

JOURNAL OF THE SENATE

Fifty-seventh Legislative Assembly

* * * * *

Bismarck, April 27, 2001

The Senate convened at 8:30 a.m., with President Dalrymple presiding.

The prayer was offered by Senator Holmberg.

The roll was called and all members were present except Senators Bowman, C. Nelson, and Tallackson.

A quorum was declared by the President.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)

MR. SPEAKER: The President has signed and your signature is respectfully requested on: SB 2043, SB 2345.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)

MR. SPEAKER: The President has signed: HB 1301, HB 1326.

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

MR. PRESIDENT: The House has adopted the conference committee report and subsequently passed: HB 1006, HB 1045.

REPORT OF CONFERENCE COMMITTEE

HB 1045, as engrossed: Your conference committee (Sens. Wanzek, Cook, O'Connell and Reps. Hawken, Nelson, Hunskor) recommends that the **SENATE RECEDE** from the Senate amendments on HJ pages 1417-1418, adopt amendments as follows, and place HB 1045 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1417 and 1418 of the House Journal and page 1259 of the Senate Journal and that Engrossed House Bill No. 1045 be amended as follows:

Page 33, replace lines 7 through 19 with:

- "1. "Administrator" means an individual who is employed by the board of a public school district primarily for administration of a school or schools of the district and who devotes at least fifty percent of the individual's time in any one year to the duties of administration of the school or schools of the district.
2. "Negotiating unit" means:
 - a. A group of administrators having common interests, common problems, a common employer, or a history of common representation, which warrants that group being represented by a single representative organization in negotiations with the board of a school district; or
 - b. A group of teachers having common interests, common problems, a common employer, or a history of common representation, which warrants that group being represented by a single representative organization in negotiations with the board of a school district."

Page 33, replace lines 24 through 27 with:

- "5. "Teacher" means a public school employee licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board and employed primarily as a classroom teacher."

Page 34, replace lines 25 through 31 with "of a representative organization of the individual's choosing for the purpose of representation on matters of employer-employee relations.

2. An individual employed as an administrator may form, join, and participate in the activities of a representative organization of the individual's choosing for the purpose of representation on matters of employer-employee relations.
3. Any individual employed as a teacher or as an administrator may refuse to join or participate in the activities of a representative organization.

15.1-16-08. Representative organization - Negotiating unit - Right to negotiate. A representative organization has the right to represent a negotiating unit in matters of employee relations with the board of a school district. Any teacher or administrator has the right to present the individual's views directly to the board."

Page 35, remove lines 1 through 3

Page 35, line 7, remove "individuals employed by the"

Page 35, line 8, remove "public school district as" and replace "individuals" with "administrators"

Page 35, line 9, remove "as administrators"

Page 35, line 12, replace "group that filed the description" with "teachers or the administrators within the unit"

Page 35, replace lines 15 through 31 with:

- "1. a. If an organization is interested in representing a group of teachers or a group of administrators, the organization may file with the board of a school district a petition asserting that the organization represents a majority of the teachers or the administrators included within a negotiating unit.
- b. The petition must be accompanied by evidence substantiating the assertion contained in it.
- c. Within ten days after receiving the petition, the board of the school district shall post notice of its intent to consider the petition in each school wherein the members of the negotiating unit are employed.
- d. No sooner than ten nor later than twenty days after posting the notice of intent to consider the petition, the board shall investigate the petition, determine the question of representation, and post notice of its determination in each school wherein the members of the negotiating unit are employed.
- e. If the petition is not contested, the board shall recognize the petitioner as the representative organization of the negotiating unit, unless it finds in good faith that there is a reasonable doubt the representation exists.
2. If any organization has an interest in representing a group of teachers or a group of administrators and wishes to contest the claim of representation made in the petition under subsection 1, the contesting organization must file with the board of the school district a petition containing a written statement of contest together with substantiating evidence, within ten days from the date on which the board posted the notice of intent to consider the original petition.
3. If the board of a school district fails to make and post notice of its determination or if the board's determination has been contested, the board shall call an election to determine the question of representation not sooner than twenty nor later than thirty days after the posting of the notice of intent to consider the original petition.
4. If the board of a school district receives a petition that is signed by at least twenty-five percent of the members of the negotiating unit and which calls for an election to determine the question of representation, the board shall call the election.

5. The election must be conducted in the manner agreed to by the interested parties. If the interested parties cannot reach an agreement, the election must be conducted in the manner determined by the education factfinding commission under its rules.
6. Once a representative organization has been selected, its authority to represent the negotiating unit continues for at least one year from the date of the selection.

15.1-16-12. Representative organization - Payroll deduction - Dues. If an individual who is employed as a teacher, and who is a member of a representative organization as defined in this chapter, signs a petition requesting that dues for the representative organization be deducted from the individual's regular paycheck, the board of the school district shall comply with the petition. Nothing in this section may be interpreted to mean that the dues of a nonmember must be deducted in that manner."

Page 36, remove lines 1 through 25

Page 37, replace lines 6 through 9 with "or terminate the contract on its annual anniversary date by giving notice of its desire to modify or terminate the contract to the other party not less than sixty days before the annual anniversary date."

Page 38, replace lines 10 through 12 with:

- "b. Consider the report and recommendation of its factfinder and, after any further investigation the commission elects to perform, make its findings and issue a recommendation."

Page 38, line 15, replace "Between ten and" with "No sooner than ten nor later than"

Page 50, line 30, after the second "a" insert "basic"

Renumber accordingly

Engrossed HB 1045 was placed on the Seventh order of business on the calendar.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SEN. WANZEK MOVED that the conference committee report on Engrossed HB 1045 be adopted, which motion prevailed on a voice vote.

Engrossed HB 1045, as amended, was placed on the Fourteenth order.

