

JOURNAL OF THE SENATE

Fifty-seventh Legislative Assembly

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Bismarck, April 2, 2001

The Senate convened at 1:00 p.m., with President Dalrymple presiding.

The prayer was offered by Chaplain Clyde Leimberer, The Baptist Home, Bismarck.

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

A quorum was declared by the President.

MOTION

SEN. CHRISTMANN MOVED that HB 1026, which is on the Sixth order, be laid over one legislative day, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1202, as reengrossed: SEN. ERBELE (Appropriations Committee) MOVED that the amendments on SJ pages 1081-1087 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1202: A BILL for an Act to create and enact section 23-27-04.5 of the North Dakota Century Code, relating to the creation of a quick-response unit service pilot program; to amend and reenact sections 11-28.3-01, 11-28.3-08, 11-28.3-09, 11-28.3-14, 23-12-08, 23-27-01, 23-27-02, 23-27-03, 23-27-04, 23-27-04.1, 23-27-04.2, 23-27-04.3, 23-27-04.4, 57-15-06.7, 57-15-20.2, 57-15-50, 57-15-51, 57-15-51.1, and subsection 21 of section 58-03-07 of the North Dakota Century Code, relating to licensure of emergency medical services operations and mill levies for emergency medical services and rural ambulance services; to provide an appropriation; and to provide an expiration date.

ROLL CALL

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

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

ABSENT AND NOT VOTING: Bercier

Reengrossed HB 1202, as amended, passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

HB 1007, as engrossed: SEN. GRINDBERG (Appropriations Committee) MOVED that the amendments on SJ pages 1076-1077 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1007: A BILL for an Act to provide an appropriation for defraying the expenses of the office of the labor commissioner.

ROLL CALL

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

YEAS: Andrist; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch;

Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Bercier

Engrossed HB 1007, as amended, passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

HB 1008, as engrossed: SEN. SCHOBINGER (Appropriations Committee) MOVED that the amendments on SJ pages 1077-1078 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1008: A BILL for an Act to provide an appropriation for defraying the expenses of the public service commission; to amend and reenact section 49-01-05 of the North Dakota Century Code, relating to the salary of public service commissioners; 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 48 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Bercier

Engrossed HB 1008, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

CONSIDERATION OF AMENDMENTS

HB 1010, as engrossed: SEN. ANDRIST (Appropriations Committee) MOVED that the amendments on SJ pages 1078-1079 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1010: A BILL for an Act to provide an appropriation for defraying the expenses of the insurance commissioner; to create and enact a new subsection to section 54-44.3-20 of the North Dakota Century Code, relating to employees exempt from the state classified service; and to amend and reenact section 26.1-01-09 of the North Dakota Century Code, relating to the salary of the insurance commissioner.

ROLL CALL

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

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

ABSENT AND NOT VOTING: Bercier

Engrossed HB 1010, as amended, passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

HB 1019: SEN. ROBINSON (Appropriations Committee) MOVED that the amendments on SJ pages 1079-1080 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1019: A BILL for an Act to provide an appropriation for defraying the expenses of the state game and fish department.

MOTION

SEN. ROBINSON MOVED that HB 1019, as amended, be further amended as follows, which motion prevailed on a voice vote.

In lieu of the amendments to House Bill No. 1019 as printed on pages 1079 and 1080 of the Senate Journal, House Bill No. 1019 is amended as follows:

Page 1, line 16, replace "4,738,476" with "5,138,476"

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

Page 1, line 22, replace "34,719,641" with "35,319,641"

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

Page 2, after line 24, insert:

"SECTION 6. PRIVATE LAND HABITAT AND ACCESS IMPROVEMENT PROGRAM. The amount of \$400,000 or such lesser amount as may be available, from the line item entitled land habitat and deer depredation in section 1 of this Act, is from the additional revenue generated by hunting license fee increases contained in House Bill No. 1468. It is the intent of the fifty-seventh legislative assembly that these funds be spent to carry out the private land habitat and access improvement program by providing access to private land, establishing food plots, alleviating depredation, and enhancing habitat pursuant to subsection 19 of section 20.1-02-05, for the biennium beginning July 1, 2001, and ending June 30, 2003."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:**House Bill No. 1019 - Game and Fish Department - Senate Action**

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$13,889,059	\$13,889,059		\$13,889,059
Operating expenses	8,320,714	8,320,714		8,320,714
Equipment	793,505	793,505		793,505
Capital improvements	1,259,486	1,259,486		1,259,486
Grants	3,578,050	3,578,050		3,578,050
Noxious weed control	250,000	250,000		250,000
Land habitat and deer depredation	4,738,476	4,738,476	\$400,000	5,138,476
Grants, gifts, and donations	150,000	150,000		150,000
Nongame wildlife conservation	120,000	120,000		120,000
Waterbank program	200,000	200,000		200,000
Wildlife services	200,000	200,000	200,000	400,000
Lonetree Reservoir	<u>1,220,351</u>	<u>1,220,351</u>		<u>1,220,351</u>
Total all funds	\$34,719,641	\$34,719,641	\$600,000	\$35,319,641
Less estimated income	<u>34,719,641</u>	<u>34,719,641</u>	<u>600,000</u>	<u>35,319,641</u>
General fund	\$0	\$0	\$0	\$0
FTE	136.00	136.00	0.00	136.00

