for an Act to provide for a critical incident stress debriefing policy; and to provide an expiration date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Kringstad; Nothing

Engrossed SB 2359 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. MUTCH MOVED that the Senate do concur in the House amendments to Engrossed SB 2370 as printed on SJ page 968, which motion prevailed on a voice vote.

Engrossed SB 2370, as amended, was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

SB 2370: A BILL for an Act to provide for authorization of currency exchange businesses; 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 47 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Kringstad; Nothing

Reengrossed SB 2370 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. LEE MOVED that the Senate do concur in the House amendments to Engrossed SB 2371 as printed on SJ pages 968-969, which motion prevailed on a voice vote.

Engrossed SB 2371, as amended, was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

SB 2371: A BILL for an Act to amend and reenact sections 43-11-01, 43-11-16, and subdivisions b and c of subsection 1 of section 43-11-27 of the North Dakota Century Code, relating to skin care, cosmetology schools, and cosmetology instructors.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Kringstad; Nothing

Reengrossed SB 2371 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. NOTHING MOVED that the Senate do concur in the House amendments to Engrossed SB 2420 as printed on SJ page 987, which motion prevailed on a voice vote.

Engrossed SB 2420, as amended, was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

SB 2420: A BILL for an Act to authorize the state historical society of North Dakota to reimburse Pembina County for certain land in Pembina County; and to provide an appropriation.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Kringstad; Nothing

Reengrossed SB 2420 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. MUTCH MOVED that the Senate do concur in the House amendments to SB 2443 as printed on SJ page 816, which motion prevailed on a voice vote.

SB 2443, as amended, was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

SB 2443: A BILL for an Act to amend and reenact sections 23-06-03 and 43-10.1-02 of the North Dakota Century Code, relating to pre-need funeral service contracts.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Kringstad; Nothing

Engrossed SB 2443 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. TRAYNOR MOVED that the Senate do concur in the House amendments to Engrossed SB 2446 as printed on SJ page 833, which motion prevailed on a voice vote.

Engrossed SB 2446, as amended, was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

SB 2446: A BILL for an Act to create and enact a new subdivision to subsection 2 of section 28-32-01 of the North Dakota Century Code, relating to exclusions from the definition of administrative agency; and to amend and reenact section 12.1-32-15 of the North Dakota Century Code, relating to the registration of sexual offenders and offenders against children.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Kringstad; Nothing

Reengrossed SB 2446 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. TRAYNOR MOVED that the Senate do concur in the House amendments to Engrossed SB 2444 as printed on SJ pages 850-852, which motion prevailed on a voice vote.

Engrossed SB 2444, as amended, was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

SB 2444: A BILL for an Act to create and enact section 19-03.1-22.1, a new subsection to section 19-03.1-37, and chapter 19-03.4 of the North Dakota Century Code, relating to volatile chemicals and drug paraphernalia; to amend and reenact section 12.1-32-09,

subsection 1 of section 15.1-24-05, subsection 7 of section 19-03.1-23, section 19-03.1-23.2, subsection 6 of section 19-03.1-36, and subsection 4 of section 19-03.1-37 of the North Dakota Century Code, relating to drug offenses and enhanced sentencing; to repeal section 12.1-31-06 and chapter 12.1-31.1 of the North Dakota Century Code, relating to volatile chemicals and drug paraphernalia; to provide a penalty; 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 46 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kroepflin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Kringstad; Nething; Stenehjem

Reengrossed SB 2444 passed, the title was agreed to, and the emergency clause was declared carried.

MOTION

SEN. CHRISTMANN MOVED that SB 2082, SB 2220, SB 2427, SCR 4020, HB 1189, HB 1245, HB 1269, HB 1294, HB 1385, and HB 1457 be moved to the top of the calendar, which motion prevailed.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. KREBSBACH MOVED that the Senate do not concur in the House amendments to SB 2082 as printed on SJ page 814 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE PRESIDENT APPOINTED as a Conference Committee on SB 2082: Sens. Kilzer, Dever, C. Nelson.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. COOK MOVED that the Senate do not concur in the House amendments to Engrossed SB 2220 as printed on SJ page 967 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE PRESIDENT APPOINTED as a Conference Committee on Engrossed SB 2220: Sens. Lyson, Cook, Christenson.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. FISCHER MOVED that the Senate do not concur in the House amendments to SB 2427 as printed on SJ page 1034 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE PRESIDENT APPOINTED as a Conference Committee on SB 2427: Sens. Freborg, Fischer, Every.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. KREBSBACH MOVED that the Senate do not concur in the House amendments to Engrossed SCR 4020 as printed on SJ pages 872-873 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE PRESIDENT APPOINTED as a Conference Committee on Engrossed SCR 4020: Sens. Wardner, Dever, T. Mathern.

APPOINTMENT OF CONFERENCE COMMITTEE

SEN. STENEHJEM MOVED that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on Engrossed HB 1189, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on Engrossed HB 1189: Sens. Trenbeath, Stenehjem, O'Connell.

APPOINTMENT OF CONFERENCE COMMITTEE

SEN. STENEHJEM MOVED that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on Engrossed HB 1245, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on Engrossed HB 1245: Sens. Stenehjem, Trenbeath, O'Connell.

APPOINTMENT OF CONFERENCE COMMITTEE

SEN. FISCHER MOVED that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on Engrossed HB 1269, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on Engrossed HB 1269: Sens. Traynor, Freborg, Kelsh.

APPOINTMENT OF CONFERENCE COMMITTEE

SEN. URLACHER MOVED that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on HB 1294, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on HB 1294: Sens. Christmann, Stenehjem, Nichols.

APPOINTMENT OF CONFERENCE COMMITTEE

SEN. LEE MOVED that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on Engrossed HB 1385, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on Engrossed HB 1385: Sens. Kilzer, Lee, Polovitz.

APPOINTMENT OF CONFERENCE COMMITTEE

SEN. MUTCH MOVED that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on HB 1457, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on HB 1457: Sens. Krebsbach, Tollefson, Every.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SEN. LYSON MOVED that the conference committee report on SB 2102 as printed on SJ page 972 be adopted, which motion prevailed on a voice vote.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SEN. LEE MOVED that the conference committee report on SB 2197 as printed on SJ pages 972-973 be adopted, which motion prevailed on a voice vote.

SB 2197, as amended, was placed on the Eleventh order.

SECOND READING OF SENATE BILL

SB 2197: A BILL for an Act to amend and reenact subsection 1 of section 11-07-04 and section 44-02-05 of the North Dakota Century Code, relating to the terms of office of members of the board of county commissioners and vacancies in boards of county commissioners.

ROLL CALL

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

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem;

Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Kringstad; Kroeplin; Nething

SB 2197, as amended, passed and the title was agreed to.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SEN. FISCHER MOVED that the conference committee report on Engrossed SB 2097 as printed on SJ page 1039 be adopted, which motion prevailed on a voice vote.

Engrossed SB 2097, as amended, was placed on the Eleventh order.

SECOND READING OF SENATE BILL

SB 2097: A BILL for an Act to amend and reenact subsection 1 of section 50-24.4-23 and section 50-24.4-08 of the North Dakota Century Code, relating to reporting requirements for nursing homes.

ROLL CALL

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

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Kringstad; Kroeplin; Nething

Engrossed SB 2097, as amended, passed and the title was agreed to.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SEN. TRAYNOR MOVED that the conference committee report on Engrossed SB 2116 as printed on SJ page 1040 be adopted, which motion prevailed on a voice vote.

Engrossed SB 2116, as amended, was placed on the Eleventh order.

SECOND READING OF SENATE BILL

SB 2116: A BILL for an Act to amend and reenact section 12.1-31-03 and subsection 17 of section 27-20-02 of the North Dakota Century Code, relating to the sale of tobacco to minors; 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 41 YEAS, 5 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nichols; O'Connell; Polovitz; Robinson; Tallackson; Thane; Tollefson; Tomac; Traynor; Urlacher; Wanzek; Wardner; Watne

NAYS: Cook; Schobinger; Solberg; Stenehjem; Trenbeath

ABSENT AND NOT VOTING: Kringstad; Kroeplin; Nething

Engrossed SB 2116, as amended, passed and the title was agreed to.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SEN. KILZER MOVED that the conference committee report on Engrossed SB 2187 as printed on SJ page 1040 be adopted, which motion prevailed on a voice vote.

Engrossed SB 2187, as amended, was placed on the Eleventh order.

SECOND READING OF SENATE BILL

SB 2187: A BILL for an Act to provide for a legislative council study of trusts for individuals with disabilities.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Kringstad; Nothing

Engrossed SB 2187, as amended, passed and the title was agreed to.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SEN. WATNE MOVED that the conference committee report on Engrossed SB 2226 as printed on SJ page 1041 be adopted, which motion prevailed on a voice vote.

Engrossed SB 2226, as amended, was placed on the Eleventh order.

SECOND READING OF SENATE BILL

SB 2226: A BILL for an Act to amend and reenact sections 34-01-20 and 34-11.1-04 of the North Dakota Century Code, relating to prohibited employer retaliation for employee reporting of violations of laws, ordinances, or regulations.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Kringstad; Nothing

Engrossed SB 2226, as amended, passed and the title was agreed to.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SEN. WATNE MOVED that the conference committee report on Engrossed SB 2384 as printed on SJ pages 1041-1042 be adopted, which motion prevailed on a voice vote.