SECOND READING OF HOUSE BILL

HB 1045: A BILL for an Act to create and enact chapters 15.1-13, 15.1-14, 15.1-15, 15.1-16, 15.1-17, 15.1-18, 15.1-20, 15.1-21, 15.1-22, 15.1-23, 15.1-27, 15.1-28, 15.1-29, 15.1-30, 15.1-31, 15.1-32, 15.1-33, 15.1-34, 15.1-35, and 15.1-36 of the North Dakota Century Code, relating to elementary and secondary education; to repeal chapters 15-21.1, 15-29, 15-34.1, 15-34.2, 15-35, 15-36, 15-37, 15-38, 15-38.1, 15-38.2, 15-40.1, 15-40.2, 15-40.3, 15-41, 15-43, 15-44, 15-45, 15-47, 15-54, 15-59, 15-59.2, 15-59.3, and 15-60 of the North Dakota Century Code, relating to elementary and secondary education provisions addressed in the creation of North Dakota Century Code title 15.1; to provide a penalty; and to provide a continuing 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 46 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; 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, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjerm; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Bowman; Nelson, C.; Tallackson

Engrossed HB 1045, as amended, passed and the title was agreed to.

MOTION

SEN. CHRISTMANN MOVED that SB 2011 be placed at the top of the Seventh order, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

SB 2011, as engrossed: Your conference committee (Sens. Kringstad, Stenehjem, Tallackson and Reps. Timm, Skarphol, Glassheim) recommends that the **HOUSE RECEDE** from the House amendments on SJ pages 1204-1205, adopt amendments as follows, and place SB 2011 on the Seventh order:

The the House recede from its amendments as printed on pages 1204 and 1205 of the Senate Journal and pages 1337 and 1338 of the House Journal and that Engrossed Senate Bill No. 2011 be amended as follows:

Page 1, line 1, after "patrol" insert "; and to provide a statement of legislative intent"

Page 1, line 12, replace "21,159,321" with "13,629,443"

Page 1, line 13, replace "12,083,781" with "19,613,659"

Page 1, line 15, replace "\$13,729,878" with "\$6,200,000"

Page 2, after line 2, insert:

"SECTION 4. LEGISLATIVE INTENT - PERFORMANCE MEASURE MONITORING. It is the intent of the legislative assembly that the highway patrol monitor its actual to planned expenditures and its actual to projected performance measures by program for the biennium beginning July 1, 2001, and ending June 30, 2003. The highway patrol shall make this information available as requested by the appropriations committees of the fifty-eighth legislative assembly."

ReNUMBER accordingly

STATEMENT OF PURPOSE OF AMENDMENT:**Senate Bill No. 2011 - Highway Patrol - Conference Committee Action**

	EXECUTIVE BUDGET	SENATE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	HOUSE VERSION	COMPARISON TO HOUSE
Salaries and wages	\$20,690,143					
Operating expenses	6,218,000					
Equipment	1,285,000					
Capital improvements	50,000					
Grants	5,000,000					
Administration		\$2,164,675		\$2,164,675	\$2,164,675	
Field operations		30,095,704		30,095,704	30,095,704	
Law Enforcement Training Academy		982,723		982,723	982,723	
Total all funds	\$33,243,143	\$33,243,102	\$0	\$33,243,102	\$33,243,102	\$0
Less estimated income	<u>21,159,342</u>	<u>21,159,321</u>	<u>(7,529,878)</u>	<u>13,629,443</u>	<u>7,429,443</u>	<u>6,200,000</u>
General fund	\$12,083,801	\$12,083,781	\$7,529,878	\$19,613,659	\$25,813,659	(\$6,200,000)
FTE	196.00	196.00	0.00	196.00	196.00	0.00

Dept. 504 - Highway Patrol - Detail of Conference Committee Changes

	CHANGE FUNDING SOURCE ¹	TOTAL CONFERENCE COMMITTEE CHANGES
Salaries and wages		
Operating expenses		
Equipment		
Capital improvements		
Grants		
Administration		
Field operations		
Law Enforcement Training Academy		
Total all funds	\$0	\$0
Less estimated income	<u>(7,529,878)</u>	<u>(7,529,878)</u>
General fund	\$7,529,878	\$7,529,878
FTE	0.00	0.00

¹ Compared to the Senate version (engrossed bill), this amendment reduces funding from the highway fund by \$7,529,878, from \$13,729,878 to \$6,200,000, and replaces it with \$7,529,878 from the general fund. Compared to the House version, this amendment increases funding from the highway fund by \$6,200,000 and reduces general fund support by \$6,200,000.

A section is added providing that the Highway Patrol monitor its actual to planned expenditures and its actual to projected performance measures for each of its programs during the 2001-03 biennium, the same as the House version.

Engrossed SB 2011 was placed on the Seventh order of business on the calendar.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SEN. KRINGSTAD MOVED that the conference committee report on Engrossed SB 2011 be adopted, which motion prevailed on a voice vote.

Engrossed SB 2011, as amended, was placed on the Eleventh order.

SECOND READING OF SENATE BILL

SB 2011: A BILL for an Act to provide an appropriation for defraying the expenses of the highway patrol; and to provide a statement of legislative intent.

ROLL CALL

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

YEAS: Andrist; Bercier; 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, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjelm; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Bowman; Nelson, C.; Tallackson

Reengrossed SB 2011 passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

HB 1006, as engrossed: Your conference committee (Sens. Kringstad, Schobinger, Tallackson and Reps. Skarphol, Byerly, Huether) recommends that the **HOUSE ACCEDE** to the Senate amendments on HJ page 1258 and place HB 1006 on the Seventh order.

Engrossed HB 1006 was placed on the Seventh order of business on the calendar.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SEN. KRINGSTAD MOVED that the conference committee report on Engrossed HB 1006 be adopted, which motion prevailed on a voice vote.

