

JOURNAL OF THE HOUSE

Fifty-seventh Legislative Assembly

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Bismarck, March 29, 2001

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

The prayer was offered by Pastor Don Burnett, Bismarck Baptist Church.

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

A quorum was declared by the Speaker.

POINT OF PERSONAL PRIVILEGE

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

REQUEST

REP. MARAGOS REQUESTED that his remarks be printed in the Journal, which request was granted.

The NDSFSA is a group of school foodservice professional, nutrition program staff, managers, directors and nutritionists working toward the common goal of promotion of school nutrition programs in North Dakota. The Association wants all students to have healthy meals available, and to see that students do not go hungry or suffer the consequences of malnutrition.

NDSFSA has members throughout the state who network information about food safety, new USDA regulations, technology, and employee training at their annual conference.

Throughout North Dakota 139 agencies served 2,210,340 breakfasts last year. That same year 269 local agencies served a total of 13,200,261 lunches. That averages 11,742 breakfasts and 76,540 lunches served to students per day, in this state.

The purpose of the National School Lunch program is to safeguard the health and welfare of the nation's children and to encourage the consumption of nutritious agricultural commodities. The NSLP was established in 1946 and remains a vital and strong program today, to benefit students and families. The service it provides is key to a student's readiness to learn.

The NSLP is available to all enrolled children in schools, residential child care, and other agencies throughout the state. These agencies receive reimbursement for meals that meet federal requirements.

School food service is a big business and one in which the NDSFSA recognizes that meals in schools, child care and summer programs are a superior nutritional value. Healthy eating is a life skill and one, which heavily impacts ones well-being for a lifetime.

SIXTH ORDER OF BUSINESS

REP. BELTER MOVED that the amendments on the Sixth order of business to SB 2001 SB 2033, SB 2090, SB 2124, SB 2191, and SB 2454 be adopted, which motion prevailed.

SB 2001 SB 2033, SB 2090, SB 2124, SB 2191, and SB 2454, as amended, were placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. DEVLIN MOVED that the conference committee report on HB 1226 be adopted, which motion prevailed on a verification vote.

SEVENTH ORDER OF BUSINESS

MOTION

REP. KASPER MOVED that the report of the Minority as printed on HJ pages 1153-1154 be substituted for the report of the Majority on SB 2191.

REQUEST

REP. KASPER REQUESTED a recorded roll call vote on the motion that the report of the Minority be substituted for the report of the Majority on SB 2191, which request was granted.

ROLL CALL

The question being on the motion that the report of the Minority be substituted for the report of the Majority on SB 2191, the roll was called and there were 21 YEAS, 77 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Bellew; Delzer; Fairfield; Froelich; Galvin; Glassheim; Grumbo; Gulleson; Kasper; Keiser; Kerzman; Koppelman; Lemieux; Mahoney; Niemeier; Ruby; Sandvig; Thoreson, B.; Wrangham; Speaker Bernstein

NAYS: Belter; Berg; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; DeKrey; Delmore; Devlin; Disrud; Dosch; Drovdal; Eckre; Ekstrom; Froseth; Grande; Grosz; Gunter; Haas; Hanson; Hawken; Herbel; Huether; Hunsakor; Jensen; Johnson, D.; Johnson, N.; Kelsch, R.; Kelsh, S.; Kempenich; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Kretschmar; Kroeber; Lloyd; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Renner; Rennerfeldt; Schmidt; Severson; Skarphol; Solberg; Svedjan; Thoreson, L.; Thorpe; Tieman; Timm; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich

The motion that the report of the Minority be substituted for the report of the Majority on SB 2191 failed, therefore, the report of the Majority was adopted.