Engrossed SB 2384, as amended, was placed on the Eleventh order.

SECOND READING OF SENATE BILL

SB 2384: A BILL for an Act to amend and reenact sections 14-09-22 and 50-25.1-11 of the North Dakota Century Code, relating to child abuse and neglect and to authorized disclosures of confidential records.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg;

Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Kringstad; Nothing

Engrossed SB 2384, as amended, passed and the title was agreed to.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SEN. FLAKOLL MOVED that the conference committee report on Reengrossed HB 1182 as printed on SJ page 1042 be adopted, which motion prevailed on a voice vote.

Reengrossed HB 1182 was placed on the Fourteenth order.

SECOND READING OF HOUSE BILL

HB 1182: A BILL for an Act to amend and reenact section 49-21-01.1 of the North Dakota Century Code, relating to the definition of telecommunications service for purposes of telecommunications regulation.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 37 YEAS, 10 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; Christmann; Cook; Dever; Erbele; Espegard; Fischer; Flakoll; Freborg; Grindberg; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Lee; Lyson; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nichols; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

NAYS: Bercier; Christenson; Every; Heitkamp; Kroeplin; Lindaas; Mathern, D.; O'Connell; Tollefson; Tomac

ABSENT AND NOT VOTING: Kringstad; Nothing

Reengrossed HB 1182 passed and the title was agreed to.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SEN. KLEIN MOVED that the conference committee report on Engrossed HB 1226 as printed on SJ page 1042 be adopted, which motion prevailed on a voice vote.

Engrossed HB 1226 was placed on the Fourteenth order.

SECOND READING OF HOUSE BILL

HB 1226: A BILL for an Act to create and enact a new section to chapter 26.1-36 of the North Dakota Century Code, relating to providing basic health insurance coverage for individuals and small employers.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 30 YEAS, 17 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; Christmann; Cook; Dever; Erbele; Espegard; Fischer; Flakoll; Freborg; Grindberg; Holmberg; Kilzer; Klein; Krebsbach; Lee; Lyson; Mutch; Nelson, G.; Schobinger; Solberg; Stenehjem; Thane; Tollefson; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

NAYS: Bercier; Christenson; Every; Heitkamp; Kelsh; Krauter; Kroeplin; Lindaas; Mathern, D.; Mathern, T.; Nelson, C.; Nichols; O'Connell; Polovitz; Robinson; Tallackson; Tomac

ABSENT AND NOT VOTING: Kringstad; Nothing

Engrossed HB 1226 passed and the title was agreed to.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SEN. LYSON MOVED that the conference committee report on Engrossed HB 1363 as printed on SJ pages 1042-1043 be adopted, which motion prevailed on a voice vote.

Engrossed HB 1363, as amended, was placed on the Fourteenth order.

SECOND READING OF HOUSE BILL

HB 1363: A BILL for an Act to create and enact a new subsection to section 12.1-17-01 of the North Dakota Century Code, relating to a mandatory assessment process for simple assault in domestic violence cases; to amend and reenact subsection 2 of section 12.1-17-01 and subsection 1 of section 12.1-32-01 of the North Dakota Century Code, relating to the penalty for assault in a domestic violence case and supervision of probation; 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 47 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Kringstad; Nothing

Engrossed HB 1363, as amended, passed and the title was agreed to.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SEN. TRENBEATH MOVED that the conference committee report on Engrossed HB 1398 as printed on SJ page 1043 be adopted, which motion prevailed on a voice vote.

Engrossed HB 1398, as amended, was placed on the Fourteenth order.

SECOND READING OF HOUSE BILL

HB 1398: A BILL for an Act to create and enact a new section to chapter 12-44.1 of the North Dakota Century Code, relating to correctional facility files and records.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 46 YEAS, 1 NAY, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mutch; Nelson, C.; Nelson, G.; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

NAYS: Mathern, T.

ABSENT AND NOT VOTING: Kringstad; Nothing

Engrossed HB 1398, as amended, passed and the title was agreed to.

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)

MR. PRESIDENT: The Speaker has signed and your signature is respectfully requested on: HB 1032, HB 1046, HB 1216, HB 1218, HB 1234, HB 1259, HB 1282, HB 1350, HB 1391, HB 1401, HB 1406, HB 1417, HB 1431, HB 1465.

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)

MR. PRESIDENT: The Speaker has signed: SB 2190, SB 2252, SB 2298, SCR 4001, SCR 4003, SCR 4004, SCR 4005, SCR 4014, SCR 4022, SCR 4024, SCR 4027, SCR 4029, SCR 4031, SCR 4032, SCR 4033, SCR 4034, SCR 4042, SCR 4045.

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)
MR. PRESIDENT: The Speaker has signed: SB 2081, SB 2091, SB 2143, SB 2163, SB 2180, SB 2290, SB 2383.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SCR 4049.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has passed unchanged: HB 1065, HB 1210, HB 1318, HCR 3016, HCR 3035, HCR 3042.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has amended and subsequently passed: HB 1025, HB 1160, HB 1215, HB 1321, HB 1386, HB 1400.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has failed to pass: HCR 3007, HCR 3045.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has amended and subsequently failed: HB 1272.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has concurred in the House amendments and subsequently passed: SB 2114, SB 2117, SB 2121, SB 2144, SB 2223, SB 2359, SB 2370, and SB 2371.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has concurred in the House amendments and subsequently passed: SB 2420, SB 2443, and SB 2446.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has concurred in the House amendments and subsequently passed: SB 2444.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has adopted the conference committee report on: SB 2102.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has adopted the conference committee report and subsequently passed: SB 2097, SB 2116, SB 2187, SB 2197, SB 2226, SB 2384.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has adopted the conference committee report and subsequently passed: HB 1182, HB 1226, HB 1363, HB 1398.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The President has appointed as a conference committee to act with a like committee from the House on:

HB 1189: Sens. Trenbeath; Stenehjem; O'Connell

HB 1245: Sens. Stenehjem; Trenbeath; O'Connell

HB 1269: Sens. Traynor; Freborg; Kelsh

HB 1294: Sens. Christmann; Stenehjem; Nichols

HB 1385: Sens. Kilzer; Lee; Polovitz

HB 1457: Sens. Krebsbach; Tollefson; Every

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate does not concur in the House amendments to SB 2082, SB 2220, SB 2427, and SCR 4020 and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2082: Sens. Kilzer; Dever; C. Nelson

SB 2220: Sens. Lyson; Cook; Christenson

SB 2427: Sens. Freborg; Fischer; Every

SCR4020: Sens. Wardner; Dever; T. Mathern

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)
MR. PRESIDENT: The House has passed unchanged: SB 2005, SB 2006, SB 2010, SB 2113, SB 2264, SB 2297, SB 2342, SCR 4048.

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)
MR. PRESIDENT: The House has amended, subsequently passed, and the emergency clause carried: SB 2001, SB 2090.

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2001

Page 1, line 15, replace "450,800" with "350,800"

Page 1, line 17, replace "9,170,163" with "9,070,163"

Page 1, line 22, replace "183,300" with "148,300"

Page 2, line 1, replace "7,208,402" with "7,173,402"

Page 2, line 2, replace "16,378,565" with "16,243,565"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2001 - Summary of House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Legislative Assembly				
Total all funds	\$9,170,163	\$9,170,163	(\$100,000)	\$9,070,163
Less estimated income				
General fund	\$9,170,163	\$9,170,163	(\$100,000)	\$9,070,163
Legislative Council				
Total all funds	\$7,208,402	\$7,208,402	(\$35,000)	\$7,173,402
Less estimated income				
General fund	\$7,208,402	\$7,208,402	(\$35,000)	\$7,173,402
Bill Total				
Total all funds	\$16,378,565	\$16,378,565	(\$135,000)	\$16,243,565
Less estimated income				
General fund	\$16,378,565	\$16,378,565	(\$135,000)	\$16,243,565

Senate Bill No. 2001 - Legislative Assembly - House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$5,566,499	\$5,566,499		\$5,566,499
Operating expenses	2,987,567	2,987,567		2,987,567
Equipment	450,800	450,800	(\$100,000)	350,800
National Conference of State Legislatures	165,297	165,297		165,297
Total all funds	\$9,170,163	\$9,170,163	(\$100,000)	\$9,070,163
Less estimated income				
General fund	\$9,170,163	\$9,170,163	(\$100,000)	\$9,070,163
FTE	0.00	0.00	0.00	0.00

Dept. 150 - Legislative Assembly - Detail of House Changes

	REDUCE EQUIPMENT	TOTAL HOUSE CHANGES
Salaries and wages		
Operating expenses		
Equipment	(\$100,000)	(\$100,000)
National Conference of State Legislatures		
Total all funds	(\$100,000)	(\$100,000)
Less estimated income		
General fund	(\$100,000)	(\$100,000)
FTE	0.00	0.00

Senate Bill No. 2001 - Legislative Council - House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$4,594,446	\$4,594,446		\$4,594,446
Operating expenses	2,190,656	2,190,656		2,190,656

Equipment	183,300	183,300	(\$35,000)	148,300
Information technology program	240,000	240,000		240,000
Total all funds	\$7,208,402	\$7,208,402	(\$35,000)	\$7,173,402
Less estimated income				
General fund	\$7,208,402	\$7,208,402	(\$35,000)	\$7,173,402
FTE	33.00	33.00	0.00	33.00

Dept. 160 - Legislative Council - Detail of House Changes

	REDUCE EQUIPMENT	TOTAL HOUSE CHANGES
Salaries and wages		
Operating expenses		
Equipment	(\$35,000)	(\$35,000)
Information technology program		
Total all funds	(\$35,000)	(\$35,000)
Less estimated income		
General fund	(\$35,000)	(\$35,000)
FTE	0.00	0.00

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2090

Page 1, line 11, after the semicolon insert "to direct the securities commissioner to review policies and procedures regarding financing for North Dakota companies and to report to the legislative council;"

Page 22, after line 2, insert:

"SECTION 15. SECURITIES COMMISSIONER REVIEW OF POLICIES AND PROCEDURES. During the 2001-02 interim, the securities commissioner shall conduct a review of policies and procedures relating to access to capital for North Dakota companies, with the goal of increasing North Dakota companies' access to capital investment. Before August 1, 2002, the securities commissioner shall report the commissioner's findings and any recommendations to the legislative council."