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 2011.

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 1045.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)

MR. SPEAKER: The Senate has adopted the conference committee report on HB 1006.

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

MR. PRESIDENT: The House has passed and your favorable consideration is requested on: HCR 3073.

MOTION

SEN. CHRISTMANN MOVED that the Senate stand in recess until 12:30 p.m., which motion prevailed.

THE SENATE RECONVENED pursuant to recess taken, with President Dalrymple presiding.

FIRST READING OF HOUSE CONCURRENT RESOLUTION

HCR 3073: A concurrent resolution urging the state's congressional delegation to support and work to enact the tax relief proposal introduced by President Bush.
Was read the first time.

MOTION

SEN. CHRISTMANN MOVED that the rules be suspended, that HCR 3073 not be printed, not be referred to committee, not be read in its entirety, not be printed in the Journal, and be placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3073: A concurrent resolution urging the state's congressional delegation to support and work to enact the tax relief proposal introduced by President Bush.

The question being on the final adoption of the resolution, which has been read.

HCR 3073 was declared adopted on a voice vote.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)

MR. SPEAKER: The Senate has passed unchanged: HCR 3073.

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

MR. PRESIDENT: The House has adopted the conference committee report and subsequently passed: SB 2011.

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 1012, HB 1020, HB 1321.

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

MR. PRESIDENT: The Speaker has signed: SB 2043, SB 2354.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bills were delivered to the Governor for approval on April 27, 2001: SB 2354, SB 2043.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)

MR. SPEAKER: The President has signed and your signature is respectfully requested on: SB 2088.

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

MR. PRESIDENT: The Speaker has signed: SB 2088.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bill was delivered to the Governor for approval on April 27, 2001: SB 2088.

MOTION

SEN. CHRISTMANN MOVED that the Senate stand in recess until 3:00 p.m., which motion prevailed.

THE SENATE RECONVENED pursuant to recess taken, with President Dalrymple presiding.

REPORT OF CONFERENCE COMMITTEE

SB 2020, as reengrossed: Your conference committee (Sens. Holmberg, Grindberg, Lindaas and Reps. Monson, Wentz, Guleson) recommends that the **HOUSE RECEDE** from the House amendments on SJ pages 1249-1250, adopt amendments as follows, and place SB 2020 on the Seventh order:

That the House recede from its amendments as printed on pages 1249 and 1250 of the Senate Journal and pages 1387 and 1388 of the House Journal and that Reengrossed Senate Bill No. 2020 be amended as follows:

Page 1, line 2, after "education" insert "; to provide for a legislative council study; to create and enact a new section to chapter 52-08 of the North Dakota Century Code, relating to workforce training funds; and to provide an effective date"

Page 1, after line 13, insert:

"Information technology technical education
program development grants

422,300"

Page 1, line 14, replace "525,760" with "575,760"

Page 1, line 17, replace "28,756,397" with "29,228,697"

Page 1, line 19, replace "13,868,655" with "14,340,955"

Page 1, replace lines 20 through 24 with:

"SECTION 2. WORKFORCE TRAINING AND DEVELOPMENT ACTIVITIES - DIVISION OF WORKFORCE DEVELOPMENT REPORT TO FIFTY-EIGHTH LEGISLATIVE ASSEMBLY. The division of workforce development of the department of commerce shall prepare a report annually on workforce training and development activities of the North Dakota university system, job service North Dakota, department of human services, state board for vocational and technical education, department of commerce, and other workforce partners. The division of workforce development of the department of commerce shall present the reports to the House and Senate appropriations committees of the fifty-eighth legislative assembly.

SECTION 3. INFORMATION TECHNOLOGY TECHNICAL EDUCATION PROGRAM DEVELOPMENT GRANTS. The state board for vocational and technical education shall use the amount appropriated in the line item entitled information technology technical education program development grants in section 1 of this Act to contract with a nonprofit private entity to provide assistance to schools in information technology technical education program development. The funds must be expended in accordance with the April 24, 2001, partnership agreement entered into between the state board for vocational and technical education and explorinet.

SECTION 4. WORKFORCE TRAINING AND DEVELOPMENT - LEGISLATIVE COUNCIL STUDY. The legislative council shall consider studying, during the 2001-02 interim, workforce training and development programs in North Dakota, including efforts to recruit and retain North Dakota's workforce, underemployment and skills shortages, current workforce training efforts, and the involvement of the new economy initiative goals and strategies; and the work force 2000 and new jobs training programs and other workforce training and development programs administered by agencies of the state of North Dakota, and the feasibility and desirability of consolidating in a single agency the funding and administration of those programs. Agencies to be considered as part of the study include job service North Dakota, the department of economic development and finance, the state board for vocational and technical education, and the North Dakota university system. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the fifty-eighth legislative assembly.

SECTION 5. WORKFORCE TRAINING - REGIONAL FUNDS - REPORT TO BUDGET SECTION. The North Dakota university system shall report during the 2001-02 interim to the budget section of the legislative council regarding the amount of funds raised in each region of the state during the first fiscal year of the biennium and the amount anticipated to be raised prior to June 30, 2003.

SECTION 6. A new section to chapter 52-08 of the North Dakota Century Code is created and enacted as follows:

Workforce training funds - Distribution. Within the limits of legislative appropriations, workforce training funds must be distributed by the state board for vocational and technical education as follows:

1. During the first fiscal year of each biennium, the state board for vocational and technical education shall distribute up to one-half of the total amount appropriated for the biennium. The funds must be divided among the institutions of higher education assigned primary responsibility for workforce training pursuant to business plans approved by the state board of higher education and filed annually with the state board for vocational and technical education and the division of workforce development of the department of commerce.
2. To be eligible to receive state funding for the second fiscal year of each biennium, each institution of higher education assigned primary

responsibility for workforce training must provide certification to the workforce development division of the department of commerce that at least fifty percent of the regional funds included in the approved business plan for the biennium have been received, or are pledged to be received, prior to the end of the biennium. These funds may not be distributed to an institution of higher education assigned primary responsibility for workforce training until the workforce development division notifies the state board for vocational and technical education that the institution has met the requirements of this subsection.