SECOND READING OF SENATE BILL

SB 2191: A BILL for an Act to create and enact a new subsection to section 6-08.1-02 and a new section to chapter 6-08.1 of the North Dakota Century Code, relating to disclosure of financial information by financial institutions and notification of privacy policies; to amend and reenact section 6-08.1-01 of the North Dakota Century Code, relating to the definition of a customer and customer information; to provide an effective date; to provide an expiration date; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 77 YEAS, 20 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Belter; Berg; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Cleary; DeKrey; Delmore; Devlin; Disrud; Dosch; Drovdal; Eckre; Ekstrom; Froseth; Galvin; Glassheim; Grande; Grosz; Grumbo; Gunter; Haas; Hanson; Hawken; Herbel; Huether; Hunsakor; Jensen; Johnson, D.; Johnson, N.; Kelsch, R.; Kelsh, S.; Kempenich; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppang; Kretschmar; Lloyd; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Nottestad; Onstad; Pietsch; Pollert; Porter; Renner; Rennerfeldt; Schmidt; Severson; Skarphol; Solberg; Svedjan; Thoreson, L.; Thorpe; Tieman; Timm; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham

NAYS: Aarsvold; Bellew; Boucher; Clark; Fairfield; Froelich; Gulleson; Kasper; Keiser; Kerzman; Koppelman; Kroeber; Lemieux; Mahoney; Niemeier; Price; Ruby; Sandvig; Thoreson, B.; Speaker Bernstein

ABSENT AND NOT VOTING: Delzer

Engrossed SB 2191 passed, the title was agreed to, and the emergency clause was declared carried.

MOTION

REP. RENNER MOVED that the House reconsider its action whereby SB 2413 failed to pass, which motion prevailed on a verification vote.

SECOND READING OF SENATE BILL

SB 2413: A BILL for an Act to create and enact a new section to chapter 60-02 and a new section to chapter 60-02.1 of the North Dakota Century Code, relating to agricultural contracts.

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 60 YEAS, 38 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Boucher; Brandenburg; Brekke; Carlson; Cleary; Devlin; Disrud; Dosch; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Grande; Grumbo; Gulleon; Gunter; Hawken; Herbel; Hunskor; Jensen; Kasper; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Koppang; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Onstad; Pietsch; Rennerfeldt; Sandvig; Schmidt; Severson; Solberg; Svedjan; Thorpe; Tieman; Warner; Wentz; Wikenheiser; Wrangham

NAYS: Bellew; Berg; Boehm; Brusegaard; Byerly; Carlisle; Clark; DeKrey; Delmore; Delzer; Drovdal; Grosz; Haas; Hanson; Huether; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Klemin; Kliniske; Maragos; Martinson; Nottestad; Pollert; Porter; Price; Renner; Ruby; Skarphol; Thoreson, B.; Thoreson, L.; Timm; Wald; Weiler; Weisz; Winrich; Speaker Bernstein

SB 2413 passed and the title was agreed to.

MOTION

REP. KOPPANG MOVED that the House reconsider its action whereby Engrossed SB 2397 passed, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2397: A BILL for an Act to amend and reenact sections 5-01-16 and 5-03-05 of the North Dakota Century Code, relating to direct sales of alcoholic beverages; and to provide a penalty.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 53 YEAS, 45 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Brusegaard; Carlisle; Clark; Cleary; Delmore; Dosch; Drovdal; Ekstrom; Fairfield; Froelich; Galvin; Glassheim; Grumbo; Hanson; Hawken; Herbel; Hunskor; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppelman; Kroeber; Lloyd; Mahoney; Maragos; Meier; Metcalf; Monson; Mueller; Nicholas; Nottestad; Porter; Price; Renner; Sandvig; Solberg; Thoreson, L.; Thorpe; Wald; Weiler; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

NAYS: Bellew; Belter; Berg; Boehm; Boucher; Brandenburg; Brekke; Byerly; Carlson; DeKrey; Delzer; Devlin; Disrud; Eckre; Froseth; Grande; Grosz; Gulleon; Gunter; Haas; Huether; Jensen; Johnson, D.; Johnson, N.; Kasper; Koppang; Kretschmar; Lemieux; Martinson; Nelson; Niemeier; Onstad; Pietsch; Pollert; Rennerfeldt; Ruby; Schmidt; Severson; Skarphol; Svedjan; Thoreson, B.; Tieman; Timm; Warner; Weisz

SB 2397 passed and the title was agreed to.