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

	ADD FUNDING FOR WILDLIFE SERVICES ¹	ADD FUNDING FOR HABITAT AND ACCESS IMPROVEMENT ²	TOTAL SENATE CHANGES
Salaries and wages			
Operating expenses			
Equipment			
Capital improvements			
Grants			
Noxious weed control			
Land habitat and deer		\$400,000	\$400,000

depredation			
Grants, gifts, and donations			
Nongame wildlife conservation			
Waterbank program			
Wildlife services	\$200,000		\$200,000
Lonetree Reservoir			
Total all funds	\$200,000	\$400,000	\$600,000
Less estimated income	<u>200,000</u>	<u>400,000</u>	<u>600,000</u>
General fund	\$0	\$0	\$0
FTE	0.00	0.00	0.00

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

² This amendment increases the land habitat and deer depredation line item by \$400,000, which is the anticipated increase in 2001-03 biennium hunting license revenue as a result of the passage of 2001 House Bill No. 1468. This amendment also adds a new section directing the department to use the additional \$400,000 for the private land habitat and access improvement program.

ROLL CALL

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

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

ABSENT AND NOT VOTING: Bercier

HB 1019, as amended, passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

HB 1338, as engrossed: SEN. WANZEK (Agriculture Committee) MOVED that the amendments on SJ page 1087 be adopted and then be placed on the Fourteenth order with **DO PASS**.

REQUEST

SEN. KROEPLIN REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to Engrossed HB 1338, which request was granted.

ROLL CALL

The question being on the motion to adopt the amendments to Engrossed HB 1338, the roll was called and there were 30 YEAS, 18 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

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

ABSENT AND NOT VOTING: Bercier

The motion to adopt the amendments to Engrossed HB 1338 passed.

SECOND READING OF HOUSE BILL

HB 1338: A BILL for an Act to provide for a legislative council study of issues related to genetic modification.

MOTION

SEN. KROEPLIN MOVED that Engrossed HB 1338, as amended, be further amended as follows:

In lieu of the amendments to Engrossed House Bill No. 1338 as printed on page 1087 of the Senate Journal, Engrossed House Bill No. 1338 is amended as follows:

Page 1, line 1, after "seed" insert "; to provide for a legislative council study"

Page 1, line 10, after the period insert "The chairman of the wheat commission shall serve as chairman of the genetically modified wheat seed committee. The chairman or any two committee members upon providing written notice to the chairman may call a meeting of the committee."

Page 1, line 17, replace "makes a determination" with "determines by a two-thirds vote"

Page 1, replace lines 18 and 19 with "the production of genetically modified wheat is warranted by consumer acceptance and demand and by competitive market considerations."

Page 1, after line 21, insert:

"SECTION 3. LEGISLATIVE COUNCIL STUDY OF ISSUES RELATED TO GENETIC MODIFICATION. The legislative council shall consider studying issues related to genetic modification, including impacts on health, the environment, the food supply, product labeling, and actions by other jurisdictions regarding experimental medicine and research, and the promulgation of accurate information regarding genetic modification efforts that exist or are expected to exist in the near future. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the fifty-eighth legislative assembly."

Page 1, line 22, replace "This" with "Sections 1 and 2 of this" and replace "is" with "are"

Page 1, line 23, replace "is" with "are"

Renumber accordingly

REQUEST

SEN. KROEPLIN REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to Engrossed HB 1338, as amended, which request was granted.

ROLL CALL

The question being on the motion to adopt the proposed amendments to Engrossed HB 1338, as amended, the roll was called and there were 21 YEAS, 27 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Christenson; Every; Heitkamp; Kelsh; Krauter; Kroeplin; Lindaas; Lyson; Mathern, D.; Mathern, T.; Nelson, C.; Nichols; O'Connell; Polovitz; Robinson; Tallackson; Tomac; Trenbeath; Urlacher; Wardner; Watne

NAYS: Andrist; Bowman; Christmann; Cook; Dever; Erbele; Espegard; Fischer; Flakoll; Freborg; Grindberg; Holmberg; Kilzer; Klein; Krebsbach; Kringstad; Lee; Mutch; Nelson, G.; Nething; Schobinger; Solberg; Stenehjem; Thane; Tollefson; Traynor; Wanzek

ABSENT AND NOT VOTING: Bercier

The proposed amendments to Engrossed HB 1338, as amended, failed.

ROLL CALL

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

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

ABSENT AND NOT VOTING: Bercier

Engrossed HB 1338, as amended, passed and the title was agreed to.