SECTION 7. EFFECTIVE DATE. Section 6 of this Act becomes effective July 1, 2003."

Page 2, remove lines 1 through 19

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2020 - Vocational Education - Conference Committee Action

	EXECUTIVE BUDGET	SENATE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	HOUSE VERSION	COMPARISON TO HOUSE
Salaries and wages	\$3,066,412	\$2,946,750		\$2,946,750	\$2,946,750	
Operating expenses	682,906	596,147		596,147	596,147	
Equipment	60,000	60,000		60,000	60,000	
Grants	23,274,665	22,920,288		22,920,288	22,920,288	
Information technology technical education grants			\$422,300	422,300	422,300	
Adult farm management	525,760	525,760	50,000	575,760	525,760	\$50,000
Workforce training	875,000	1,350,000		1,350,000	1,350,000	
Postsecondary education vocational grants	357,452	357,452		357,452	357,452	
Total all funds	\$28,842,195	\$28,756,397	\$472,300	\$29,228,697	\$29,178,697	\$50,000
Less estimated income	<u>14,990,919</u>	<u>14,887,742</u>		<u>14,887,742</u>	<u>14,887,742</u>	
General fund	\$13,851,276	\$13,868,655	\$472,300	\$14,340,955	\$14,290,955	\$50,000
FTE	29.50	28.50	0.00	28.50	28.50	0.00

Dept. 270 - Vocational Education - Detail of Conference Committee Changes

	ADD FUNDING FOR ADULT FARM MANAGEMENT PROGRAMS	ADD FUNDING FOR GRANT TO EXPLORNET ¹	TOTAL CONFERENCE COMMITTEE CHANGES
Salaries and wages			
Operating expenses			
Equipment			
Grants			
Information technology technical education grants		\$422,300	\$422,300
Adult farm management	\$50,000		50,000
Workforce training			
Postsecondary education vocational grants			
Total all funds	\$50,000	\$422,300	\$472,300
Less estimated income			
General fund	\$50,000	\$422,300	\$472,300
FTE	0.00	0.00	0.00

¹ An information technology technical education program development line item of \$422,300 is added for a grant to ExplorNet (a 501(c)(3) nonprofit corporation) for the purpose of providing services to schools to assist in information technology technical education program development.

This amendment adds the following sections:

- Section 2, similar to the section added by the House, requiring an annual report to be prepared on workforce training and development activities and that the annual reports be presented to the House and Senate Appropriations Committees of the 58th Legislative Assembly. References in the House section to the Workforce Development Council are changed to the Division of Workforce Development of the Department of Commerce.

- Section 3, similar to the section added by the House, requiring the \$422,300 added for information technology education grants to be used to provide a grant to a nonprofit private entity for the purpose of providing assistance to schools in information technology program development. A sentence is added to the House section referencing the partnership agreement entered into between the State Board for Vocational and Technical Education and ExplorNet.
- Section 4, which expands the Legislative Council study proposed by the House relating to workforce training and development activities.
- Section 5, which requires a report to the Budget Section during the 2001-02 interim regarding regional funds raised by the institutions assigned primary responsibility for workforce training.
- Section 6, which replaces section 2 of the reengrossed bill and creates a new section to North Dakota Century Code Chapter 52-08, requiring that prior to the distribution of workforce training funds for the second year of a biennium, each workforce training region must certify that at least 50 percent (compared to 75 percent in the Senate version) of the regional funds estimated to be raised during the biennium have been received or are pledged to be received. This section is effective July 1, 2003.

Reengrossed SB 2020 was placed on the Seventh order of business on the calendar.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SEN. HOLMBERG MOVED that the conference committee report on Reengrossed SB 2020 be adopted, which motion prevailed on a voice vote.

Reengrossed SB 2020, as amended, was placed on the Eleventh order.

SECOND READING OF SENATE BILL

SB 2020: A BILL for an Act to provide an appropriation for defraying the expenses of the state board for vocational and technical education; to provide for a legislative council study; to create and enact a new section to chapter 52-08 of the North Dakota Century Code, relating to workforce training funds; 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; Espesgaard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjelm; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Nelson, C.; Tallackson

Reengrossed SB 2020 passed and the title was agreed to.

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 2020.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)

MR. SPEAKER: The President has signed and your signature is respectfully requested on: SB 2011.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)

MR. SPEAKER: The President has signed: HB 1012, HB 1020, HB 1321.

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

MR. PRESIDENT: The House has adopted the conference committee report and subsequently reconsidered its action whereby HB 1344 passed.

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

MR. PRESIDENT: The House has adopted the conference committee report and subsequently passed: SB 2020.

MOTION

SEN. CHRISTMANN MOVED that the Senate stand in recess until 5:00 p.m., which motion prevailed.

THE SENATE RECONVENED pursuant to recess taken, with President Dalrymple presiding.