Page 22, line 3, replace "Section" with "Sections 6 and" and replace "is" with "are"

Re-number accordingly

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)
MR. PRESIDENT: The House has amended, subsequently passed, and the emergency clause carried: SB 2403.

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2403

Page 1, line 8, after "with" insert ", or in lieu of,"

Re-number accordingly

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2403

In addition to the amendments adopted by the House as printed on page 964 of the House Journal, Engrossed Senate Bill No. 2403 is amended as follows:

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

Page 1, after line 11, insert:

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

Re-number accordingly

STATEMENT OF PURPOSE OF AMENDMENT:**Dept. 327 - Department of Human Services - House Action**

This amendment adds an emergency clause.

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)
MR. PRESIDENT: The House has amended and subsequently passed: SB 2162.

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2162

Page 5, line 9, after the underscored comma insert "which are not reversed on appeal,"

Renumber accordingly

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2162

In addition to the amendments adopted by the House as printed on page 961 of the House Journal, Senate Bill No. 2162 is further amended as follows:

Page 1, line 2, remove "and 43-42-07"

Page 1, line 3, remove "; and to provide a penalty"

Page 7, remove lines 10 through 17

Renumber accordingly

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)

MR. PRESIDENT: The House has amended and subsequently passed: SB 2337, SB 2379.

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2379

Page 1, line 7, replace "seven" with "eight"

Page 1, line 8, after the first "representative" insert "; the agriculture commissioner or the commissioner's representative"

Renumber accordingly

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2379

In addition to the amendments adopted by the House as printed on page 964 of the House Journal, Engrossed Senate Bill No. 2379 is amended as follows:

Page 2, after line 13, insert:

- "5. The board may impose a fee of not more than one thousand dollars per project for review and assistance provided for the project. Fees collected under this section must be deposited in the operating fund of the department of economic development and finance and may be expended for expenses of members of the board and the financing advisory group for review and assistance provided for the project."

Renumber accordingly

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2337

Page 3, remove lines 9 and 10

Page 3, line 11, replace "e" with "d"

Page 3, line 15, replace "f" with "e"

Page 3, line 19, replace "g" with "f"

Page 3, line 22, replace "h" with "g"

Renumber accordingly

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2337

In addition to the amendments adopted by the House as printed on pages 984 and 985 of the House Journal, Engrossed Senate Bill No. 2337 is further amended as follows:

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

Page 3, line 24, after the period insert "To qualify, the employer must have and maintain at least fifty full-time employees."

4."

Page 3, line 29, replace "4" with "5"

Page 4, line 3, replace "5" with "6"

Page 4, line 10, replace "6" with "7"

Page 4, line 13, replace "7" with "8"

Page 4, line 17, replace "8" with "9"

Page 4, line 28, replace "6" with "7"

Page 4, line 29, replace "9" with "10"

Page 7, after line 10, insert:

"SECTION 2. EXPIRATION DATE. This Act is effective through June 30, 2003, and after that date is ineffective."

Re-number accordingly

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)
MR. PRESIDENT: The House has amended and subsequently passed: SB 2002, SB 2008, SB 2013, SB 2033, SB 2124, SB 2150, SB 2328, SB 2373.

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2150

Page 13, line 14, after "compensation" insert "and all offers received including the name of the settlement provider making the offer"

Re-number accordingly

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2373

In lieu of the amendments adopted by the House as printed on page 964 of the House Journal, Senate Bill No. 2373 is amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new subdivision to subsection 1 of section 14-09-09.7 of the North Dakota Century Code, relating to income determination for child support; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new subdivision to subsection 1 of section 14-09-09.7 of the 1999 Supplement to the North Dakota Century Code is created and enacted as follows:

Authorize a rebuttal of the presumption provided in subsection 3 in cases of atypical overtime wages or nonrecurring bonuses over which the obligor does not have significant influence or control.

SECTION 2. EFFECTIVE DATE. This Act is effective on the earlier of August 1, 2003, or the date the department of human services certifies to the legislative council as the effective date of guidelines adopted which implement section 1 of this Act, as provided by subsection 4 of section 14-09-09.7."

Re-number accordingly

HOUSE AMENDMENTS TO REENGROSSED SENATE BILL NO. 2033

Page 1, line 4, remove "and"

Page 1, line 6, after "use" insert "; and to provide for an application date"

Page 3, line 9, after "57-38" insert "and includes a partnership, subchapter S corporation, limited partnership, limited liability company, or any other passthrough entity"

Page 6, line 24, after "investment" insert "If the cost of a new business purchase or expansion of an existing business, approved as a zone project, exceeds seventy-five thousand dollars, and the business is located in a city with a population of not more than two thousand five hundred, an individual taxpayer may, in lieu of the exemption provided in subsection 2, elect to take an income tax exemption of up to two thousand dollars of personal income tax liability as determined under section 57-38-29 or 57-38-30.3. The

election must be made on the taxpayer's zone project application. The election is irrevocable and binding for the duration of the exemptions provided in subsection 2 or 3. If no election is made on the zone project application, the taxpayer is only eligible for the exemption provided in subsection 2" and remove the overstrike over the period

Page 6, line 25, remove the overstrike over "4."

Page 7, line 7, replace "on improvements made" with "rehabilitated"

Page 7, line 23, after "year" insert ", up to a maximum of two hundred fifty thousand dollars"

Page 7, line 25, remove "up to a maximum of two hundred fifty thousand dollars"

Page 8, line 11, after "cities" insert "and to make investments in businesses within a city's zone"

Page 8, line 12, overstrike "zone"

Page 8, line 13, overstrike ", including projects"

Page 8, after line 17, insert:

"3. A renaissance fund organization that is established by a city may provide financing to businesses within the city's zone and may provide financing to zone-approved projects throughout the state."

Page 8, line 18, remove the overstrike over "4." and remove "3."

Page 8, line 19, after the period insert "An exemption under this section may be passed through to any shareholder, partner, and owner if the renaissance fund organization is a passthrough entity for tax purposes."

Page 8, line 25, remove the overstrike over "5." and remove "4."

Page 9, line 1, remove the overstrike over "6." and remove "5."

Page 9, line 4, remove the overstrike over "7." and remove "6."

Page 9, line 11, remove the overstrike over "8." and remove "7."

Page 9, line 14, remove the overstrike over "9." and remove "8."

Page 9, line 22, remove the overstrike over "40." and remove "9."

Page 10, after line 26, insert:

"SECTION 12. APPLICATION. Sections 4 and 5 of this Act apply to zone projects approved after December 31, 1999, and section 6 of this Act applies to zone projects approved after July 31, 2001."

Re-number accordingly

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2124

In lieu of the amendments adopted by the House as printed on page 982 of the House Journal, Engrossed Senate Bill No. 2124 is amended as follows:

Page 1, line 1, replace the second "and" with a comma

Page 1, line 2, after "23-25-03" insert ", and a new subsection to section 23-25-05"

Page 1, line 3, remove "and subsection 1 of"

Page 1, line 4, remove "section 23-25-05"

Page 2, line 18, after "fees" insert ", not to exceed one hundred dollars for each contractor,"

Page 2, line 20, after "fees" insert ", not to exceed twenty-five dollars for each worker,"

Page 3, line 1, replace "**AMENDMENT.** Subsection 1 of" with "A new subsection to"

Page 3, line 2, replace "amended and reenacted" with "created and enacted"

Page 3, replace lines 3 through 9 with:

"For the purpose of ascertaining the state of compliance with this chapter and any applicable rules, any duly authorized officer, employee, or agent of the department may enter and inspect, at any reasonable time, any property, premises, or place on or at which a lead-based paint remediation activity is ongoing. If requested, the department shall provide to the owner or operator of the premises a report that sets forth all facts found which relate to compliance status."