MOTION

SEN. CHRISTMANN MOVED that the last sentence of Senate Rule 508 be amended to read "sixtieth legislative day", thereby extending the deadline for reporting bills out of committee, which motion prevailed.

MOTION

SEN. CHRISTMANN MOVED that SB 2034, SB 2039, SB 2088, SB 2166, SB 2308, HB 1261, and HB 1462 be moved to the top of the calendar, which motion prevailed.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. TRAYNOR MOVED that the Senate do not concur in the House amendments to Engrossed SB 2034 as printed on SJ pages 1029-1030 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE PRESIDENT APPOINTED as a Conference Committee on Engrossed SB 2034: Sens. Traynor, Watne, C. Nelson.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. FREBORG MOVED that the Senate do not concur in the House amendments to Engrossed SB 2039 as printed on SJ page 852 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE PRESIDENT APPOINTED as a Conference Committee on Engrossed SB 2039: Sens. Flakoll, Wanzek, Christenson.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. STENEHJEM MOVED that the Senate do not concur in the House amendments to SB 2088 as printed on SJ pages 1003-1004 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE PRESIDENT APPOINTED as a Conference Committee on SB 2088: Sens. Stenehjem, Trenbeath, O'Connell.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. FREBORG MOVED that the Senate do not concur in the House amendments to Engrossed SB 2166 as printed on SJ pages 1030-1031 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE PRESIDENT APPOINTED as a Conference Committee on Engrossed SB 2166: Sens. Cook, Freborg, O'Connell.

APPOINTMENT OF CONFERENCE COMMITTEE

SEN. LEE MOVED that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on Reengrossed SB 2308, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on Reengrossed SB 2308: Sens. Lee, Erbele, Polovitz.

APPOINTMENT OF CONFERENCE COMMITTEE

SEN. STENEHJEM MOVED that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on Engrossed HB 1261, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on Engrossed HB 1261: Sens. Stenehjem, Espegard, O'Connell.

APPOINTMENT OF CONFERENCE COMMITTEE

SEN. LEE MOVED that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on Engrossed HB 1462, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on Engrossed HB 1462: Sens. Lee, Fischer, T. Mathern.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bills were delivered to the Governor for approval on April 2, 2001: SB 2081, SB 2091, SB 2143, SB 2163, SB 2180, SB 2190, SB 2252, SB 2290, SB 2298, SB 2383.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following resolutions were delivered to the Secretary of State for filing on April 2, 2001: SCR 4001, SCR 4003, SCR 4004, SCR 4005, SCR 4014, SCR 4022, SCR 4024, SCR 4027, SCR 4029, SCR 4031, SCR 4032, SCR 4033, SCR 4034, SCR 4042, SCR 4045.

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

MR. SPEAKER: The President has signed: HB 1032, HB 1046, HB 1102, HB 1105, HB 1114, HB 1168, HB 1201, HB 1206, HB 1216, HB 1218, HB 1228, HB 1234, HB 1259, HB 1270, HB 1282, HB 1289, HB 1296, HB 1304, HB 1306, HB 1322, HB 1350, HB 1354, HB 1370, HB 1390, HB 1391, HB 1401, HB 1406, HB 1408, HB 1409, HB 1417, HB 1423, HB 1431, HB 1437, HB 1459, HB 1465, HB 1474.

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

MR. SPEAKER: The President has signed: HCR 3001, HCR 3002, HCR 3017, HCR 3026, HCR 3033, HCR 3034, HCR 3036, HCR 3043, HCR 3044, HCR 3050, HCR 3054, HCR 3056, HCR 3058, HCR 3065, HCR 3066, HCR 3067, HCR 3068.

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 2027, SB 2045, SB 2053, SB 2058, SB 2105, SB 2120, SB 2127, SB 2135, SB 2142, SB 2173, SB 2182, SB 2192, SB 2195, SB 2205, SB 2208, SB 2210, SB 2246, SB 2257, SB 2273, SB 2281, SB 2289, SB 2299, SB 2307, SB 2309, SB 2318, SB 2386, SB 2407.

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1007, HB 1010, HB 1019, HB 1338.

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 1008.

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 1261: Sens. Stenehjem; Espeland; O'Connell

HB 1462: Sens. Lee; Fischer; T. Mathern

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

MR. SPEAKER: The Senate does not concur in the House amendments to SB 2034, SB 2039, SB 2088, and SB 2166 and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2034: Sens. Traynor; Watne; C. Nelson

SB 2039: Sens. Flakoll; Wanzek; Christenson

SB 2088: Sens. Stenehjem; Trenbeath; O'Connell

SB 2166: Sens. Cook; Freborg; O'Connell

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

MR. SPEAKER: The Senate does not concur in the House amendments to SB 2308 and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2308: Sens. Lee; Erbele; Polovitz

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1202.

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

MR. PRESIDENT: The House has passed unchanged: SB 2014, SB 2018, SB 2194.

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

MR. PRESIDENT: The House has amended and subsequently passed: SB 2104, SB 2239.

