

JOURNAL OF THE HOUSE

Fifty-eighth Legislative Assembly

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Bismarck, March 24, 2003

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

The prayer was offered by Fr. Chuck Zinns, St. Martin Catholic Church, Hazen.

The roll was called and all members were present except Representatives Boe, S. Kelsh, Nicholas, and Tieman.

A quorum was declared by the Speaker.

REQUEST

REP. BERG REQUESTED that the Senate return SB 2196 to the floor of the House for the purpose of reconsideration, which motion prevailed.

POINT OF PERSONAL PRIVILEGE

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

REQUEST

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

Rep. Niemeier and I are pleased to make note of the outstanding performance of the Mayville-Portland-Clifford-Galesburg Patriots during the recently concluded Class "B" Boys' Basketball Tournament in Bismarck. The Patriots entered the tournament as defending state champions and winners of 47 consecutive games. A talented field of athletes and teams with skilled coaches had advanced from challenging district and regional tournaments. Pairings put the Patriots in the unenviable position of playing teams with a combined record of 70 wins and 5 losses. A young and talented New Rockford team proved to be the Patriot's 48th consecutive victim. The 49th MPCG win came at the expense of a capable Westhope-Newburg team. The game all of Class "B" fans were waiting for, a match of undefeateds, marked the championship game. The Dickinson Trinity Titans, winners of 28 in a row and whose last loss came at the hands of May-Port-Clifford-Galesburg, faced those Patriots in the final game. A tenacious defense held the Titans in check and a 50th consecutive win and repeat state championship belonged to the Patriots. The 2002 and 2003 titles were the second repeats for May-Port-Clifford-Galesburg in recent history, having won back-to-back titles in 1996 and 1997.

Adding to the team honors, individual recognition went to Coach Dave Nelson as "Coach of the Year". Craig Nelson and Kyle Nelson were named to the All Tournament Team. In addition, Craig Nelson, son of Coach Nelson was named the Most Valuable Player in the Tournament and North Dakota's Outstanding Class "B" Athlete of the Year.

Congratulations to the Mayville-Portland-Clifford-Galesburg Patriots. You exemplify all that is good about interscholastic activities and small town North Dakota.

SIXTH ORDER OF BUSINESS

REP. BERG MOVED that the amendments on the Sixth order of business to SB 2160, SB 2282, SB 2319, SB 2334, SB 2339 and SCR 4022 be adopted, which motion prevailed.

SB 2160, SB 2282, SB 2319, SB 2334, SB 2339 and SCR 4022, as amended, were placed on the Fourteenth order of business on the calendar.

MOTION

REP. BERG MOVED that the amendments to SB 2248 be laid over one day, which motion prevailed.

MOTION

REP. KREIDT MOVED that the House reconsider its action whereby SB 2196 failed to pass, which motion prevailed on a verification vote.

SECOND READING OF SENATE BILL

SB 2196: A BILL for an Act to amend and reenact section 36-01-01 of the North Dakota Century Code, relating to membership of the state board of animal health.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 54 YEAS, 36 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Bellew; Bernstein; Boehning; Carlisle; Clark; DeKrey; Delmore; Delzer; Devlin; Eckre; Ekstrom; Glassheim; Grande; Hanson; Hawken; Hunsakor; Iverson; Johnson, D.; Kasper; Keiser; Kelsch, R.; Klemm; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Meier; Metcalf; Monson; Mueller; Niemeier; Nottestad; Onstad; Pollert; Porter; Potter; Ruby; Schmidt; Severson; Solberg; Thoreson; Uglem; Warner; Warnke; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

NAYS: Amerman; Belter; Berg; Boucher; Brusegaard; Carlson; Dosch; Drovdal; Froelich; Froseth; Galvin; Grosz; Gulleon; Haas; Headland; Herbel; Johnson, N.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Martinson; Nelson; Norland; Pietsch; Price; Rennerfeldt; Sandvig; Sitte; Skarphol; Svedjan; Thorpe; Timm; Wald; Weiler

ABSENT AND NOT VOTING: Boe; Kelsh, S.; Nicholas; Tieman

Engrossed SB 2196 passed and the title was agreed to.

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 1158.

SENATE AMENDMENTS TO HOUSE BILL NO. 1158

Page 1, line 4, remove "to provide a penalty;"

Page 6, line 16, remove "- Penalty"

Page 6, line 22, remove "Notwithstanding the civil penalty provided in section 19-18-08, a person who violates"

Page 6, remove lines 23 and 24

Renumber accordingly

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1486.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1486

Page 1, line 7, remove the overstrike over "~~ten~~" and remove "fifteen"

Page 2, line 14, replace "shall" with "may" and replace "four" with "up to two"

Page 2, line 15, remove "solely" and after "of" insert "providing market maintenance and development services, utilization research, transportation research, and education; addressing domestic policy issues; and engaging in other related activities; or for the purposes of"

Page 2, line 16, after the third underscored comma insert "and", replace the fourth underscored comma with "; addressing domestic policy issues;", and after "and" insert "engaging in"

Page 2, after line 19, insert:

"6. When the wheat commission presents the report required by section 4-24-10, the commission shall present a separate report detailing the nature and extent of the commission's efforts to address domestic policy issues."