Page 3, line 10, remove "out of any moneys in the"

Page 3, remove line 11

Page 3, line 12, remove "of the sum as may be necessary, and"

ReNUMBER accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Dept. 301 - Department of Health - House Action

The amendment removes the general fund appropriation and establishes the maximum annual fees and renewal fees for asbestos and lead-based paint contractors (\$100) and examination fees for workers (\$25).

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2002

Page 1, line 15, replace "5,637,102" with "5,682,466"

Page 1, line 16, replace "1,645,411" with "1,583,678"

Page 1, line 19, replace "7,644,832" with "7,628,463"

Page 1, line 22, replace "24,953,025" with "25,181,658"

Page 1, line 23, replace "10,216,933" with "10,004,669"

Page 2, line 4, replace "37,043,489" with "37,059,858"

Page 2, line 6, replace "35,849,418" with "35,865,787"

Page 3, line 20, replace "ninety-one" with "ninety-three", after "~~eight~~" insert "five", and remove the overstrike over "~~hundred~~"

Page 3, line 21, replace "ninety-six" with "one hundred one"

Page 3, line 29, replace "eighty-four" with "eighty-five", after "~~three~~" insert "five", and remove the overstrike over "~~hundred~~"

Page 3, line 30, replace "eighty-nine" with "ninety-two"

ReNUMBER accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2002 - Summary of House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Supreme Court				
Total all funds	\$7,667,669	\$7,644,832	(\$16,369)	\$7,628,463
Less estimated income				
General fund	\$7,667,669	\$7,644,832	(\$16,369)	\$7,628,463
District Courts				
Total all funds	\$37,234,414	\$37,043,489	\$16,369	\$37,059,858
Less estimated income	1,194,071	1,194,071		1,194,071
General fund	\$36,040,343	\$35,849,418	\$16,369	\$35,865,787
Judicial Conduct Commission				
Total all funds	\$528,262	\$528,262	\$0	\$528,262

Less estimated income	273,750	273,750		273,750
General fund	\$254,512	\$254,512	\$0	\$254,512
Clerk of District Court				
Total all funds	\$11,493,326	\$10,854,353	\$0	\$10,854,353
Less estimated income	750,000	750,000		750,000
General fund	\$10,743,326	\$10,104,353	\$0	\$10,104,353
Bill Total				
Total all funds	\$56,923,671	\$56,070,936	\$0	\$56,070,936
Less estimated income	2,217,821	2,217,821		2,217,821
General fund	\$54,705,850	\$53,853,115	\$0	\$53,853,115

Senate Bill No. 2002 - Supreme Court - House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$5,659,939	\$5,637,102	\$45,364	\$5,682,466
Operating expenses	1,645,411	1,645,411	(61,733)	1,583,678
Equipment	153,250	153,250		153,250
Judges' retirement	<u>209,069</u>	<u>209,069</u>		<u>209,069</u>
Total all funds	\$7,667,669	\$7,644,832	(\$16,369)	\$7,628,463
Less estimated income				
General fund	\$7,667,669	\$7,644,832	(\$16,369)	\$7,628,463
FTE	44.50	44.50	0.00	44.50

Dept. 181 - Supreme Court - Detail of House Changes

	INCREASE FUNDING FOR JUDGES' SALARY INCREASES ¹	DECREASE FUNDING FOR OPERATING EXPENSES ²	TOTAL HOUSE CHANGES
Salaries and wages	\$45,364		\$45,364
Operating expenses		(\$61,733)	(61,733)
Equipment			
Judges' retirement			
Total all funds	\$45,364	(\$61,733)	(\$16,369)
Less estimated income			
General fund	\$45,364	(\$61,733)	(\$16,369)
FTE	0.00	0.00	0.00

¹ This amendment provides additional funding for Supreme Court justices' salaries of \$2,500 per year above the Senate level which results in total salary increases of approximately nine percent for the first year of the biennium and eight percent for the second year of the biennium.

² The reduction in operating expenses relates to funds which were originally anticipated to be used for an enhanced records management project.

Senate Bill No. 2002 - District Courts - House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$25,143,950	\$24,953,025	\$228,633	\$25,181,658
Operating expenses	10,216,933	10,216,933	(212,264)	10,004,669
Equipment	875,150	875,150		875,150
Judges' retirement	878,381	878,381		878,381
UND - Central legal research	80,000	80,000		80,000
Alternative dispute resolution	<u>40,000</u>	<u>40,000</u>		<u>40,000</u>
Total all funds	\$37,234,414	\$37,043,489	\$16,369	\$37,059,858
Less estimated income	<u>1,194,071</u>	<u>1,194,071</u>		<u>1,194,071</u>
General fund	\$36,040,343	\$35,849,418	\$16,369	\$35,865,787
FTE	191.50	191.50	0.00	191.50

Dept. 182 - District Courts - Detail of House changes

	INCREASE FUNDING FOR JUDGES' SALARY INCREASES ¹	DECREASE FUNDING FOR OPERATING EXPENSES ²	TOTAL HOUSE CHANGES
Salaries and wages	\$228,633		\$228,633
Operating expenses		(\$212,264)	(212,264)
Equipment			
Judges' retirement			
UND - Central legal research			
Alternative dispute resolution			
Total all funds	\$228,633	(\$212,264)	\$16,369

Less estimated income			
General fund	\$228,633	(\$212,264)	\$16,369
FTE	0.00	0.00	0.00

¹ This amendment provides additional funding for district court judges of \$1,500 per year above the Senate level which results in total salary increases of approximately eight percent for the first and second year of the biennium.

² The reduction in operating expenses relates to funds which were originally anticipated to be used for an enhanced records management project.

Senate Bill No. 2002 - Other Changes - House Action

The following schedule provides information regarding Supreme Court and district court judges' salaries including current salaries, salaries proposed in the judicial branch budget request, salaries proposed in Engrossed Senate Bill No. 2002, and salaries proposed in the amendment:

	SUPREME COURT CHIEF JUSTICE	OTHER SUPREME COURT JUSTICES	DISTRICT COURT PRESIDING JUDGES	OTHER DISTRICT COURT JUDGES
Statutory annual salary authorized by the 1999 Legislative Assembly July 1, 2000	\$87,895	\$85,483	\$80,755	\$78,887
Proposed annual salary included in the 2001-03 judicial branch budget request				
July 1, 2001	\$97,570	\$94,727	\$90,043	\$87,422
July 1, 2002	\$99,521	\$96,622	\$91,843	\$89,171
Proposed annual salary included in Engrossed Senate Bill No. 2002				
July 1, 2001	\$93,608	\$91,039	\$86,004	\$84,015
July 1, 2002	\$99,521	\$96,622	\$91,843	\$89,171
Proposed annual salary included in proposed amendment				
July 1, 2001	\$96,108	\$93,539	\$87,504	\$85,515
July 1, 2002	\$104,521	\$101,622	\$94,843	\$92,171

HOUSE AMENDMENTS TO SENATE BILL NO. 2008

Page 1, line 10, replace "2,707,820" with "2,800,996"

Page 1, line 11, replace "701,818" with "742,786"

Page 1, line 12, replace "48,700" with "52,700"

Page 1, line 14, replace "3,478,338" with "3,616,482"

ReNUMBER accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2008 - Banking and Financial Institutions - House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$2,708,878	\$2,707,820	\$93,176	\$2,800,996
Operating expenses	701,818	701,818	40,968	742,786
Equipment	48,700	48,700	4,000	52,700
Contingency	<u>20,000</u>	<u>20,000</u>		<u>20,000</u>
Total all funds	\$3,479,396	\$3,478,338	\$138,144	\$3,616,482
Less estimated income	<u>3,479,396</u>	<u>3,478,338</u>	<u>138,144</u>	<u>3,616,482</u>
General fund	\$0	\$0	\$0	\$0
FTE	23.00	23.00	1.00	24.00

Dept. 413 - Banking and Financial Institutions - Detail of House Changes

	ADD FTE AND RELATED FUNDING FOR HB 1273 ¹	TOTAL HOUSE CHANGES
Salaries and wages	\$93,176	\$93,176
Operating expenses	40,968	40,968
Equipment	4,000	4,000
Contingency		
Total all funds	\$138,144	\$138,144
Less estimated income	<u>138,144</u>	<u>138,144</u>

General fund	\$0	\$0
FTE	1.00	1.00

¹ House Bill No. 1273 provides for the licensing and regulation of deferred presentment service providers by the Department of Banking and Financial Institutions. The fiscal note indicates that as a result of the bill, the department will collect additional revenue of \$61,978 per biennium, but will incur additional costs of \$138,144 per biennium.

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2013

Page 1, replace lines 23 and 24 with:

"SECTION 4. DISTRIBUTIONS TO STATE INSTITUTIONS. Notwithstanding section 15-03-05.2, during the biennium beginning July 1, 2001, and ending June 30, 2003, the board of university and school lands shall distribute the following amounts, or so much income as may be available, from the permanent funds managed for the benefit of the following entities:

North Dakota state university	\$1,330,974
University of North Dakota	995,011
Youth correctional center	502,823
School for the deaf	465,000
North Dakota state college of science	392,994
State hospital	374,856
Veterans' home	320,000
Valley City state university	310,199
School for the blind	290,000
Mayville state university	217,891
Minot state university - Bottineau	38,900
Dickinson state university	38,864
Minot state university	<u>38,850</u>
Total	\$5,316,362"

Page 2, remove lines 1 through 5

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Dept. 226 - Land Department - House Action

This amendment removes Section 4 of the engrossed bill, which provided legislative intent that during the 2001-03 biennium, the Land Department sell all parcels of land not producing a profit for the trust funds managed by the department.