REPORT OF CONFERENCE COMMITTEE

SB 2159, as engrossed: Your conference committee (Sens. Stenehjem, Mutch, O'Connell and Reps. Weisz, Pollert, Mahoney) recommends that the **HOUSE RECEDE** from the House amendments on SJ pages 1402-1405, adopt amendments as follows, and place SB 2159 on the Seventh order:

That the House recede from its amendments as printed on pages 1402-1405 of the Senate Journal and pages 1525-1528 of the House Journal and that Engrossed Senate Bill No. 2159 be 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 section to chapter 39-04 of the North Dakota Century Code, relating to number plates; to amend and reenact sections 39-04-08.1, 39-04-19, subsection 2 of section 39-04-36, and section 39-22-12 of the North Dakota Century Code, relating to number plate use and fees and a motor vehicle dealer licensing exemption; to repeal section 39-04-09.1 of the North Dakota Century Code, relating to Lewis and Clark number plates; to provide for a legislative council study; to provide application of points and fees; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 39-04 of the North Dakota Century Code is created and enacted as follows:

Additional fee with general issuance of number plates. The director shall collect an additional fee of four dollars with each set of number plates issued in the first general issuance of number plates occurring after June 30, 2001, except for number plates issued to trailers. Notwithstanding any other provision of law, the entire revenue from fees under this section must be deposited in the state highway fund.

SECTION 2. AMENDMENT. Section 39-04-08.1 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

39-04-08.1. Assignment of motor vehicle number plates. Motor vehicle number plates may not be assigned as a reward for any political activity, in recognition of any political affiliation or membership in any political party, or on the basis of political favoritism. However, an elected state office may be assigned a single or double digit number on a number plate as requested by that official. ~~Except as provided in sections 39-04-10 and 39-04-10.3, the department shall charge a nonrefundable fee of ten dollars if an applicant chooses a number plate other than the number plate randomly assigned.~~ The department of transportation may adopt rules governing the assignment of numbers on motor vehicle number plates in accordance with this section.

SECTION 3. AMENDMENT. Section 39-04-19 of the North Dakota Century Code is amended and reenacted as follows:

39-04-19. Motor vehicle registration fees and mile tax. Motor vehicles required to pay registration fees or a mile tax shall pay the following fees:

1. Nonresidents electing to pay mile tax in lieu of registration, when authorized to do so by the department, shall pay a fee of twenty dollars for a trip permit which is valid for a period of seventy-two hours. All fees collected under the provisions of this subsection must be credited to the highway construction fund.
2. Motor vehicles required to be registered in this state must be furnished license plates upon the payment of the following annual fees; however, if a motor vehicle, including a motorcycle or trailer, first becomes subject to registration other than at the beginning of the registration period, such fees must be prorated on a monthly basis. The minimum fee charged hereunder must be five dollars:

a. Passenger motor vehicles:

Gross Weights	YEARS REGISTERED				
	1st, 2nd, 3rd, 4th, 5th, and 6th Years	7th, 8th, and 9th Years	10th, 11th, and 12th Years	13th and Subsequent Years	
Less than 3,200	\$50.00 <u>\$57.00</u>	\$42.00 <u>\$49.00</u>	\$34.00 <u>\$41.00</u>	\$26.00 <u>\$33.00</u>	
3,200 - 4,499	70.00 <u>77.00</u>	58.00 <u>65.00</u>	46.00 <u>53.00</u>	34.00 <u>41.00</u>	
4,500 - 4,999	88.00 <u>95.00</u>	74.00 <u>78.00</u>	56.00 <u>63.00</u>	40.00 <u>47.00</u>	
5,000 - 5,999	119.00 <u>126.00</u>	97.00 <u>104.00</u>	75.00 <u>82.00</u>	53.00 <u>60.00</u>	
6,000 - 6,999	152.00 <u>159.00</u>	123.00 <u>130.00</u>	94.00 <u>101.00</u>	66.00 <u>73.00</u>	
7,000 - 7,999	185.00 <u>192.00</u>	149.00 <u>156.00</u>	114.00 <u>121.00</u>	79.00 <u>86.00</u>	
8,000 - 8,999	218.00 <u>225.00</u>	176.00 <u>183.00</u>	134.00 <u>141.00</u>	92.00 <u>99.00</u>	
9,000 and over	251.00 <u>258.00</u>	202.00 <u>209.00</u>	154.00 <u>161.00</u>	105.00 <u>112.00</u>	

A house car is subject to registration at the rates prescribed for other vehicles under this subdivision modified by using the weight applicable to a vehicle whose weight is forty percent of that of the house car, but not using a weight of less than four thousand pounds [1814.35 kilograms].

b. Schoolbuses, buses for hire, buses owned and operated by religious, charitable, or nonprofit organizations and used exclusively for religious, charitable, or other public nonprofit purposes, and trucks or combination trucks and trailers, including commercial and noncommercial trucks, except those trucks or combinations of trucks and trailers which qualify for registration under subsection 5:

Gross Weights	YEARS REGISTERED				
	1st Through 6th Years	7th Through 9th Years	10th Through 12th Years	13th Through 19th Years	20th and Subsequent Years
Not over 4,000	\$48.00 <u>\$55.00</u>	\$35.00 <u>\$42.00</u>	\$30.00 <u>\$37.00</u>	\$27.00 <u>\$34.00</u>	\$26.00 <u>\$33.00</u>
4,001 - 6,000	53.00 <u>60.00</u>	40.00 <u>47.00</u>	34.00 <u>41.00</u>	28.00 <u>35.00</u>	27.00 <u>34.00</u>
6,001 - 8,000	58.00 <u>65.00</u>	45.00 <u>52.00</u>	38.00 <u>45.00</u>	29.00 <u>36.00</u>	28.00 <u>35.00</u>
8,001 - 10,000	63.00 <u>70.00</u>	50.00 <u>57.00</u>	42.00 <u>49.00</u>	34.00 <u>38.00</u>	30.00 <u>37.00</u>
10,001 - 12,000	68.00 <u>75.00</u>	55.00 <u>62.00</u>	46.00 <u>53.00</u>	33.00 <u>40.00</u>	32.00 <u>39.00</u>
12,001 - 14,000	73.00 <u>80.00</u>	60.00 <u>67.00</u>	50.00 <u>57.00</u>	36.00 <u>43.00</u>	35.00 <u>42.00</u>
14,001 - 16,000	78.00 <u>85.00</u>	65.00 <u>72.00</u>	54.00 <u>61.00</u>	39.00 <u>46.00</u>	38.00 <u>45.00</u>
16,001 - 18,000	83.00 <u>90.00</u>	70.00 <u>77.00</u>	58.00 <u>65.00</u>	41.00 <u>48.00</u>	40.00 <u>47.00</u>
18,001 - 20,000	86.00 <u>93.00</u>	73.00 <u>80.00</u>	60.00 <u>67.00</u>	42.00 <u>49.00</u>	41.00 <u>48.00</u>