Renumber accordingly

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate accedes to the House request for the return of: SB 2196.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has failed to pass: HB 1488, HCR 3047.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has passed unchanged: HB 1238, HB 1263, HB 1299, HB 1423, HCR 3038, HCR 3048, HCR 3062, HCR 3064, HCR 3075.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following resolution was delivered to the Secretary of State for filing on March 24, 2003: HCR 3069.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bills were delivered to the Governor for approval on March 24, 2003: HB 1031, HB 1071, HB 1083, HB 1090, HB 1095, HB 1113, HB 1117, HB 1146, HB 1163, HB 1185, HB 1191, HB 1214, HB 1224, HB 1258, HB 1259, HB 1267, HB 1334, HB 1338, HB 1374, HB 1383, HB 1444, HB 1457, HB 1480, HB 1481.

MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)
MADAM PRESIDENT: The House respectfully requests the return of: SB 2196.

MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)
MADAM PRESIDENT: The House has passed unchanged: SB 2196.

MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)
MADAM PRESIDENT: The Speaker has signed: SB 2057, SB 2059, SB 2068, SB 2175, SB 2180, SB 2200, SB 2208, SB 2237, SB 2252, SB 2270, SB 2312, SB 2401.

MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)
MADAM PRESIDENT: The Speaker has signed and your signature is respectfully requested on: HCR 3015, HCR 3020, HCR 3025, HCR 3028, HCR 3032, HCR 3052, HCR 3060, HCR 3073.

MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)
MADAM PRESIDENT: The Speaker has signed and your signature is respectfully requested on: HB 1056, HB 1062, HB 1082, HB 1101, HB 1168, HB 1195, HB 1215, HB 1227, HB 1235, HB 1237, HB 1239, HB 1249, HB 1268, HB 1277, HB 1322, HB 1336, HB 1382, HB 1410, HB 1498.

MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)
MADAM PRESIDENT: The Speaker has signed and your signature is respectfully requested on: HB 1052, HB 1073, HB 1200, HB 1252, HB 1261, HB 1316, HB 1331.

MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)
MADAM PRESIDENT: The Speaker has signed and your signature is respectfully requested on: HCR 3019, HCR 3031, HCR 3036, HCR 3042, HCR 3050, HCR 3054, HCR 3072.

REPORT OF STANDING COMMITTEE

SB 2048, as engrossed: Natural Resources Committee (Rep. Nelson, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2048 was placed on the Sixth order on the calendar.

Page 1, line 1, after "to" insert "create and enact a new section to chapter 20.1-03 and a new subsection to section 20.1-03-12 of the North Dakota Century Code, relating to resident waterfowl licenses; and to"

Page 1, after line 3, insert:

"SECTION 1. A new section to chapter 20.1-03 of the North Dakota Century Code is created and enacted as follows:

Resident fall waterfowl license. A resident may not hunt waterfowl in the fall season without obtaining a resident fall waterfowl hunting license. A resident may not obtain a resident fall waterfowl license unless the resident obtains a habitat restoration stamp for each license."

Page 1, line 6, after the second boldfaced period insert:

"1."

Page 1, line 9, after the period insert:

"2. The nonresident may obtain a license that entitles the nonresident to hunt before November first and a license to hunt after October thirty-first or both. The nonresident is entitled to purchase only one nonresident waterfowl hunting license to hunt before November first per year and only one license after October thirty-first per year.

3. The nonresident waterfowl hunting license to hunt before November first entitles the nonresident to hunt waterfowl for fourteen consecutive days in one of four zones or during any two periods of seven consecutive days each in a specified zone of the four zones during each period. The first zone is the portion of this state north of a line beginning at the intersection of the Red River and state highway 200, proceeding west along state highway 200 to the intersection of United States interstate 29, proceeding north along United States interstate 29 to state highway 200, proceeding west along state highway 200 to the intersection with United States highway 52, proceeding along United States highway 52 until its intersection with United States highway 2, and proceeding along United States highway 2 to its intersection with the Montana border; the second zone is the portion of this state south of the first zone, north of United States interstate 94, and east of a line beginning at the intersection of United States highway 83 and United States interstate 94, proceeding north along United States highway 83 to the border of the first zone; the third zone is the portion of this state south of the second zone and east of a line beginning at the intersection of United States highway 83 and the South Dakota border, proceeding north along United States highway 83 to the intersection of United States interstate 94; and the fourth zone is the portion of this state south of the first zone and west of the second and third zones. The governor, in the governor's proclamation, shall set the number of licenses which may be issued for each zone based on the hunting pressure concept. The governor shall determine the manner in which the licenses are issued.