This amendment adds a new section to specify the maximum permanent fund distributions to various state agencies for the 2001-03 biennium. The amounts specified are the amounts included in the executive budget recommendation. This section provides that 2001-03 biennium distributions are not subject to North Dakota Century Code Section 15-03-05.2, which prohibits the retention of income for future distributions if the result would be a reduction in income distributed to the trust fund beneficiary from the amount distributed the previous year.

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2328

Page 1, line 1, after the comma insert "a new section to chapter 57-15, a new section to chapter 58-01,"

Page 1, line 3, after "to" insert "the definition of the term freeholder of a township, the relevy of property taxes omitted by mistake, and to the" and after "townships" insert "; to provide for retroactive application; and to provide an expiration date"

Page 1, line 8, replace "3" with "5"

Page 1, after line 8, insert:

"SECTION 2. A new section to chapter 57-15 of the North Dakota Century Code is created and enacted as follows:

Mistake in levy - Levy increase the following year - Levy reverts.

1. Notwithstanding sections 57-15-01.1 and 57-15-14, if a mistake occurred in the 2000 tax year which would result in ten percent or more of the amount a taxing district intended to be levied, as of the October tenth deadline

under section 57-15-31.1, not being levied and the mistake is brought to the attention of the county auditor or county treasurer of any county with land in the taxing district by February 1, 2001, the taxing district may include half of the amount which was mistakenly not levied in the taxing district's budget and general fund levy for the 2001 tax year, and the other half that was mistakenly not levied in the taxing district's budget and general fund for the 2002 tax year.

2. If the resulting general fund levy for the 2001 or 2002 tax year is above one hundred eighty-five mills, the taxing district need not comply with chapter 57-16.
3. After the 2002 tax year, the taxing district's general fund levy must revert to the general fund levy for the 1999 tax year plus any increase authorized by law.
4. The 2001 and 2002 taxable years may not be used as a "base year" under section 57-15-01.1, and may not be considered a "prior school year" under section 57-15-14.

SECTION 3. A new section to chapter 58-01 of the North Dakota Century Code is created and enacted as follows:

Freeholder defined. As used in this title, unless the context or subject matter requires otherwise, "freeholder" means the legal title owner of the surface estate in real property."

Page 1, line 11, replace "3" with "5"

Page 1, line 19, replace "written notice" with "petition" and replace "freeholder electors" with "freeholders"

Page 2, line 7, after "supervisors" insert "shall provide thirty days' written notice by first-class mail to each freeholder within the improvement district at the address shown on the records of the county treasurer and"

Page 2, line 10, replace "**Protest bar to**" with "**Election for**"

Page 2, line 11, replace "freeholder electors" with "freeholders"

Page 2, line 13, replace "township freeholder electors voting on the question" with "votes cast" and after "meeting" insert "or votes filed with the township clerk within fifteen days after the meeting"

Page 2, line 14, after the period insert "A freeholder affected by the project is entitled to one vote for each dollar of the proposed special assessment against the freeholder's property within the proposed improvement district. If there is more than one owner of a parcel of property, the votes available for the parcel must be prorated among the owners in accordance with each owner's percentage interest in the property." and replace "township freeholder" with "the votes cast or filed"

Page 2, line 15, remove "electors voting"

Page 2, line 24, replace "**Invalid or insufficient protest**" with "**Election approval of project**", replace "**Tax**" with "**Assessment**", and replace "protests presented are found to be" with "election under this chapter results in approval of a project"

Page 2, line 25, remove "insufficient or invalid"

Page 2, after line 26, insert:

"Appeal notice - Special meeting - Assessment determination - Limitations.

Any aggrieved freeholder may appeal the special assessment against the freeholder's real property by providing the township clerk a written notice of appeal, stating the grounds upon which the appeal is based, within twenty days after the special township meeting. The clerk shall notify the township board of supervisors of the appeal and schedule a special meeting to hear the appeals by publishing a notice of the special meeting at least ten days before the meeting in a legal newspaper published in the township or, if no such newspaper exists, in the county's official newspaper. Any aggrieved freeholder who submitted an appeal may be heard and may present reasons

to change the freeholder's assessment at the special meeting. The board of township supervisors may hear the appeals and reasons and may increase or diminish any of the assessments as it may deem just, providing that the total amount of the assessments may not be changed and an assessment as adjusted may not exceed the benefits to the parcel of land on which it is assessed.

SECTION 6. RETROACTIVE APPLICATION OF ACT. Section 2 of this Act applies retroactively to cases arising after December 31, 1999.

SECTION 7. EXPIRATION DATE. Section 2 of this Act is effective through the 2005 tax year and after that date is ineffective."

Renumber accordingly

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)

MR. PRESIDENT: The House has concurred in the Senate amendments and subsequently passed: HCR 3039.

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)

MR. PRESIDENT: The House has concurred in the Senate amendments and subsequently passed: HB 1115, HB 1233, HB 1251, HB 1358, HB 1371, HB 1377, HB 1426, and HB 1456.

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)

MR. PRESIDENT: The House does not concur in the Senate amendments to HB 1435 and HB 1462 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1435: Reps. DeKrey; Grande; Eckre

HB 1462: Reps. Porter; F. Klein; Cleary

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)

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

SB 2118: Reps. Kretschmar; Wrangham; Delmore

SB 2181: Reps. Drovdal; Clark; Winrich

SB 2365: Reps. Disrud; Brekke; Fairfield

SB 2455: Reps. Carlson; Rennerfeldt; S. Kelsh

MOTION

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

MOTION

SEN. CHRISTMANN MOVED that the Senate be on the Fourth, Fifth, and Seventh orders of business and at the conclusion of those orders, the Senate stand adjourned until 1:00 p.m., Monday, April 2, 2001, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1007, as engrossed: Appropriations Committee (Sen. Nething, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1007 was placed on the Sixth order on the calendar.

Page 1, line 9, replace "835,477" with "907,581"

Page 1, line 10, replace "146,179" with "154,199"

Page 1, line 11, replace "13,622" with "16,604"

Page 1, line 12, replace "995,278" with "1,078,384"

Page 1, line 14, replace "765,316" with "848,422"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1007 - Labor Commissioner - Senate Action

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$911,552	\$835,477	\$72,104	\$907,581
Operating expenses	146,179	146,179	8,020	154,199
Equipment	<u>13,622</u>	<u>13,622</u>	<u>2,982</u>	<u>16,604</u>
Total all funds	\$1,071,353	\$995,278	\$83,106	\$1,078,384
Less estimated income	<u>229,962</u>	<u>229,962</u>		<u>229,962</u>
General fund	\$841,391	\$765,316	\$83,106	\$848,422
FTE	10.00	9.00	1.00	10.00

Dept. 406 - Labor Commissioner - Detail of Senate Changes

	PROVIDE FUNDING FOR ADDITIONAL AGENCY RESPONSIBILITIES ¹	TOTAL SENATE CHANGES
Salaries and wages	\$72,104	\$72,104
Operating expenses	8,020	8,020
Equipment	<u>2,982</u>	<u>2,982</u>
Total all funds	\$83,106	\$83,106
Less estimated income		
General fund	\$83,106	\$83,106
FTE	1.00	1.00

¹ This amendment provides additional funding of \$83,106 from the general fund and 1 new FTE to the Labor Commissioner for investigating human rights complaints and for providing administrative hearings on discrimination complaints.

REPORT OF STANDING COMMITTEE

HB 1008, as engrossed: Appropriations Committee (Sen. Nething, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1008 was placed on the Sixth order on the calendar.

Page 1, line 2, remove the first "and"

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

Page 1, line 12, replace "1,185,662" with "1,152,662"

Page 1, line 16, replace "9,614,438" with "9,581,438"

Page 1, line 18, replace "3,890,005" with "3,857,005"

Page 2, after line 4, insert:

"SECTION 3. APPROPRIATION. There is appropriated from federal funds the sum of \$27,560, or so much of the sum as may be necessary, to the public service commission for the "one-call" call before you dig program, for the period beginning with the effective date of this section and ending June 30, 2001.

SECTION 4. EMERGENCY. Section 3 of this Act is declared to be an emergency measure."

ReNUMBER accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1008 - Public Service Commission - Senate Action

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$4,755,198	\$4,634,173		\$4,634,173
Operating expenses	1,182,662	1,185,662	(\$33,000)	1,152,662
Equipment	86,961	86,961		86,961
Grants	39,150	39,150		39,150
AML contractual services	<u>3,668,492</u>	<u>3,668,492</u>		<u>3,668,492</u>
Total all funds	\$9,732,463	\$9,614,438	(\$33,000)	\$9,581,438
Less estimated income	<u>5,842,274</u>	<u>5,724,433</u>		<u>5,724,433</u>

General fund	\$3,890,189	\$3,890,005	(\$33,000)	\$3,857,005
FTE	42.00	41.00	0.00	41.00

Dept. 408 - Public Service Commission - Detail of Senate Changes

	REMOVE FUNDING FOR RAILROAD LITIGATION ¹	TOTAL SENATE CHANGES
Salaries and wages		
Operating expenses	(\$33,000)	(\$33,000)
Equipment		
Grants		
AML contractual services		
Total all funds	(\$33,000)	(\$33,000)
Less estimated income		
General fund	(\$33,000)	(\$33,000)
FTE	0.00	0.00

¹ Removes the funding for railroad litigation, which was added in the House.