Gross Weights	YEARS REGISTERED		
	1st, 2nd, 3rd, 4th, 5th, 6th, and 7th Years	8th, 9th, 10th, 11th, and 12th Years	13th and Subsequent Years
20,001 - 22,000	\$116.00 <u>\$123.00</u>	\$90.00 <u>\$97.00</u>	\$77.00 <u>\$84.00</u>
22,001 - 26,000	168.00 <u>175.00</u>	138.00 <u>145.00</u>	122.00 <u>129.00</u>
26,001 - 30,000	229.00 <u>236.00</u>	187.00 <u>194.00</u>	165.00 <u>172.00</u>
30,001 - 34,000	295.00 <u>302.00</u>	240.00 <u>247.00</u>	212.00 <u>219.00</u>
34,001 - 38,000	356.00 <u>363.00</u>	289.00 <u>296.00</u>	255.00 <u>262.00</u>
38,001 - 42,000	417.00 <u>424.00</u>	338.00 <u>345.00</u>	297.00 <u>304.00</u>
42,001 - 46,000	478.00 <u>485.00</u>	386.00 <u>393.00</u>	340.00 <u>347.00</u>
46,001 - 50,000	539.00 <u>546.00</u>	435.00 <u>442.00</u>	383.00 <u>390.00</u>
50,001 - 54,000	600.00 <u>616.00</u>	493.00 <u>500.00</u>	434.00 <u>441.00</u>
54,001 - 58,000	670.00 <u>677.00</u>	542.00 <u>549.00</u>	477.00 <u>484.00</u>
58,001 - 62,000	731.00 <u>739.00</u>	591.00 <u>598.00</u>	520.00 <u>527.00</u>
62,001 - 66,000	792.00 <u>799.00</u>	639.00 <u>646.00</u>	563.00 <u>570.00</u>
66,001 - 70,000	853.00 <u>860.00</u>	688.00 <u>695.00</u>	606.00 <u>612.00</u>
70,001 - 74,000	914.00 <u>921.00</u>	737.00 <u>744.00</u>	648.00 <u>655.00</u>
74,001 - 78,000	975.00 <u>982.00</u>	786.00 <u>793.00</u>	691.00 <u>698.00</u>
78,001 - 82,000	1,036.00 <u>1,043.00</u>	835.00 <u>842.00</u>	734.00 <u>741.00</u>
82,001 - 86,000	1,159.00 <u>1,166.00</u>	940.00 <u>947.00</u>	821.00 <u>828.00</u>
86,001 - 90,000	1,281.00 <u>1,288.00</u>	1,044.00 <u>1,051.00</u>	908.00 <u>915.00</u>
90,001 - 94,000	1,403.00 <u>1,410.00</u>	1,149.00 <u>1,156.00</u>	995.00 <u>1,002.00</u>
94,001 - 98,000	1,525.00 <u>1,532.00</u>	1,254.00 <u>1,261.00</u>	1,083.00 <u>1,090.00</u>
98,001 - 102,000	1,647.00 <u>1,654.00</u>	1,358.00 <u>1,365.00</u>	1,170.00 <u>1,177.00</u>
102,001 - 105,500	1,769.00 <u>1,776.00</u>	1,463.00 <u>1,470.00</u>	1,257.00 <u>1,264.00</u>

c. Motorcycles, fifteen dollars.

3. Motor vehicles acquired by disabled veterans under the provisions of Public Law 79-663 [38 U.S.C. 3901] are exempt from the payment of state sales or use tax and, if paid, such veterans are entitled to a refund. This exemption also applies to any passenger motor vehicle or pickup truck not exceeding ten thousand pounds [4535.92 kilograms] gross weight but shall apply to no more than two such motor vehicles owned by a disabled veteran at any one time.
4. Every trailer, semitrailer, and farm trailer required to be registered under this chapter must be furnished registration plates upon the payment of a twenty dollar annual fee. Every trailer, semitrailer, or farm trailer not required to be registered under this chapter must be furnished an identification plate upon the payment of a fee of five dollars. Upon the request of a person with a trailer or farm trailer to whom a registration or identification plate is provided under this subsection, the department shall provide a plate of the same size as provided for a motorcycle. The department shall provide notification of this option to the person before the replacement or issuance of the plate.
5. Trucks or combinations of trucks and trailers weighing more than twenty thousand but not more than one hundred five thousand five hundred pounds [more than 9071.84 but not more than 47854.00 kilograms] which are used as farm vehicles only, are entitled to registration under the following fee schedule and the provisions of this subsection. Farm vehicles are considered, for the purpose of this subsection, as trucks or combinations of trucks and trailers weighing more than twenty thousand but not more than one hundred five thousand five hundred pounds [more than 9071.84 but not more than 47854.00 kilograms] owned, or leased for at least one year by a bona fide resident farmer who uses the vehicles exclusively for transporting the farmer's own property or other property on a farm work exchange basis with other farmers between farms and the usual local trading places but not in connection with any commercial retail or wholesale business being conducted from those farms, nor otherwise for hire. In addition to the penalty provided in section 39-04-41, any person violating this subsection shall license for the entire license period the farm vehicle at the higher commercial vehicle rate in accordance with the weight carried by the farm vehicle at the time of the violation.