MOTION

REP. BRANDENBURG MOVED that the House reconsider its action whereby SB 2407 passed, which motion lost on a recorded roll call vote.

ROLL CALL

The roll was called and there were 40 YEAS, 57 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Bellew; Belter; Berg; Brandenburg; Brekke; Byerly; Carlisle; Carlson; Delzer; Devlin; Drovdal; Froseth; Galvin; Grande; Grosz; Haas; Kasper; Keiser; Kelsch, R.; Kempenich; Klemin; Kliniske; Koppang; Koppelman; Lloyd; Mahoney; Pietsch; Pollert; Porter; Price; Rennerfeldt; Ruby; Sandvig; Severson; Skarphol; Svedjan; Thoreson, B.; Weiler; Weisz; Wrangham

NAYS: Aarsvold; Boehm; Boucher; Brusegaard; Clark; Cleary; DeKrey; Delmore; Disrud; Dosch; Eckre; Ekstrom; Fairfield; Froelich; Glassheim; Grumbo; Gulleson; Gunter; Hanson; Hawken; Herbel; Huether; Hunskor; Jensen; Johnson, D.; Johnson, N.; Kelsh, S.; Kerzman; Kingsbury; Klein, F.; Klein, M.; Kretschmar; Kroeber; Lemieux; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Niemeier; Nottestad; Onstad; Renner; Schmidt; Solberg; Thoreson, L.; Thorpe; Tieman; Timm; Wald; Warner; Wentz; Wikenheiser; Winrich; Speaker Bernstein

ABSENT AND NOT VOTING: Nicholas

SIGNING OF BILLS AND RESOLUTIONS

The Speaker signed the following enrolled bills and resolutions: HB 1105, HB 1201, HB 1228, HB 1296, HB 1304, HB 1306, HB 1354, HB 1370, HB 1390, HB 1408, HB 1474, HCR 3001, HCR 3002, HCR 3017, HCR 3026, HCR 3033, HCR 3043, HCR 3044, HCR 3050, HCR 3054, HCR 3056, HCR 3058, HCR 3065, HCR 3067, HCR 3068.

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 1105, HB 1201, HB 1228, HB 1296, HB 1304, HB 1306, HB 1354, HB 1370, HB 1390, HB 1408, HB 1474, HCR 3001, HCR 3002, HCR 3017, HCR 3026, HCR 3033, HCR 3043, HCR 3044, HCR 3050, HCR 3054, HCR 3056, HCR 3058, HCR 3065, HCR 3067, HCR 3068.

SIGNING OF BILLS AND RESOLUTIONS

The Speaker signed the following enrolled bills and resolutions: HB 1102, HB 1114, HB 1168, HB 1206, HB 1270, HB 1289, HB 1322, HB 1409, HB 1423, HB 1437, HB 1459, HCR 3034, HCR 3036, HCR 3066.

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 1102, HB 1114, HB 1168, HB 1206, HB 1270, HB 1289, HB 1322, HB 1409, HB 1423, HB 1437, HB 1459, HCR 3034, HCR 3036, HCR 3066.

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

MR. SPEAKER: The Senate has failed to pass: HB 1055, HB 1341.

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

MR. SPEAKER: The Senate has passed unchanged: HB 1011, HB 1016, HB 1018, HB 1021.

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

MR. SPEAKER: The Senate has passed, the emergency clause carried, unchanged: HB 1017.