This amendment provides an appropriation for the 1999-2001 biennium of \$27,560 of federal funds to the Public Service Commission for the "one call" call before you dig program.

REPORT OF STANDING COMMITTEE

HB 1010, as engrossed: Appropriations Committee (Sen. Nething, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1010 was placed on the Sixth order on the calendar.

Page 1, line 14, replace "1,627,196" with "1,637,196"

Page 1, line 16, replace "Less estimated income" with "Total special funds appropriation" and replace "6,260,398" with "6,270,398"

Page 1, line 18, after "DEPARTMENTS" insert "AND NORTH DAKOTA FIREMEN'S ASSOCIATION"

Page 1, line 19, replace "\$5,200,000" with "\$5,304,000"

Page 1, line 20, after "commissioner" insert "of which \$5,200,000 is"

Page 1, line 21, after "departments" insert "and \$104,000 is for the purpose of making two equal payments to the North Dakota firemen's association"

ReNUMBER accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1010 - Summary of Senate Action

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
Insurance Tax to Fire Departments				
Total all funds	\$5,200,000	\$5,200,000	\$104,000	\$5,304,000
Less estimated income	5,200,000	5,200,000	104,000	5,304,000
General fund	\$0	\$0	\$0	\$0
Insurance Department				
Total all funds	\$6,067,078	\$6,260,398	\$10,000	\$6,270,398
Less estimated income	6,067,078	6,260,398	10,000	6,270,398
General fund	\$0	\$0	\$0	\$0
Bill Total				
Total all funds	\$11,267,078	\$11,460,398	\$114,000	\$11,574,398
Less estimated income	11,267,078	11,460,398	114,000	11,574,398
General fund	\$0	\$0	\$0	\$0

House Bill No. 1010 - Insurance Tax to Fire Departments - Senate Action

EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
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Grants	<u>\$5,200,000</u>	<u>\$5,200,000</u>	<u>\$104,000</u>	<u>\$5,304,000</u>
Total all funds	\$5,200,000	\$5,200,000	\$104,000	\$5,304,000
Less estimated income	<u>5,200,000</u>	<u>5,200,000</u>	<u>104,000</u>	<u>5,304,000</u>
General fund	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00

Dept. 35 - Insurance Tax to Fire Departments - Detail of Senate Changes

	FUNDING FOR NORTH DAKOTA FIREMEN'S ASSOCIATION ¹	TOTAL SENATE CHANGES
Grants	<u>\$104,000</u>	<u>\$104,000</u>
Total all funds	\$104,000	\$104,000
Less estimated income	<u>104,000</u>	<u>104,000</u>
General fund	\$0	\$0
FTE	0.00	0.00

¹ This amendment provides an appropriation of \$104,000 from the insurance tax distribution fund for two equal payments to the North Dakota Firemen's Association. This funding is in addition to the funding of \$5.2 million from the insurance tax distribution fund for insurance tax payments to fire districts.

House Bill No. 1010 - Insurance Department - Senate Action

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$4,387,527	\$4,513,847		\$4,513,847
Operating expenses	1,560,196	1,627,196	\$10,000	1,637,196
Equipment	<u>119,355</u>	<u>119,355</u>		<u>119,355</u>
Total all funds	\$6,067,078	\$6,260,398	\$10,000	\$6,270,398
Less estimated income	<u>6,067,078</u>	<u>6,260,398</u>	<u>10,000</u>	<u>6,270,398</u>
General fund	\$0	\$0	\$0	\$0
FTE	44.50	45.50	0.00	45.50

Dept. 401 - Insurance Department - Detail of Senate Changes

	PROVIDE ADDITIONAL FUNDING FOR DUES ¹	TOTAL SENATE CHANGES
Salaries and wages		
Operating expenses	\$10,000	\$10,000
Equipment		
Total all funds	\$10,000	\$10,000
Less estimated income	<u>10,000</u>	<u>10,000</u>
General fund	\$0	\$0
FTE	0.00	0.00

¹ This amendment increases funding for operating expenses by \$10,000 for an increase in annual dues for the National Conference of Insurance Legislators.

REPORT OF STANDING COMMITTEE

HB 1019: Appropriations Committee (Sen. Nething, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1019 was placed on the Sixth order on the calendar.

Page 1, line 20, replace "200,000" with "400,000"

Page 1, line 22, replace "34,719,641" with "34,919,641"

Page 2, line 18, replace "\$200,000" with "\$400,000"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1019 - Game and Fish Department - Senate Action

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$13,889,059	\$13,889,059		\$13,889,059
Operating expenses	8,320,714	8,320,714		8,320,714
Equipment	793,505	793,505		793,505
Capital improvements	1,259,486	1,259,486		1,259,486
Grants	3,578,050	3,578,050		3,578,050
Noxious weed control	250,000	250,000		250,000
Land habitat and deer depredation	4,738,476	4,738,476		4,738,476
Grants, gifts, and donations	150,000	150,000		150,000
Nongame wildlife conservation	120,000	120,000		120,000
Waterbank program	200,000	200,000		200,000
Wildlife services	200,000	200,000	\$200,000	400,000
Lonetree reservoir	<u>1,220,351</u>	<u>1,220,351</u>		<u>1,220,351</u>
Total all funds	\$34,719,641	\$34,719,641	\$200,000	\$34,919,641
Less estimated income	<u>34,719,641</u>	<u>34,719,641</u>	<u>200,000</u>	<u>34,919,641</u>
General fund	\$0	\$0	\$0	\$0
FTE	136.00	136.00	0.00	136.00

Dept. 720 - Game and Fish Department - Detail of Senate Changes

	ADD FUNDING FOR WILDLIFE SERVICES ¹	TOTAL SENATE CHANGES
Salaries and wages		
Operating expenses		
Equipment		
Capital improvements		
Grants		
Noxious weed control		
Land habitat and deer depredation		
Grants, gifts, and donations		
Nongame wildlife conservation		
Waterbank program		
Wildlife services	\$200,000	\$200,000
Lonetree reservoir		
Total all funds	\$200,000	\$200,000
Less estimated income	<u>200,000</u>	<u>200,000</u>
General fund	\$0	\$0
FTE	0.00	0.00

¹ The Senate amendment adds \$200,000 from the game and fish fund to the wildlife services line item to provide a total of \$400,000, as recommended in the Hoeven budget recommendation.

REPORT OF STANDING COMMITTEE

HB 1026, as engrossed: Appropriations Committee (Sen. Nething, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1026 was placed on the Sixth order on the calendar.

Page 1, line 5, after "appropriated" insert ", and from special funds derived from other income"

Page 1, line 6, replace "general fund" with "appropriation"

Page 2, after line 15, insert:

"Subdivision 8.	MAYVILLE STATE UNIVERSITY	
Operating expenses		\$14,630
Total general fund appropriation		\$14,630
Subdivision 9.	STATE COLLEGE OF SCIENCE	
Operating expenses		\$279,945
Capital improvements		32,745
Total general fund appropriation		\$312,690
Subdivision 10.	STATE TREASURER	
In lieu of tax payments		\$783,413
Total general fund appropriation		\$783,413

Subdivision 11.

DEPARTMENT OF CORRECTIONS AND REHABILITATION	
Victims services	\$250,000
Total special funds appropriation	\$250,000"

Page 2, line 16, replace "19,224,108" with "20,334,841"

Page 2, after line 16, insert:

"Grand total special funds appropriation H.B. 1026	\$250,000
Grand total all funds appropriation H.B. 1026	\$20,584,841"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

SENATE ACTION - This amendment adds the following deficiency appropriations:

	PURPOSE	GENERAL FUND	OTHER FUNDS	TOTAL
Mayville State University	Higher than anticipated utilities costs	\$14,630		\$14,630
State College of Science	Higher than anticipated utilities costs	\$279,945		\$279,945
	Emergency steamline repairs	<u>32,745</u>		<u>32,745</u>
	Total State College of Science	\$312,690		\$312,690
State Treasurer	In lieu of tax payments to counties for carbon dioxide pipeline property, pursuant to North Dakota Century Code Section 57-06-17.2	\$783,413		\$783,413
Department of Corrections and Rehabilitation	Additional crime victims' compensation grants		\$250,000	\$250,000
Total additional deficiency appropriations		\$1,110,733	\$250,000	\$1,360,733

REPORT OF STANDING COMMITTEE

HB 1202, as reengrossed and amended: Appropriations Committee (Sen. Nething, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed HB 1202, as amended, was placed on the Sixth order on the calendar.