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2104

Page 1, line 1, remove "4-09-14.3,"

Page 1, line 3, replace the first comma with "and" and remove ", and seed fees"

Page 2, remove lines 30 and 31

Page 3, remove lines 1 through 16

Page 5, line 1, remove ", with the approval of the state seed commission,"

Renumber accordingly

HOUSE AMENDMENTS TO REENGROSSED SENATE BILL NO. 2239

Page 1, line 1, after "25-17" insert "and a new subsection to section 50-10-06"

Page 1, line 2, after "law" insert "and services for treatment of phenylketonuria and maple syrup urine disease"

Page 2, line 24, after "council" insert "and the department of human services"

Page 2, line 29, after the second period insert:

"1."

Page 3, line 1, overstrike "1." and insert immediately thereafter "a."

Page 3, line 4, overstrike "2." and insert immediately thereafter "b."

Page 3, remove lines 8 through 24

Page 3, line 25, replace "7" with "c"

Page 3, after line 26, insert:

"2. The department of human services, as a program provided under chapter 50-10, shall:

- a. Provide medical food at no cost to males under age twenty-two and females under age forty-five who are diagnosed with phenylketonuria or maple syrup urine disease, regardless of income. If treatment services under this subsection are provided to an individual by the department, the department may seek reimbursement from any government program that provides coverage to that individual for the treatment services provided by the department.
- b. Offer for sale at cost medical food to females age forty-five and over and to males age twenty-two and over who are diagnosed with phenylketonuria or maple syrup urine disease, regardless of income. These individuals are responsible for payment to the department for the cost of medical food.
- c. Provide low-protein modified food products, if medically necessary as determined by a qualified health care provider, to females under age forty-five and males under age twenty-two who are receiving medical assistance and are diagnosed with phenylketonuria or maple syrup urine disease."

Page 5, line 12, after "a" insert "state", after "health" insert "or department of human services", and after the period insert:

"**SECTION 8.** A new subsection to section 50-10-06 of the North Dakota Century Code is created and enacted as follows:

Provide medical food and low-protein modified food products under chapter 25-17 to individuals with phenylketonuria or maple syrup urine disease."

Renumber accordingly

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)
MR. PRESIDENT: The House has concurred in the Senate amendments and subsequently passed: HB 1002, HB 1014, and HCR 3015.

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)
MR. PRESIDENT: The Speaker has appointed as a conference committee to act with a like committee from the Senate on:

SB 2082: Reps. Klemin; Haas; Kroeber
SB 2095: Reps. Weisz; Galvin; Sandvig
SB 2265: Reps. Kretschmar; Brekke; Mahoney
SCR4020: Reps. Devlin; Brusegaard; Hunskor

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)
MR. PRESIDENT: The House does not concur in the Senate amendments to HB 1001, HB 1024, HB 1451, and HB 1468 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1001: Reps. Carlisle; B. Thoreson; Glassheim
HB 1024: Reps. Wald; Boehm; Aarsvold
HB 1451: Reps. Grande; Kingsbury; Eckre
HB 1468: Reps. Porter; Weiler; Hanson

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 1119 and HB 1184.

MOTION

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

MOTION

SEN. CHRISTMANN MOVED that the Senate be on the Fourth, Fifth, and Seventh orders of business and at the conclusion of those orders, the Senate stand adjourned until 1:00 p.m., Saturday, February 3, 2001, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1006, as engrossed: Appropriations Committee (Sen. Nething, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed HB 1006 was placed on the Sixth order on the calendar.

Page 2, line 5, replace "21,962,476" with "22,262,476"

Page 2, after line 17, insert:

"SECTION 4. APPROPRIATION. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$300,000, or so much of the sum as may be necessary, to the state tax commissioner for the costs related to implementation of the provisions of House Bill No. 1399, for the biennium beginning July 1, 2001, and ending June 30, 2003."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Dept. 127 - State Tax Commissioner - Senate Action

This amendment provides an appropriation of \$300,000 from the general fund to the State Tax Commissioner for the costs related to implementation of the provisions of House Bill No. 1399, relating to the decoupling of the state income tax.

REPORT OF STANDING COMMITTEE

HB 1109, as reengrossed and amended: Appropriations Committee (Sen. Nething, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed HB 1109, as amended, was placed on the Sixth order on the calendar.