Gross Weights	YEARS REGISTERED				
	1st, 2nd, 3rd, 4th, 5th, and 6th Years	7th and 8th Years	9th and 10th Years	11th and Subsequent Years	
20,001 - 22,000	\$88.00 <u>\$95.00</u>	\$74.00 <u>\$81.00</u>	\$60.00 <u>\$67.00</u>	\$42.00 <u>\$49.00</u>	
22,001 - 24,000	93.00 <u>100.00</u>	78.00 <u>85.00</u>	63.00 <u>70.00</u>	44.00 <u>51.00</u>	
24,001 - 26,000	104.00 <u>108.00</u>	84.00 <u>91.00</u>	67.00 <u>74.00</u>	46.00 <u>53.00</u>	
26,001 - 28,000	111.00 <u>119.00</u>	92.00 <u>99.00</u>	73.00 <u>80.00</u>	50.00 <u>57.00</u>	
28,001 - 30,000	121.00 <u>128.00</u>	100.00 <u>107.00</u>	79.00 <u>86.00</u>	54.00 <u>61.00</u>	
30,001 - 32,000	136.00 <u>143.00</u>	113.00 <u>120.00</u>	90.00 <u>97.00</u>	63.00 <u>70.00</u>	
32,001 - 34,000	146.00 <u>153.00</u>	121.00 <u>128.00</u>	96.00 <u>103.00</u>	67.00 <u>74.00</u>	
34,001 - 36,000	156.00 <u>163.00</u>	129.00 <u>136.00</u>	102.00 <u>109.00</u>	71.00 <u>78.00</u>	
36,001 - 38,000	166.00 <u>173.00</u>	137.00 <u>144.00</u>	108.00 <u>115.00</u>	75.00 <u>82.00</u>	
38,001 - 40,000	176.00 <u>183.00</u>	145.00 <u>152.00</u>	114.00 <u>121.00</u>	79.00 <u>86.00</u>	
40,001 - 42,000	186.00 <u>193.00</u>	153.00 <u>160.00</u>	120.00 <u>127.00</u>	83.00 <u>90.00</u>	
42,001 - 44,000	196.00 <u>203.00</u>	161.00 <u>168.00</u>	126.00 <u>133.00</u>	87.00 <u>94.00</u>	
44,001 - 46,000	206.00 <u>213.00</u>	169.00 <u>176.00</u>	132.00 <u>139.00</u>	91.00 <u>98.00</u>	
46,001 - 48,000	216.00 <u>223.00</u>	177.00 <u>184.00</u>	138.00 <u>145.00</u>	95.00 <u>102.00</u>	
48,001 - 50,000	226.00 <u>233.00</u>	185.00 <u>192.00</u>	144.00 <u>151.00</u>	99.00 <u>106.00</u>	
50,001 - 52,000	246.00 <u>253.00</u>	203.00 <u>210.00</u>	160.00 <u>167.00</u>	113.00 <u>120.00</u>	
52,001 - 54,000	256.00 <u>263.00</u>	211.00 <u>218.00</u>	166.00 <u>173.00</u>	117.00 <u>124.00</u>	
54,001 - 56,000	266.00 <u>273.00</u>	219.00 <u>226.00</u>	172.00 <u>179.00</u>	121.00 <u>128.00</u>	
56,001 - 58,000	276.00 <u>283.00</u>	227.00 <u>234.00</u>	178.00 <u>185.00</u>	125.00 <u>132.00</u>	
58,001 - 60,000	286.00 <u>293.00</u>	235.00 <u>242.00</u>	184.00 <u>191.00</u>	129.00 <u>136.00</u>	
60,001 - 62,000	296.00 <u>303.00</u>	243.00 <u>250.00</u>	190.00 <u>197.00</u>	133.00 <u>140.00</u>	
62,001 - 64,000	306.00 <u>313.00</u>	251.00 <u>258.00</u>	196.00 <u>203.00</u>	137.00 <u>144.00</u>	
64,001 - 66,000	316.00 <u>323.00</u>	259.00 <u>266.00</u>	202.00 <u>209.00</u>	141.00 <u>148.00</u>	
66,001 - 68,000	326.00 <u>333.00</u>	267.00 <u>274.00</u>	208.00 <u>215.00</u>	145.00 <u>152.00</u>	
68,001 - 70,000	336.00 <u>343.00</u>	275.00 <u>282.00</u>	214.00 <u>221.00</u>	149.00 <u>156.00</u>	
70,001 - 72,000	346.00 <u>353.00</u>	283.00 <u>290.00</u>	220.00 <u>227.00</u>	153.00 <u>160.00</u>	
72,001 - 74,000	356.00 <u>363.00</u>	291.00 <u>298.00</u>	226.00 <u>233.00</u>	157.00 <u>164.00</u>	