In addition to the amendments adopted by the Senate as printed on page 836 of the Senate Journal, Reengrossed House Bill No. 1202 is further amended as follows:

Page 1, line 3, after "sections" insert "11-28.3-01, 11-28.3-08, 11-28.3-09, 11-28.3-14, 23-12-08," and remove "and"

Page 1, line 4, after "23-27-04.4" insert ", 57-15-06.7, 57-15-20.2, 57-15-50, 57-15-51, 57-15-51.1, and subsection 21 of section 58-03-07"

Page 1, line 5, after "operations" insert "and mill levies for emergency medical services and rural ambulance services"

Page 1, after line 6, insert:

"SECTION 1. AMENDMENT. Section 11-28.3-01 of the North Dakota Century Code is amended and reenacted as follows:

11-28.3-01. Territory to be organized - Petition. Whenever twenty percent of the qualified electors, as determined by the vote cast in the last preceding gubernatorial election, residing in any rural territory, equivalent in area to one township or more not presently served by an existing ~~ambulance~~ emergency medical service, elect to form, organize, establish, equip, and maintain a rural ambulance service district, they shall signify their intention by presenting to the county auditor of the county or counties in which the territory is situated, a petition setting forth the desires and purposes of the petitioners. The petition shall contain the full names and post-office addresses of the petitioners, the suggested name of the proposed district, the area in square miles [hectares] to be included therein, and a complete description according to government survey, wherever possible, of the boundaries of the real properties intended to be embraced in the proposed rural ambulance service district. A plat or map showing the

suggested boundaries of the proposed district shall accompany the petition, and the petitioner shall also deposit with the county auditor a sum sufficient to defray the expense of publishing the notices required by sections 11-28.3-02 and 11-28.3-03. Provided further that any city located within the area, whether such city has ~~ambulance service~~ emergency medical services or not, may be included in the rural ambulance district if twenty percent or more of the qualified electors residing in the city sign the petition.

SECTION 2. AMENDMENT. Section 11-28.3-08 of the North Dakota Century Code is amended and reenacted as follows:

11-28.3-08. Powers of board of directors. The board of directors shall have the following general powers to:

1. Develop a general ~~ambulance~~ emergency medical service program for the district.
2. Make an annual estimate of the probable expense of carrying out the program.
3. Annually certify that estimate to the proper county auditor in the manner provided by section 11-28.3-09.
4. Manage and conduct the business affairs of the district.
5. Make and execute contracts in the name of and on behalf of the district with regard to a general ~~ambulance~~ emergency medical service program.
6. Purchase or lease ambulances, or other emergency vehicles, supplies, and other real or personal property as shall be necessary and proper to carry out the general ~~ambulance~~ emergency medical service program of the district.
7. Incur indebtedness on behalf of the district within the limits prescribed by section 11-28.3-10, authorize the issuance of evidences of indebtedness permitted under section 11-28.3-10, and pledge any real or personal property owned or acquired by the district as security for the same.
8. Organize, establish, equip, maintain, and supervise an ~~ambulance~~ emergency medical service company to serve the district.
9. Generally perform all acts necessary to fully carry out the purposes of this chapter.

SECTION 3. AMENDMENT. Section 11-28.3-09 of the North Dakota Century Code is amended and reenacted as follows:

11-28.3-09. ~~Ambulance~~ Emergency medical service policy to be determined. The board of directors shall establish a general ~~ambulance~~ emergency medical service policy for the district and shall annually estimate the probable expense for carrying out that policy. The estimate shall be certified by the president and secretary to the proper county auditor or county auditors, on or before June thirtieth of each year. The auditor or auditors shall levy a tax not to exceed five mills upon the taxable property within the district for the maintenance of the ambulance service district for the fiscal year as provided by law. The tax shall be:

1. Collected as other taxes are collected in the county.
2. Turned over to the secretary-treasurer of the rural ambulance service district, who shall be bonded in the amount of at least five thousand dollars.
3. Deposited by the secretary-treasurer in a state or national bank in a district account.
4. Paid out upon warrants drawn upon the district account by authority of the board of directors of the district, bearing the signature of the secretary-treasurer and the countersignature of the president.

In no case shall the amount of the tax levy exceed the amount of funds required to defray the expenses of the district for a period of one year as embraced in the annual

estimate of expense including the amount of principal and interest upon the indebtedness of the district for the ensuing year. The district may include in its operating budget no more than ten percent of its annual operating budget as a depreciation expense to be set aside in a dedicated ~~ambulance~~emergency medical services sinking fund deposited with the treasurer for the replacement of equipment and ambulances. The ten percent~~ambulance~~ emergency medical services sinking fund may be in addition to the actual annual operating budget, but the total of the annual operating budget and the annual ten percent~~ambulance~~ emergency medical services sinking fund shall not exceed the approved mill levy.

SECTION 4. AMENDMENT. Section 11-28.3-14 of the North Dakota Century Code is amended and reenacted as follows:

11-28.3-14. Payments by certain organizations. Any property tax-exempt club, lodge, chapter, charitable home, dormitory, state or county fair association, or like organization located within a rural ambulance service district and outside the boundaries of any city shall pay to the board of directors of the district annually for ~~ambulance~~ emergency medical service an amount agreed upon, but not less than twenty-five percent of the amount which would be levied against the property under the provisions of this chapter if the property were subject to levy.

Funds derived from such payments shall be expended by the district for ~~ambulance~~ emergency medical service supplies and equipment and the training of ~~ambulance~~emergency medical service personnel.

SECTION 5. AMENDMENT. Section 23-12-08 of the North Dakota Century Code is amended and reenacted as follows:

23-12-08. Ambulance Emergency medical service authorized. Any county or municipality of the state of North Dakota, by itself, or in combination with any other county or municipality of the state of North Dakota, may, acting through its governing body, establish, maintain, contract for, or otherwise provide ~~ambulance~~emergency medical service for such county or municipality; and for this purpose, out of any funds of such county or municipality not otherwise committed, may buy, rent, lease, or otherwise contract for all such vehicles, equipment, or other facilities or services which may be necessary to effectuate such purpose."

Page 5, after line 29, insert:

"SECTION 15. AMENDMENT. Section 57-15-06.7 of the North Dakota Century Code is amended and reenacted as follows:

57-15-06.7. Additional levies - Exceptions to tax levy limitations in counties. The tax levy limitations specified in section 57-15-06 do not apply to the following mill levies, which are expressed in mills per dollar of taxable valuation of property in the county:

1. Counties supporting airports or airport authorities may levy a tax not exceeding four mills in accordance with section 2-06-15.
2. Counties levying an additional tax as provided in section 4-02-27.2 may levy a tax not exceeding two mills for a period of not to exceed ten years.
3. Repealed by S.L. 1995, ch. 61, § 14.
4. Counties levying a tax for extension work as provided in section 4-08-15 may levy a tax not exceeding two mills.
5. Counties levying a tax for extension work as provided for in section 4-08-15.1 may levy a tax not exceeding two mills.
6. Counties levying a tax for gopher, rabbit, and crow destruction as provided in section 4-16-02 may levy a tax not exceeding one-half of one mill.
7. Counties levying a tax for payment of a judgment obtained by the state or a state agency against the county in accordance with section 11-11-46 may levy a tax not exceeding one mill.
8. Counties levying a tax for historical works in accordance with section 11-11-53 may levy a tax not exceeding one quarter of one mill, except that

if sixty percent of the qualified electors voting on the question of an increase levy as provided in section 11-11-53 shall approve, a tax may be levied not exceeding three quarters of one mill.

9. A county levying a tax for a booster station in accordance with section 11-11-60 may levy a tax not exceeding two mills.
10. A county levying a tax to pay expenses of the board of county park commissioners in accordance with section 11-28-06 may levy a tax not exceeding one mill.
11. Repealed by S.L. 1999, ch. 154, § 2.
12. A county levying a tax for a county or community hospital association as provided in section 23-18-01 may levy a tax for not more than five years not exceeding eight mills in any one year or, in the alternative, for not more than fifteen years at a mill rate not exceeding five mills.
13. A county levying a tax for a nursing home authority in accordance with section 23-18.2-12 may levy a tax not exceeding five mills.
14. A county levying a tax for county roads as provided in section 24-05-01 may levy a tax not exceeding five mills if approved as provided in that section.
15. A county levying a tax to establish and maintain a public library service as provided in section 40-38-02 may levy a tax not exceeding four mills.
16. A county levying a tax to provide for vocational and on-the-job training services as provided in section 40-57.2-04 may levy a tax not exceeding one mill.
17. A county levying a tax for farm-to-market and federal-aid roads as provided in section 57-15-06.3 may levy a tax not exceeding the levy established by the ballot approved by the electors as provided in that section.
18. A county levying a tax for a county veterans' service officer's salary, traveling, and office expenses in accordance with section 57-15-06.4 may levy a tax not exceeding one and one-fourth mills.
19. A county levying a tax for planning purposes as provided in section 57-15-06.5 may levy a tax not exceeding three mills.
- 19.1. A county levying a tax for regional or county corrections centers according to section 57-15-06.6 may levy a tax not exceeding five mills.
20. A county levying a tax for advertising purposes as provided in section 57-15-10.1 may levy a tax not exceeding one-half mill.
21. A county levying a tax for abandoned cemetery maintenance as provided in section 57-15-27.2 may levy a tax not exceeding one-tenth of one mill.
22. A county levying a tax for emergency purposes as provided in section 57-15-28 may levy a tax not exceeding two mills.
23. A county levying a tax for county ~~ambulance~~ emergency medical service according to section 57-15-50 may levy a tax not exceeding five mills.
24. A county levying a tax for destruction of weeds along highways as provided in section 57-15-54 may levy a tax not exceeding two mills.
25. A county levying a tax for programs and activities for senior citizens according to section 57-15-56 may levy a tax not exceeding two mills.
26. A county levying a tax for county welfare in accordance with section 57-15-57 may levy a tax not exceeding two mills.
27. A county levying a tax to repay a loan according to section 57-47-04 may levy a tax not to exceed three mills.