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

MR. SPEAKER: The Senate has amended, subsequently passed, and the emergency clause carried: HB 1020.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1020

Page 1, line 10, replace "4,735,223" with "4,717,780"

Page 1, line 17, replace "1,381,401" with "1,398,844"

Page 1, line 19, replace "5,584,946" with "5,614,946"

Page 1, line 20, replace "7,039,402" with "7,009,402"

Page 1, after line 20, insert:

"SECTION 2. SPECIAL ROAD FUND. The amount of \$30,000, or such lesser amount as may be available, included in the Lewis and Clark bicentennial and estimated income line items in section 1 of this Act is from the special road fund and must be used for roadway and parking lot improvements at the Fort Clark state historic site."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1020 - State Historical Society - Senate Action

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$4,717,780	\$4,735,223	(\$17,443)	\$4,717,780
Operating expenses	1,129,334	1,129,334		1,129,334
Equipment	185,744	185,744		185,744
Capital improvements	1,159,200	1,159,200		1,159,200
Grants	485,559	485,559		485,559
Capital improvements - Fort Buford	3,543,160	3,543,160		3,543,160
Yellowstone-Missouri- Fort Union Commission	4,727	4,727		4,727
Lewis and Clark Bicentennial	1,398,844	1,381,401	17,443	1,398,844
Total all funds	\$12,624,348	\$12,624,348	\$0	\$12,624,348
Less estimated income	<u>5,584,946</u>	<u>5,584,946</u>	<u>30,000</u>	<u>5,614,946</u>
General fund	\$7,039,402	\$7,039,402	(\$30,000)	\$7,009,402
FTE	56.00	55.00	1.00	56.00

Dept. 701 - State Historical Society - Detail of Senate Changes

	FUNDING SOURCE CHANGE FOR FORT CLARK ROADWAY PROJECT ¹	RESTORE NEW FTE POSITION ²	TOTAL SENATE CHANGES
Salaries and wages		(\$17,443)	(\$17,443)
Operating expenses			
Equipment			
Capital improvements			
Grants			
Capital improvements - Fort Buford			
Yellowstone-Missouri- Fort Union Commission			
Lewis and Clark Bicentennial		17,443	17,443
Total all funds	\$0	\$0	\$0
Less estimated income	<u>30,000</u>		<u>30,000</u>
General fund	(\$30,000)	\$0	(\$30,000)
FTE	0.00	1.00	1.00

¹ The executive recommendation and the House version include \$75,000 from the general fund for Fort Clark roadway and parking lot improvements (included in the Lewis and Clark line item). This amendment provides that 40 percent of the cost of the project will be funded from the **special road fund**.

² The House transferred \$17,443 from the Lewis and Clark line item to salaries and wages, removed 1 FTE historic site supervisor II position included in the Lewis and Clark line item, and directed the State Historical Society to use the \$17,443 allocated to the position to increase the funding available for the department's historical architect position. The Senate amendment restores the historic site supervisor II position and transfers the related funding from salaries and wages to the Lewis and Clark Bicentennial line item, as included in the Schafer and Hoeven budget recommendations.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has amended and subsequently passed: HB 1001, HB 1002, HB 1014, HB 1024.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1001

Page 1, line 10, replace "1,984,329" with "2,127,065"

Page 1, line 14, replace "10,800" with "10,800"

Page 1, remove line 15

Page 1, line 16, replace "2,373,699" with "2,366,435"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1001 - Governor's Office - Senate Action

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$2,127,065	\$1,984,329	\$142,736	\$2,127,065
Operating expenses	224,370	214,370		214,370
Equipment	9,600	4,200		4,200
Contingency	10,000	10,000		10,000
Roughrider awards	10,800	10,800		10,800
Governor's school initiative		<u>150,000</u>	<u>(150,000)</u>	

Total all funds	\$2,381,835	\$2,373,699	(\$7,264)	\$2,366,435
Less estimated income				
General fund	\$2,381,835	\$2,373,699	(\$7,264)	\$2,366,435
FTE	18.00	17.00	1.00	18.00

Dept. 101 - Governor's Office - Detail of Senate Changes

	ADD POLICY POSITION ¹	REMOVE FUNDING FOR SCHOOL INITIATIVE ²	TOTAL SENATE CHANGES
Salaries and wages	\$142,736		\$142,736
Operating expenses			
Equipment			
Contingency			
Roughrider awards			
Governor's school initiative		(\$150,000)	(150,000)
Total all funds	\$142,736	(\$150,000)	(\$7,264)
Less estimated income			
General fund	\$142,736	(\$150,000)	(\$7,264)
FTE	1.00	0.00	1.00

¹ This amendment restores funding removed by the House for a new policy position that was included in the executive budget. The related operating and equipment funding of \$15,400 removed by the House is not being restored.