In lieu of the amendments to reengrossed House Bill No. 1109 as printed on pages 873 and 874 and pages 904 and 905 of the Senate Journal, Reengrossed House Bill No. 1109 is amended as follows:

Page 4, line 4, after the underscored comma insert "medication management,"

Page 5, line 2, replace the first underscored comma with "or" and remove ", or an independent"

Page 5, line 3, remove "living facility"

Page 6, remove lines 2 through 4

Page 6, line 5, replace "11" with "10"

Page 6, line 8, replace "12" with "11"

Page 6, line 11, replace "13" with "12"

Page 6, line 14, replace "14" with "13"

Page 6, line 16, replace "15" with "14"

Page 6, line 19, replace "16" with "15"

Page 6, line 21, replace "17" with "16"

Page 6, line 24, replace "18" with "17"

Page 6, line 29, replace "19" with "18"

Page 7, line 3, replace "20" with "19"

Page 7, line 6, replace "21" with "20"

Page 7, line 8, replace "22" with "21"

Page 7, line 23, replace "holding itself out to the public as an assisted living facility located in this state" with "using the term "assisted living" in its advertising"

Page 7, line 24, remove "by providing such information as the"

Page 7, remove line 25

Page 7, line 26, remove "health under chapter 23-09"

Page 7, line 28, replace "ten" with "seventy-five", after "dollars" insert "for the initial year", and after "facility" insert "and twenty dollars for each subsequent year for each facility"

Page 8, line 3, after the underscored period insert "The department shall involve the facilities in the rulemaking process."

Page 8, line 11, remove ", markets its services as an"

Page 8, line 12, remove "assisted living facility."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1217, as engrossed: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION (5 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed HB 1217 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "and" and after "54-52.6-09" insert ", and section 54-52.6-14"

Page 1, line 4, after "plan" insert "and disability benefits under the defined contribution retirement plan"

Page 1, line 5, after the first semicolon insert "and" and remove "; and to provide for application"

Page 5, after line 9, insert:

- "5. Notwithstanding any other provision of this chapter, eligible employees may not have more than one opportunity to make an election to participate in the retirement plan established under this chapter."

Page 6, line 28, replace "six" with "twelve"

Page 6, line 30, after "expenses" insert "and up to fifteen-hundredths percent of the monthly salary or wage of the participating member specifically for investment education expenses"

Page 7, after line 5, insert:

"SECTION 7. AMENDMENT. Section 54-52.6-14 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

54-52.6-14. Disability benefits. The board shall provide a procedure whereby a participating member may who first becomes eligible to participate in this plan after September 30, 2002, shall use a portion of that person's account contributions under this chapter to purchase disability insurance. For members eligible to participate in this plan before October 1, 2002, the board shall allow distribution of the participating member's vested account balance if the board determines the participating member has become totally and permanently disabled. If approved, the disabled member has the same distribution options as provided in subdivisions a and c of subsection 3 of section 54-52.6-13. However, if the member chooses the periodic distribution option, the member may only receive distributions for as long as the disability continues and the member submits the necessary documentation and undergoes medical testing required by the board, or for as long as the member participates in a rehabilitation program required by the board, or both. If the board determines that a member no longer meets the eligibility definition, the board shall discontinue the disability retirement benefit."

Page 7, line 7, replace "\$250,000" with "\$450,000"

Page 7, line 16, replace "7" with "8" and replace "\$250,000" with "\$283,000"

Page 7, line 19, replace "two" with "three"

Page 7, line 24, remove "7, and" and after "8" insert ", and 9"

Page 7, line 25, replace "July 1, 2003" with "October 1, 2002"

Page 7, remove lines 26 through 28

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1249: Appropriations Committee (Sen. Nething, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1249 was placed on the Sixth order on the calendar.

Page 1, line 4, after "**APPROPRIATION**" insert "**- REFUND FUND TRANSFER**"

Page 1, line 5, replace "general fund" with "attorney general refund fund from lawsuit settlement collections"

Page 1, line 15, replace "general fund" with "special funds"

Page 1, after line 15, insert:

"The funds appropriated from the attorney general refund fund must be transferred to the department of agriculture operating fund as requested by the state veterinarian."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1249 - Department of Agriculture - Senate Action

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
Johne's disease herd status program		\$177,500		\$177,500
Total all funds	\$0	\$177,500	\$0	\$177,500
Less estimated income			<u>177,500</u>	<u>177,500</u>
General fund	\$0	\$177,500	(\$177,500)	\$0
FTE	0.00	0.00	0.00	0.00

Dept. 602 - Department of Agriculture - Detail of Senate Changes

	CHANGE FUNDING SOURCE ¹	TOTAL SENATE CHANGES
Johne's disease herd status program		
Total all funds	\$0	\$0
Less estimated income	<u>177,500</u>	<u>177,500</u>
General fund	(\$177,500)	(\$177,500)
FTE	0.00	0.00

¹ This amendment changes the funding source for controlling and defraying the cost of Johne's disease. General fund money is replaced with funds received through the Attorney General's office from the indirect vitamin products lawsuit settlement.

REPORT OF STANDING COMMITTEE

HB 1349, as engrossed and amended: Appropriations Committee (Sen. Nothing, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1349, as amended, was placed on the Sixth order on the calendar.