28. Tax levies made for paying the principal and interest on any obligations of the county evidenced by the issuance of bonds.
29. A county levying a tax for a job development authority as provided in section 11-11.1-04 or for the support of an industrial development organization as provided in section 11-11.1-06 may levy a tax not exceeding four mills on the taxable valuation of property within the county. However, if any city within the county is levying a tax for support of a job development authority or for support of an industrial development organization and the total of the county and city levies exceeds four mills, the county tax levy within the city levying under subsection 28 of section 57-15-10 must be reduced so the total levy in the city does not exceed four mills.
30. Counties levying a tax for county fairs according to section 4-02-26 may levy a tax not exceeding one mill.
31. Counties levying a tax according to section 4-02-27 for a county fair association may levy a tax not exceeding one and one-half mills.
32. Counties levying a tax in accordance with section 4-02-27.1 for a county fair association may levy a tax not exceeding one-half mill.
33. A county levying a tax for programs and activities for handicapped persons according to section 11-11-65 may levy a tax not exceeding one-half mill.
34. Counties levying an annual tax for human services purposes as provided in section 50-06.2-05 may levy a tax not exceeding twenty mills.
35. A county levying a tax for county parks and recreational facilities in accordance with section 57-15-06.9 may levy a tax not exceeding three mills.
36. A county levying a tax for old-age and survivors' insurance according to section 52-09-08, for social security, for an employee retirement program established by the governing body, for county automation and telecommunications under section 57-15-62, or for any combination of those purposes, may levy a tax not exceeding thirty mills. The portion of the levy under this subsection for county automation and telecommunications under section 57-15-62 may not exceed five mills.

Tax levy or mill levy limitations do not apply to any statute which expressly provides that taxes authorized to be levied therein are not subject to mill levy limitations provided by law.

SECTION 16. AMENDMENT. Section 57-15-20.2 of the North Dakota Century Code is amended and reenacted as follows:

57-15-20.2. Exceptions to tax levy limitations in townships. The tax levy limitations specified in section 57-15-20 do not apply to the following mill levies, which are expressed in mills per dollar of taxable valuation of property in the township:

1. A township levying a tax for prevention and extinguishment of fires in accordance with section 18-06-10 may levy a tax not exceeding one mill.
2. A township levying a tax to establish a recreation system according to section 40-55-08 may levy a tax not exceeding two and five-tenths mills, except that a township may levy an amount not exceeding eight and five-tenths mills if the provisions of section 40-55-09 are met.
3. A township levying a tax for the purpose of cooperating with the county in constructing and maintaining federal-aid farm-to-market roads in accordance with section 57-15-19.4 may levy a tax not exceeding five mills.
4. A township levying a tax for law enforcement in accordance with section 57-15-19.5 may levy a tax not exceeding five mills.
5. A township levying a tax for mowing or snow removal equipment in accordance with section 57-15-19.6 may levy a tax not exceeding three mills.

- 5.1. A township levying a tax for a legal contingency fund in accordance with section 57-15-22.2 may levy a tax not exceeding ten mills for not to exceed five years.
6. A township levying a tax for airport purposes in accordance with section 57-15-37.1 may levy a tax not exceeding four mills.
7. A township levying a tax for ~~ambulance~~emergency medical service in accordance with section 57-15-51.1 may levy a tax not exceeding five mills.
8. A township levying a tax for park purposes in accordance with section 58-17-02 may levy a tax not exceeding two mills.

Tax levy or mill levy limitations do not apply to any statute which expressly provides that taxes authorized to be levied therein are not subject to mill levy limitations provided by law.

SECTION 17. AMENDMENT. Section 57-15-50 of the North Dakota Century Code is amended and reenacted as follows:

57-15-50. Levy authorized for county ~~ambulance~~emergency medical service. Upon petition of ten percent of the number of qualified electors of the county voting in the last election for governor or upon its own motion, the board of county commissioners of each county shall levy annually a tax not exceeding the limitation in subsection 23 of section 57-15-06.7, for the purpose of subsidizing county ~~ambulance~~emergency medical services; provided, that this tax must be approved by a majority of the qualified electors of the county voting on the question at a regular or special countywide election. The county may budget, in addition to its annual operating budget for subsidizing ~~ambulance~~ emergency medical service, no more than ten percent of its annual operating budget as a depreciation expense to be set aside in a dedicated ~~ambulance~~ emergency medical services sinking fund deposited with the treasurer for the replacement of equipment and ambulances. The ten percent~~ambulance~~emergency medical services sinking fund must be in addition to the annual operating budget for subsidization, but the total of the annual operating budget and the annual ten percent~~ambulance~~ emergency medical services sinking fund may not exceed the approved mill levy. If the county contains a rural ambulance service district or rural fire protection district that levies for and provides ~~ambulance~~ emergency medical service, the property within that district is exempt from the county tax levy under this section upon notice from the governing body of the district to the board of county commissioners of the existence of the district.

SECTION 18. AMENDMENT. Section 57-15-51 of the North Dakota Century Code is amended and reenacted as follows:

57-15-51. Levy authorized for city ~~ambulance~~emergency medical service. Upon petition of ten percent of the number of qualified electors of the city voting in the last election for governor or upon its own motion, the governing body of each city in this state shall levy annually a tax of not to exceed five mills upon its taxable valuation, for the purpose of subsidizing city ~~ambulance~~ emergency medical services; provided, that such tax must be approved by a majority of the qualified electors of the city voting on the question at a regular or special city election. Whenever a tax for county ~~ambulance~~ emergency medical services is levied by a county, any city levying a tax for, or subsidizing city ~~ambulance~~ emergency medical services, shall upon written application to the county board of such county be exempted from such county tax levy. The city may set aside, as a depreciation expense, up to ten percent of its annual~~ambulance~~ emergency medical service operating or subsidization budget in a dedicated ~~ambulance~~emergency medical services sinking fund, deposited with the auditor for replacement of equipment and ambulances. The ten percent~~ambulance~~ emergency medical services sinking fund may be in addition to the actual annual ~~ambulance~~emergency medical services budget but the total of the annual~~ambulance~~ emergency medical services budget and the annual ten percent ~~ambulance~~ emergency medical services fund may not exceed the approved mill levy.

SECTION 19. AMENDMENT. Section 57-15-51.1 of the North Dakota Century Code is amended and reenacted as follows:

57-15-51.1. Levy authorized for township ~~ambulance~~emergency medical service. Pursuant to a vote of sixty percent of the qualified electors voting at the annual township meeting, or at a special election called for that purpose upon petition of

fifty percent of the number of qualified electors of the township voting in the last election for governor, the board of township supervisors shall levy annually a tax approved by the qualified electors not exceeding the limitation in subsection 7 of section 57-15-20.2 for the purpose of subsidizing township ~~ambulance~~ emergency medical service.

SECTION 20. AMENDMENT. Subsection 21 of section 58-03-07 of the North Dakota Century Code is amended and reenacted as follows:

21. To direct the transfer of township funds to a rural ambulance service district for ~~ambulance~~ emergency medical service within the township."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1273, as engrossed and amended: Appropriations Committee (Sen. Nething, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1273, as amended, was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1301: Appropriations Committee (Sen. Nething, Chairman) recommends **DO NOT PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1301 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1338, as engrossed: Agriculture Committee (Sen. Wanzek, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1338 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for a legislative council study of issues related to genetic modification.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. LEGISLATIVE COUNCIL STUDY OF ISSUES RELATED TO GENETIC MODIFICATION. The legislative council shall consider studying issues related to genetic modification, including impacts on health, the environment, the food supply, product labeling, and actions by other jurisdictions regarding experimental medicine and research, and the promulgation of accurate information regarding genetic modification efforts that exist or are expected to exist in the near future. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the fifty-eighth legislative assembly."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1407, as engrossed and amended: Appropriations Committee (Sen. Nething, Chairman) recommends **DO PASS** (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). Engrossed HB 1407, as amended, was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1444, as engrossed and amended: Appropriations Committee (Sen. Nething, Chairman) recommends **DO NOT PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1444, as amended, was placed on the Fourteenth order on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2201: Your conference committee (Sens. Traynor, Trenbeath, Watne and Reps. Rennerfeldt, Brekke, Winrich) recommends that the **SENATE ACCEDE** to the House amendments on SJ page 885 and place SB 2201 on the Seventh order.

SB 2201 was placed on the Seventh order of business on the calendar.

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

WILLIAM R. HORTON, Secretary