² Funding of \$150,000 from the general fund for the Governor's school initiative included in the House version is removed. Governor Hoeven had recommended \$505,192 from the general fund for this initiative.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1002

Page 1, line 2, after "reenact" insert "subsection 2 of section 54-05.1-03 and"

Page 1, line 3, after "to" insert "legislative lobbying expenditure reports and"

Page 2, after line 2, insert:

"SECTION 2. AMENDMENT. Subsection 2 of section 54-05.1-03 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

2. Each person ~~so~~ registering to act as a lobbyist shall ~~file~~, on or before August first following the expiration of the registration period, ~~file~~ with the secretary of state a detailed report. The report must include a statement as to each expenditure, if any, of ~~twenty-five~~ fifty dollars or more expended on any single occasion during the legislative session or the interim, as the case may be, on any individual in carrying out the lobbyist's work or include a statement that no reportable expenditures were made during the reporting period. A state official or agency may not require reporting of lobbyist expenditures other than is required under this subsection. The secretary of state shall provide a prescribed form for reporting pursuant to this chapter. The secretary of state shall charge and collect fees for late filing of the detailed expenditure report as follows:
 - a. Within sixty days after the date provided in this subsection for filing the detailed expenditure report, twenty-five dollars;
 - b. Thereafter, fifty dollars; and
 - c. If any currently registered lobbyist fails to file a detailed expenditure report and pay any late fee by October first, the lobbyist's registration is automatically revoked. The lobbyist's registration may be reinstated if the lobbyist thereafter files the detailed expenditure report and pays any outstanding late fee."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Dept. 108 - Secretary of State

SENATE - North Dakota Century Code Section 54-05.1-03 is amended regarding lobbying-related expenditures that must be reported to the Secretary of State.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1014

Page 1, line 7, after the second "of" insert "the committee on"

Page 1, line 8, after "advocacy" insert "and related"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1014 - Protection and Advocacy Project - Senate Action

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
Protection and advocacy services	\$2,574,768	\$2,948,096		\$2,948,096
Total all funds	\$2,574,768	\$2,948,096	\$0	\$2,948,096
Less estimated income	<u>1,693,022</u>	<u>2,171,548</u>		<u>2,171,548</u>
General fund	\$881,746	\$776,548	\$0	\$776,548
FTE	22.00	23.50	1.00	24.50

Dept. 360 - Protection and Advocacy Project - Detail of Senate Changes

	AUTHORIZE DISABILITIES ADVOCATE POSITION ¹	TOTAL SENATE CHANGES
Protection and advocacy services		
Total all funds	\$0	\$0
Less estimated income		
General fund	\$0	\$0
FTE	1.00	1.00

¹ Authorizes 1 FTE disabilities advocate position. This position is funded from and will be responsible for implementation of the Social Security Administration grant program. Increased spending authority of \$233,000 from the Social Security Administration is included in House Bill No. 1014 as amended and passed by the House.