74,001 - 76,000	366.00 373.00	299.00 306.00	232.00 239.00	161.00 168.00
76,001 - 78,000	376.00 383.00	307.00 314.00	238.00 245.00	165.00 172.00
78,001 - 80,000	386.00 393.00	315.00 322.00	244.00 251.00	169.00 176.00
80,001 - 82,000	396.00 403.00	323.00 330.00	250.00 257.00	173.00 180.00
82,001 - 84,000	406.00 413.00	345.00 352.00	293.00 300.00	249.00 256.00
84,001 - 86,000	426.00 433.00	362.00 369.00	307.00 314.00	261.00 268.00
86,001 - 88,000	446.00 453.00	379.00 386.00	321.00 328.00	273.00 280.00
88,001 - 90,000	466.00 473.00	396.00 403.00	335.00 342.00	285.00 292.00
90,001 - 92,000	486.00 493.00	413.00 420.00	349.00 356.00	297.00 304.00
92,001 - 94,000	506.00 513.00	430.00 437.00	363.00 370.00	309.00 316.00
94,001 - 96,000	526.00 533.00	447.00 454.00	377.00 384.00	321.00 328.00
96,001 - 98,000	546.00 553.00	464.00 471.00	391.00 398.00	333.00 340.00
98,001 - 100,000	566.00 573.00	481.00 488.00	405.00 412.00	345.00 352.00
100,001 - 102,000	586.00 593.00	498.00 505.00	419.00 426.00	357.00 364.00
102,001 - 104,000	606.00 613.00	515.00 522.00	433.00 440.00	369.00 376.00
104,001 - 105,500	626.00 633.00	532.00 539.00	447.00 454.00	381.00 388.00

6. A motor vehicle registered in subsection 5 may be used for custom combining operations by displaying identification issued by the department and upon payment of a fee of twenty-five dollars.
7. Two dollars of each registration fee collected under subsection 2 or 5 must be deposited in the state highway fund.

SECTION 4. AMENDMENT. Subsection 2 of section 39-04-36 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

2. Upon applying for the transfer of the registration and paying a five dollar fee, a person who transfers or assigns to another person the ownership of a registered vehicle may receive credit for the unused portion of the fees paid for the transferred vehicle. The transferor must use a number plate previously removed pursuant to subsection 1, regardless of whether there is any license fee credit remaining. If the number plate has become lost, stolen, or mutilated, the transferor may apply for duplicate plates. The department may establish procedures that permit the transferor to assign the credit to the transferee if the transferor is the spouse, a sibling, or a lineal ancestor or descendant of the transferee. One-twelfth of the annual fee must be credited for each month of the registration period remaining after the month in which the transfer is made. The credit may not extend beyond the original expiration of the registration. Except as provided in section 39-04-44, the credit must be applied to the registration fees for a replacement vehicle. The transferor shall apply for the transfer of registration within thirty days of the purchase of the replacement vehicle.

SECTION 5. AMENDMENT. Section 39-22-12 of the North Dakota Century Code is amended and reenacted as follows:

39-22-12. Officers to administer chapter - House car dealer, manufacturer, and distributor exemption. The director and any duly authorized representative ~~shall be~~ are responsible for the administration of ~~the provisions of~~ this chapter. This chapter does not apply to house car dealers, manufacturers, and distributors.

SECTION 6. LEGISLATIVE COUNCIL STUDY. The legislative council shall consider studying during the 2001-02 interim highway construction and maintenance funding, including revenue sources and distribution formulas. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the fifty-eighth legislative assembly.

SECTION 7. APPLICATION OF DEMERIT POINTS OR FEES. The operator's license demerit points or fees for driving in violation of section 39-09-02, or equivalent ordinance, as provided by Senate Bill No. 2088, as passed by the fifty-seventh legislative assembly, are effective solely for offenses committed after June 30, 2001.

SECTION 8. REPEAL. Section 39-04-09.1 of the North Dakota Century Code is repealed.

SECTION 9. EFFECTIVE DATE. Sections 1 and 3 of this Act are effective for number plates issued and registrations due after June 30, 2001. Section 2 of this Act becomes effective on January 1, 2003."

Renumber accordingly

Engrossed SB 2159 was placed on the Seventh order of business on the calendar.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SEN. STENEHJEM MOVED that the conference committee report on Engrossed SB 2159 be adopted, which motion prevailed on a voice vote.

Engrossed SB 2159, as amended, was placed on the Eleventh order.

SECOND READING OF SENATE BILL

SB 2159: A BILL for an Act to create and enact a new section to chapter 39-04 of the North Dakota Century Code, relating to number plates; to amend and reenact sections 39-04-08.1, 39-04-19, subsection 2 of section 39-04-36, and section 39-22-12 of the North Dakota Century Code, relating to number plate use and fees and a motor vehicle dealer licensing exemption; to repeal section 39-04-09.1 of the North Dakota Century Code, relating to Lewis and Clark number plates; to provide for a legislative council study; to provide application of points and fees; 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 40 YEAS, 7 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Andrist; Christenson; Christmann; Dever; Erbele; Espegard; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, G.; Nething; Nichols; Polovitz; Robinson; Solberg; Stenehjem; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

NAYS: Bercier; Bowman; Cook; Every; Krauter; O'Connell; Schobinger

ABSENT AND NOT VOTING: Nelson, C.; Tallackson

Reengrossed SB 2159 passed and the title was agreed to.

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 2159.

MOTION

SEN. CHRISTMANN MOVED that the Senate stand in recess until 6:30 p.m., which motion prevailed.

THE SENATE RECONVENED pursuant to recess taken, with President Dalrymple presiding.

MOTION

SEN. G. NELSON MOVED that, upon receipt of the bill from the House, Reengrossed HB 1344 be rereferred to the **Education Committee**, which motion prevailed. Pursuant to Sen. G. Nelson's motion, HB 1344 was rereferred.

MOTION

SEN. G. NELSON MOVED that the absent members be excused, which motion prevailed.

MOTION

SEN. G. NELSON MOVED that the Senate be on the Fourth and Seventh orders of business and at the conclusion of those orders, the Senate stand adjourned until 9:00 a.m., Saturday, April 28, 2001, which motion prevailed.

COMMUNICATION FROM GOVERNOR JOHN HOEVEN

This is to inform you that on April 27, 2001, I have signed the following: SB 2009, SB 2017, SB 2166, SB 2167, SB 2276, and SB 2347.

The Senate stood adjourned pursuant to Senator G. Nelson's motion.

WILLIAM R. HORTON, Secretary