In lieu of the amendments adopted by the Senate as printed on page 837 of the Senate Journal, Engrossed House Bill No. 1349 is amended as follows:

Page 1, line 2, after "council" insert "; and to provide an appropriation"

Page 1, after line 10, insert:

"SECTION 2. APPROPRIATION - REFUND FUND TRANSFER. There is appropriated out of any moneys in the attorney general refund fund from lawsuit settlement collections in the state treasury, not otherwise appropriated, the sum of \$75,000, or so much of the sum as may be necessary, to the agriculture commissioner for the purpose of developing and expanding agriculture in the classroom curricula, for the biennium beginning July 1, 2001, and ending June 30, 2003. The funds appropriated from the attorney general refund fund must be transferred to the department of agriculture operating fund as requested by the agriculture commissioner."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1349 - Agriculture Commissioner - Senate Action

This amendment changes the funding source for developing and expanding the agriculture in the classroom curricula. General fund moneys are replaced with funds received through the Attorney General's office from the Indirect Vitamin Products lawsuit settlement.

REPORT OF STANDING COMMITTEE

HB 1395, as engrossed: Human Services Committee (Sen. Lee, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1395 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact two new sections to chapter 25-13 of the North Dakota Century Code, relating to assistance dogs; to amend and reenact sections 25-13-02, 25-13-03, 25-13-04, 39-10-33.3, and subsection 22 of section 40-05-02 of the North Dakota Century Code, relating to the rights of individuals with disabilities who are accompanied by assistance dogs and the licensing of assistance dogs; and to provide a penalty.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 25-13 of the North Dakota Century Code is created and enacted as follows:

Assistance dog - Definition. For purposes of this Act:

1. "Assistance dog" includes a dog that has been specially trained to assist an individual with a disability. The term includes guide dogs that guide individuals who are legally blind, hearing dogs that alert individuals who are hard of hearing to specific sounds, and service dogs for individuals with disabilities other than blindness or deafness. The term does not include a dog that is not trained to mitigate an individual's disability, but the presence of which is to provide for the comfort, protection, or personal defense of an individual.
2. "Service dogs" includes dogs trained to perform a variety of physical tasks, including pulling a wheelchair, lending balance support, retrieving dropped objects, and providing assistance in a medical crisis.

SECTION 2. AMENDMENT. Section 25-13-02 of the North Dakota Century Code is amended and reenacted as follows:

25-13-02. ~~Blind or handicapped person accompanied by guide or service~~ Individual with a disability - Assistance dog to be admitted to - Admission to public places. ~~Every totally or partially blind person has the right~~ An individual with a disability is entitled to be accompanied by a guide or assistance dog and every handicapped person has the right to be accompanied by a service dog, especially trained for those purposes, in places of public accommodations, common carriers, facilities of a health care provider, and all places in to which the public is generally invited, without being required to pay an extra charge for the ~~guide or service~~ assistance dog; provided, ~~that such persons are the individual is~~ that the individual is liable for any damage done to the premises or ~~facilities~~ facility by the ~~dogs~~ assistance dog.

SECTION 3. A new section to chapter 25-13 of the North Dakota Century Code is created and enacted as follows:

Trainer and assistance dog in training - Admission to public places.

1. A trainer with an assistance dog in training may enter any place of public accommodation, common carrier, facility of a health care provider, and any place to which the public is generally invited, without being required to pay an extra charge for the assistance dog in training, provided:
 - a. The trainer notifies an onsite manager that an assistance dog in training is being brought onto the premises;
 - b. The trainer wears a photo identification card issued by a dog training program holding membership in assistance dogs international, international federation of guide dog schools, or United States council of dog guide schools; and
 - c. The trainer is liable for any damage done to the premises or facility by the assistance dog in training.
2. Upon receiving notice as provided in subsection 1, the onsite manager may not deny admission to the trainer and the assistance dog in training without good cause.

SECTION 4. AMENDMENT. Section 25-13-03 of the North Dakota Century Code is amended and reenacted as follows:

25-13-03. ~~Precautions of driver~~ Driver of motor vehicle when approaching blind persons - Precaution - Individual with assistance dog. ~~When the driver of a motor vehicle approaches a totally or partially~~ When the driver of a motor vehicle approaches an individual who is blind, pedestrian or visually impaired and who is carrying a cane predominately white or metallic in color, with or without a red tip, or using a guide who is accompanied by an assistance dog, the driver shall take all reasonable precautions to avoid injury to such blind pedestrian, and any ~~the individual and the assistance dog.~~ Any driver who fails to

~~take such reasonable precautions is liable in damages to the individual for any injury caused such pedestrian; provided that a totally or partially. An individual who is blind pedestrian or visually impaired and not carrying such a cane or using a guide an individual with a disability who is not accompanied by an assistance dog in any of the places, accommodations, or conveyances listed in section 25-13-02, shall have has all of the rights and privileges conferred by law upon other persons, and the individuals. The failure of a totally or partially an individual who is blind pedestrian or visually impaired to carry such a cane or use a guide the failure of an individual with a disability to be accompanied by an assistance dog in any such places, accommodations, or conveyances may not itself be held to constitute nor be is not by itself evidence of contributory negligence fault.~~

SECTION 5. AMENDMENT. Section 25-13-04 of the North Dakota Century Code is amended and reenacted as follows:

25-13-04. Penalty for interfering or denying use of facilities. Any person ~~or the agent of any person~~ who denies or interferes with admittance to or enjoyment of the public places or facilities enumerated in section 25-13-02 or otherwise interferes with the rights of ~~a totally or partially~~ an individual who is blind ~~person~~ or visually impaired, or with the rights of an individual who is accompanied by an assistance dog, is guilty of a class A misdemeanor. This section does not apply to a denial of admission under section 3 of this Act.