SENATE AMENDMENTS TO REENGROSSED HOUSE BILL NO. 1024

Page 1, line 2, replace "amend and reenact section 3 of chapter 548 of the 1999 Session" with "authorize and provide an appropriation for additional full-time equivalent positions for the workers compensation bureau; to authorize and provide an appropriation for the issuance of bonds and use of bond proceeds; to create and enact a new section to chapter 65-02 of the North Dakota Century Code, relating to the creation of a building maintenance account; and to amend and reenact section 65-02-03.2 of the North Dakota Century Code, relating to compensation of workers compensation board members"

Page 1, remove line 3

Page 1, line 4, remove "and to provide for retroactive application"

Page 1, remove lines 11 through 14

Page 1, line 16, replace "AMENDMENT. Section 3 of chapter 548 of the 1999 Session Laws is" with "**NORTH DAKOTA WORKERS COMPENSATION BUREAU FULL-TIME EQUIVALENT EMPLOYEE POSITIONS AUTHORIZATION - APPROPRIATION - REPORT TO BUDGET SECTION.** The North Dakota workers compensation board of directors may authorize the workers compensation bureau to hire, upon a determination that employees are needed to facilitate the economic and efficient administration of the bureau, up to ten full-time equivalent employee positions in addition to the full-time equivalent employee positions authorized in section 1 of this Act for the biennium beginning July 1, 2001, and ending June 30, 2003. There is appropriated out of any moneys in the workers' compensation fund, not otherwise appropriated, the sum of \$500,000, or so much of the sum as may be necessary, to the workers compensation

bureau for the purpose of providing wages, salaries, and benefits for any additional full-time equivalent positions authorized under this section. The workers compensation board of directors shall report to the budget section of the legislative council on any additional full-time equivalent employee positions and related funding authorized.

SECTION 3. PROJECT AUTHORIZATION. The industrial commission, acting as the North Dakota building authority, may, at the request of the workers compensation board of directors, arrange for funding of the project authorized in this section, declared to be in the public interest, through the issuance of evidences of indebtedness under chapter 54-17.2, during the biennium beginning July 1, 2001, and ending June 30, 2003. The proceeds of the evidences of indebtedness and other available funds are appropriated during the period beginning July 1, 2001, and ending July 31, 2003, for the following project:

Workers compensation bureau	Office building	\$14,000,000
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The industrial commission may issue evidences of indebtedness in the principal amount of \$14,000,000 plus costs of issuance, capitalized interest, and any reasonable required reserves under this section with the condition that lease rental payments need not begin until July 1, 2003. This authority of the industrial commission to issue evidences of indebtedness ends June 30, 2003, but the industrial commission may continue to exercise all other powers granted to it under chapter 54-17.2 and this Act and to comply with any covenants entered before that date.

SECTION 4. BOND ISSUANCE REPAYMENT RESPONSIBILITY. A total of \$14,000,000 in principal amount plus interest must be made available by the workers compensation bureau from non-general fund sources to be appropriated to the industrial commission to retire the evidences of indebtedness issued for the project costs associated with the construction of the project authorized by this Act.

SECTION 5. LEGISLATIVE INTENT - WORKERS COMPENSATION BUREAU BUILDING - OTHER STATE AGENCIES LEASING. It is the intent of the legislative assembly that if a new facility is built to house the operations of the workers compensation bureau that the facility be built to include rental space for other state agencies and that the workers compensation bureau work with the office of management and budget to identify which agencies will lease space in the workers compensation bureau building and report to the budget section of the legislative council on plans for leasing to other agencies. The bureau shall have exclusive responsibility for setting and collecting rental amounts and for the maintenance and control of the building and its grounds.

SECTION 6. A new section to chapter 65-02 of the North Dakota Century Code is created and enacted as follows:

Building maintenance account - Continuing appropriation. There is a building maintenance account within the workers' compensation fund, to which the workers compensation bureau shall deposit all building rental proceeds if the workers compensation bureau builds a building that includes rental space for other state entities. The moneys in the account are appropriated on a continuing basis to the workers compensation bureau to pay bond principal and interest payments, operating, maintenance, repair, and payments in lieu of taxes expenses of the building and grounds. This account may be used only for the purposes identified in this section. The workers compensation bureau may either hire or contract for building maintenance and repair services anticipated by this section. The bureau shall report to the budget section of the legislative council on a biennial basis on all revenues deposited into this account and expenditures made from the account.

SECTION 7. AMENDMENT. Section 65-02-03.2 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

65-02-03.2. Compensation of board members. A board member is entitled to receive compensation ~~in the amount of sixty two dollars and fifty cents per day as determined by the board~~ for days spent in attendance at board meetings or other business as approved by the board. A board member is entitled to reimbursement for mileage and expenses as provided for state officers."

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1024 - Workers Compensation Bureau - Senate Action

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$17,854,134	\$20,348,251	(\$20,348,251)	
Operating expenses	7,373,732	8,114,732	(8,114,732)	
Equipment	1,354,057	1,418,357	(1,418,357)	
Safety partnership grants	630,000	1,260,000	(1,260,000)	
Workers Compensation Bureau			45,641,340	\$45,641,340
Total all funds	\$27,211,923	\$31,141,340	\$14,500,000	\$45,641,340
Less estimated income	<u>27,211,923</u>	<u>31,141,340</u>	<u>14,500,000</u>	<u>45,641,340</u>
General fund	\$0	\$0	\$0	\$0
FTE	191.00	218.00	0.00	218.00

Dept. 485 - Workers Compensation Bureau - Detail of Senate Changes

	CONSOLIDATE FUNDING INTO ONE LINE ITEM	PROVIDE FUNDING FOR ADDITIONAL FULL-TIME EQUIVALENT POSITIONS ¹	PROVIDE FUNDING FOR CONSTRUCTION BONDING PROCEEDS ²	TOTAL SENATE CHANGES
Salaries and wages	(\$20,348,251)			(\$20,348,251)
Operating expenses	(8,114,732)			(8,114,732)
Equipment	(1,418,357)			(1,418,357)
Safety partnership grants	(1,260,000)			(1,260,000)
Workers Compensation Bureau	31,141,340	\$500,000	\$14,000,000	45,641,340
Total all funds	\$0	\$500,000	\$14,000,000	\$14,500,000
Less estimated income		<u>500,000</u>	<u>14,000,000</u>	<u>14,500,000</u>
General fund	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00

¹ This amendment adds a section that authorizes the Workers Compensation Board of Directors to allow the Workers Compensation Bureau to hire upon a determination that positions are needed to facilitate the economic and efficient administration of the bureau up to 10 FTE positions in addition to the FTE positions authorized by the 2001 Legislative Assembly and provides a special funds appropriation of \$500,000 for salaries, wages, and benefits for any additional FTE positions hired under this section.

² This amendment adds a section that allows the Industrial Commission at the request of the Workers Compensation Board of Directors to issue and sell bonds for the purpose of financing the purchase of land and the construction of a new facility to house bureau operations and provides an appropriation to the Workers Compensation Bureau use of the bond proceeds.

This amendment also:

- Adds a section of legislative intent that if a new facility is built to house the operations of the Workers Compensation Bureau, the facility be built to include rental space for other state agencies.
- Creates a new section to the North Dakota Century Code (NDCC) that establishes a building maintenance account in the workers' compensation fund to be used for deposit of all rental proceeds and for payment of all building operation, maintenance, and financing costs.
- Amends NDCC Section 65-02-03.2 to allow the Workers Compensation Board of Directors to set compensation for board members.

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

MR. SPEAKER: The Senate has amended, subsequently passed, and the emergency clause failed: HB 1468.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1468

Page 1, line 2, remove "subsection 1"

Page 1, line 3, remove "of section 20.1-03-07," and remove the second comma

Page 1, remove lines 7 through 15

Page 2, line 2, remove "A combination"

Page 2, remove lines 3 and 4

Page 2, line 5, remove "section as well as upland game as provided in subsection 1 of section 20.1-03-07."

Page 2, line 24, replace "4" with "3"

Page 2, line 26, remove "3," and replace "5" with "4"

Renumber accordingly

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

MR. SPEAKER: The Senate has passed unchanged: HCR 3027, HCR 3048.

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 2281, SB 2289, SB 2299, SB 2307, SB 2309, SB 2318, and SB 2386.