SECTION 6. AMENDMENT. Section 39-10-33.3 of the North Dakota Century Code is amended and reenacted as follows:

39-10-33.3. Blind pedestrian right of way. The driver of a vehicle shall yield the right of way to ~~any blind pedestrian~~ an individual who is blind or visually impaired and carrying a clearly visible white cane or to an individual with a disability who is accompanied by a guide an assistance dog.

SECTION 7. AMENDMENT. Subsection 22 of section 40-05-02 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

22. Dogs. To license dogs, and to regulate the keeping of dogs including authorization for their disposition or destruction in order to protect the health, safety, and general welfare of the public; provided, however, that license fees are waived in the case of an assistance dog."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1396, as engrossed and amended: Appropriations Committee (Sen. Nething, Chairman) recommends **DO NOT PASS** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed HB 1396, as amended, was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1441, as reengrossed and amended: Appropriations Committee (Sen. Nething, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed HB 1441, as amended, was placed on the Sixth order on the calendar.

In lieu of the amendments adopted by the Senate as printed on pages 874-876 of the Senate Journal, Reengrossed House Bill No. 1441 is amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for a legislative council study relating to the children's health insurance program.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. LEGISLATIVE COUNCIL STUDY. The legislative council shall consider studying, during the 2001-02 interim, the children's health insurance program. If chosen, the study must include a review of the eligibility requirements for the program, including an analysis of the effect of determining eligibility based on gross or net income and the effect of personal assets on eligibility. The study must also include a review of the levels of provider reimbursement for services covered by the program, including medical, dental, and optometric services. The legislative council shall report its findings

and recommendations, together with any legislation required to implement the recommendations, to the fifty-eighth legislative assembly."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Dept. 325 - Department of Human Services

This amendment removes provisions included in the bill relating to medical assistance benefits and to eligibility determination for the children's health insurance program and provides for a legislative council study of the children's health insurance program.

REPORT OF STANDING COMMITTEE

HB 1442, as engrossed: Agriculture Committee (Sen. Wanzek, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1442 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "; and to declare an"

Page 1, line 2, remove "emergency"

Page 1, line 14, replace "justifying" with "from"

Page 1, line 15, replace "belief" with "allegation"

Page 1, line 16, replace "person's belief" with "allegation"

Page 1, line 21, replace "federal" with "state" and remove "having jurisdiction over that portion of this"

Page 1, line 22, remove "state in which the farmer's land is located"

Page 2, line 1, remove "Unless a shorter period of time is agreed to in writing or ordered by the federal"

Page 2, remove lines 2 and 3

Page 2, line 4, remove "court order."

Page 2, line 6, replace "An independent agent agreed to by both parties also must" with "If requested by the farmer or the person holding the patent, the state seed commissioner shall"

Page 2, line 7, after the period insert "The state seed commissioner may impose a fee for providing that service. The patent holder and the farmer shall each pay one-half of the fee charged by the commissioner."

Page 2, line 10, replace "federal" with "state"

Page 2, line 12, remove the first "crop", remove "only", and replace "or" with ", from"

Page 2, line 13, replace ". Upon a showing of good cause, the" with ", or"

Page 2, line 14, remove "person holding the patent may collect seed samples"

Page 2, line 18, replace "independent agent agreed to" with "state seed commissioner or the farmer"

Page 2, line 19, remove "by both parties"

Page 2, line 21, replace "holding" with "who took the samples"

Page 2, line 22, remove "the patent" and replace "independent agent agreed to by both parties. The person" with "state seed commissioner if the commissioner was present at the time the samples were taken. The patent holder and the farmer shall share equally the cost of the containers needed for the second set of samples which are retained by the state seed commissioner or the farmer"

Page 2, line 23, remove "holding the patent shall supply the containers for that person's samples"

Page 2, remove line 24

Page 2, line 25, after "farmer" insert "and the person holding the patent", replace "bear" with "share equally", remove "agent's", and after "containers" insert "and the cost of obtaining the samples"

Page 2, line 29, replace "ten" with "twenty-one"

Page 2, line 30, replace "samples were analyzed. If" with "results were reported to" and after "patent" insert a period

Page 3, remove lines 1 and 2

Page 3, line 3, replace "If a dispute between the farmer and the person holding the patent remains after" with "The parties may"

Page 3, remove line 4

Page 3, line 5, remove "patent to" and replace "of the matter" with "at any time"

Page 3, line 8, replace "the" with "an independent"

Page 3, line 9, remove "with the state"

Page 3, remove lines 10 and 11

Page 3, line 12, remove "11. If the case is not settled after arbitration, either party may file a claim"

Page 3, line 13, replace "that portion of this state in which" with "the claim. Unless otherwise specified in a contract between the farmer and the person holding the patent, the appropriate state district court is the one that has jurisdiction over that portion of this state in which the farmer's land is located."

Page 3, remove lines 14 through 17

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1467, as engrossed: Appropriations Committee (Sen. Nething, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1467 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1472, as engrossed: Appropriations Committee (Sen. Nething, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1472 was placed on the Sixth order on the calendar.

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

Page 1, line 3, after "appropriation" insert "; and to provide an expiration date"

Page 1, after line 24, insert:

"SECTION 3. EXPIRATION DATE. Section 1 of this Act is effective through June 30, 2003, and after that date is ineffective."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Dept. 327 - Department of Human Services Economic Assistance - Senate Action

This amendment adds an expiration date of June 30, 2003, to Section 1 of the bill.

REPORT OF CONFERENCE COMMITTEE

SB 2365, as engrossed: Your conference committee (Sens. C. Nelson, Trenbeath, Dever and Reps. Disrud, Brekke, Fairfield) recommends that the **HOUSE RECEDE** from the House amendments on SJ page 854, adopt amendments as follows, and place SB 2365 on the Seventh order:

That the House recede from its amendments as printed on page 854 of the Senate Journal and page 932 of the House Journal and that Engrossed Senate Bill No. 2365 be amended as follows:

Page 1, line 9, replace ", an assistance dog is" with ":

1. "Assistance dog" includes

Page 1, line 10, after the underscored period insert "The term includes guide dogs that guide individuals who are legally blind, hearing dogs that alert individuals who are hard of hearing to specific sounds, and service dogs for individuals with disabilities other than blindness or deafness. The term does not include a dog that is not trained to mitigate an individual's disability, but the presence of which is to provide for the comfort, protection, or personal defense of an individual.

2. "Service dogs" includes dogs trained to perform a variety of physical tasks, including pulling a wheelchair, lending balance support, retrieving dropped objects, and providing assistance in a medical crisis."

Page 2, line 7, after the second "a" insert "nationally recognized"

Page 2, line 8, remove "holding membership in assistance dogs international"

Page 2, line 31, overstrike "contributory negligence" and insert immediately thereafter "fault"

Renumber accordingly

Engrossed SB 2365 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

HB 1119, as engrossed: Your conference committee (Sens. Dever, Kilzer, C. Nelson and Reps. Brusegaard, Haas, Cleary) recommends that the **SENATE RECEDE** from the Senate amendments on HJ page 813, adopt amendments as follows, and place HB 1119 on the Seventh order:

That the Senate recede from its amendments as printed on page 813 of the House Journal and page 687 of the Senate Journal and that Engrossed House Bill No. 1119 be amended as follows:

Page 1, line 17, after the period insert "Development of the written policy must include input from employees."

Page 2, line 7, replace "twenty" with "twenty-five"

Renumber accordingly

Engrossed HB 1119 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

HB 1184, as engrossed: Your conference committee (Sens. Stenehjerm, Trenbeath, O'Connell and Reps. Carlson, Ruby, Mahoney) recommends that the **SENATE RECEDE** from the Senate amendments on HJ page 839, adopt amendments as follows, and place HB 1184 on the Seventh order:

That the Senate recede from its amendments as printed on page 839 of the House Journal and page 719 of the Senate Journal and that Engrossed House Bill No. 1184 be amended as follows:

Page 1, line 1, replace "subsection" with "subsections" and after "2" insert "and 3"

Page 1, line 2, after "credits" insert "; and to provide an effective date"

Page 1, line 4, replace "Subsection" with "Subsections" and after "2" insert "and 3"

Page 1, line 5, replace "is" with "are"

Page 1, after line 18, insert:

- "3. Except as otherwise permitted in this chapter, before the transferee of a registered vehicle may operate the vehicle on a highway, the transferee must apply for and obtain a new registration of the vehicle, as on an original registration. To provide the transferee adequate time to obtain a new registration, the director may provide for the issuance of a temporary registration certificate to permit the transferee to operate the vehicle for thirty days after the date of acquisition. The certificate must be printed on the reverse side of each vehicle registration card and must be available to the transferee from licensed vehicle dealers, law enforcement agencies, and motor vehicle branch offices. The vehicle may be operated for five days from date of purchase without a plate or certificate of ownership if dated evidence of ownership is carried in the vehicle. The evidence of ownership must be in a form as prescribed by the department.

SECTION 2. EFFECTIVE DATE. This Act becomes effective on April 1, 2002."

Renumber accordingly

Engrossed HB 1184 was placed on the Seventh order of business on the calendar.

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

WILLIAM R. HORTON, Secretary