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

MR. SPEAKER: The Senate does not concur in the House amendments to SB 2095, SB 2204, SB 2265, and SB 2389 and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2095: Sens. Fischer; Kilzer; T. Mathern

SB 2204: Sens. Klein; Erbele; Nichols

SB 2265: Sens. Trenbeath; Lyson; C. Nelson

SB 2389: Sens. Erbele; Klein; Kroeplin

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 1066: Sens. Stenehjem; Trenbeath; Espeland

HB 1267: Sens. Lyson; Watne; C. Nelson

HB 1416: Sens. Watne; Lyson; Traynor

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

MR. PRESIDENT: The House has passed unchanged: SB 2127, SB 2182.

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 2191.

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

MR. PRESIDENT: The House has adopted the conference committee report and passed: HB 1226.

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

MR. PRESIDENT: The House has adopted the conference committee report and passed: HB 1182.

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

MR. PRESIDENT: The House has passed unchanged: SB 2407.

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

MR. PRESIDENT: The House has amended and subsequently passed: SB 2034, SB 2106, SB 2166, SB 2217, SB 2251, SB 2315, SB 2397, SB 2413, SB 2415, SB 2427, SB 2436, SB 2449.

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

MR. PRESIDENT: The House has adopted the conference committee reports and subsequently passed: HB 1363 and HB 1398.

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 1046, HB 1218, HB 1234, HB 1350, HB 1391, HB 1401, and HB 1465.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bills were delivered to the Governor for approval on March 29, 2001: HB 1100, HB 1106, HB 1125, HB 1151, HB 1174, HB 1181, HB 1203, HB 1242, HB 1262, HB 1274, HB 1360, HB 1427.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following resolutions were delivered to the Secretary of State for filing on March 29, 2001: HCR 3030, HCR 3037.

REPORT OF STANDING COMMITTEE

SB 2002, as engrossed: Appropriations Committee (Rep. Timm, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (19 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2002 was placed on the Sixth order on the calendar.

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	40,000	40,000		40,000
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
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

REPORT OF STANDING COMMITTEE

SB 2013, as engrossed: Appropriations Committee (Rep. Timm, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (19 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2013 was placed on the Sixth order on the calendar.

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.

REPORT OF STANDING COMMITTEE

SB 2008, as engrossed: Appropriations Committee (Rep. Timm, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (19 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2008 was placed on the Sixth order on the calendar.

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.

REPORT OF STANDING COMMITTEE

SB 2287, as engrossed: Natural Resources Committee (Rep. Rennerfeldt, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2287 was placed on the Sixth order on the calendar.

Page 1, line 16, replace "two" with "one"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2328, as engrossed: Finance and Taxation Committee (Rep. Carlson, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). Engrossed SB 2328 was placed on the Sixth order on the calendar.

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

REPORT OF STANDING COMMITTEE

SB 2337, as engrossed: Appropriations Committee (Rep. Timm, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (11 YEAS, 9 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2337 was placed on the Sixth order on the calendar.

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."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2379, as engrossed: Appropriations Committee (Rep. Timm, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (20 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2379 was placed on the Sixth order on the calendar.

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

REPORT OF STANDING COMMITTEE

SB 2403, as engrossed: Appropriations Committee (Rep. Timm, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (18 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2403 was placed on the Sixth order on the calendar.

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."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Dept. 327 - Department of Human Services - House Action

This amendment adds an emergency clause.

REPORT OF STANDING COMMITTEE

SCR 4048: Government and Veterans Affairs Committee (Rep. M. Klein, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4048 was placed on the Tenth order on the calendar.

MOTION

REP. BELTER MOVED to suspend rule 508 to delay bills out of committee until the sixty first day, which motion prevailed.

MOTION

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

MOTION

REP. MONSON MOVED that the House be on the Fifth, Twelfth, and Sixteenth orders of business and at the conclusion of those orders, the House stand adjourned until 12:30 p.m., Thursday, March 30, 2001, which motion prevailed.

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

MARK L. JOHNSON, Chief Clerk