4."

and after the second "license" insert "to hunt after October thirty-first"

Page 1, line 10, overstrike "fourteen consecutive days, any period of"

Page 1, line 11, overstrike ", or any two periods of seven consecutive days each. A license authorizing the"

Page 1, overstrike line 12

Page 1, line 13, overstrike "authorizing one 7-day hunting period allows hunting" and overstrike "A license authorizing two 7-day"

Page 1, overstrike lines 14 through 16

Page 1, line 17, overstrike "be issued in each zone and the manner in which they are to be issued." and remove "The number of"

Page 1, remove lines 18 through 24

Page 2, remove line 1

Page 2, line 2, remove "to twenty-five percent in the governor's proclamation." and overstrike "A nonresident is entitled to purchase only"

Page 2, line 3, overstrike "one nonresident waterfowl hunting license per year" and insert immediately thereafter "The total number of nonresident waterfowl hunting licenses issued after October thirty-first is fifteen percent of the licenses allowed to be issued before November first. The governor shall determine the manner in which the licenses are issued.

5. The governor shall determine the total number of nonresident waterfowl hunting licenses issued before November first by subtracting the number of resident waterfowl hunters of the previous fall season from the targeted hunting pressure for the current season, dividing the difference by the current hunting pressure factor, and increasing the quotient by forty percent. Notwithstanding the number determined by the formula, at least fifteen thousand nonresident waterfowl hunting licenses must be made available in any year. Targeted hunting pressure is the sum obtained by adding thirty-one thousand three hundred twenty-six and the product resulting from multiplying two thousand one hundred twenty-six ten-thousandths times the wetland index. The wetland index is the sum of current season wetlands counted during the May waterfowl breeding ground survey of semipermanent wetlands, permanent wetlands, manmade impoundments, dugouts, and permanent streams, multiplied by the current year expansion factor to provide a statewide index. The current hunting pressure factor is the average of the five most recent estimates of the daily average number of ducks harvested per nonresident hunter divided by the daily number of ducks harvested per resident hunter based on annual department hunter harvest surveys.
6. If there is an early fall duck season, the governor, in the governor's proclamation, shall prohibit a nonresident duck hunter from hunting for the first seven days of the season on land owned or private land enrolled by the department for the purpose of hunting or on land for which the department pays in lieu of tax payments"

Page 2, after line 3, insert:

"SECTION 3. A new subsection to section 20.1-03-12 of the North Dakota Century Code is created and enacted as follows:

For a resident fall waterfowl license, one dollar."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2052, as engrossed: Political Subdivisions Committee (Rep. Froseth, Chairman) recommends **DO PASS** (11 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). Engrossed SB 2052 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2058, as engrossed: Government and Veterans Affairs Committee (Rep. M. Klein, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2058 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2198, as engrossed: Agriculture Committee (Rep. Nicholas, Chairman) recommends **DO PASS** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2198 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2201: Agriculture Committee (Rep. Nicholas, Chairman) recommends **DO PASS** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2201 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2211, as engrossed: Judiciary Committee (Rep. DeKrey, Chairman) recommends **DO PASS** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2211 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2228, as engrossed: Judiciary Committee (Rep. DeKrey, Chairman) recommends **DO PASS** (10 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). Engrossed SB 2228 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2245: Appropriations Committee (Rep. Svedjan, Chairman) recommends **DO PASS** (16 YEAS, 3 NAYS, 4 ABSENT AND NOT VOTING). SB 2245 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2246: Appropriations Committee (Rep. Svedjan, Chairman) recommends **DO PASS** (15 YEAS, 5 NAYS, 3 ABSENT AND NOT VOTING). SB 2246 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2255, as engrossed: Judiciary Committee (Rep. DeKrey, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (10 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2255 was placed on the Sixth order on the calendar.

Page 1, line 18, after "on" insert "a free trial newspaper subscription or on"

Page 2, line 9, after "written" insert "request, consent," and after "invitation" insert a comma

Page 2, line 13, replace "a charitable organization that is exempt from federal" with "an organization that is identified as a nonprofit organization under state or federal law"

Page 2, line 14, remove "income taxation under section 501 of the Internal Revenue Code"

Page 2, line 15, remove "following applies:"

Page 2, remove lines 16 and 17

Page 2, line 18, remove "(2) The"

Page 2, line 20, replace "(a)" with "(1)"

Page 2, line 21, replace "(b)" with "(2)" and remove "charitable"

Page 2, after line 30, insert:

"f. By or on behalf of a political party, candidate, or other group with a political purpose, as defined in section 16.1-08.1-01."

Page 3, line 29, replace "no-call" with "do-not-call"

Page 4, line 5, replace "is" with ", for at least ninety days before the date the call is made, has been"

Page 4, line 6, replace "no-call" with "do-not-call", after "maintained" insert "or used by the attorney general", and after "51-26-09" insert "or the national do-not-call registry established and maintained by the federal trade commission under title 16, Code of Federal Regulations, part 310"

Page 4, line 14, replace "**no-call**" with "**do-not-call**", after "**list**" insert "**- Federal trade commission do-not-call registry**", and after the second boldfaced period insert:

"1."

Page 4, line 17, after "list" insert "or by using the national do-not-call registry established and maintained by the federal trade commission under title 16, Code of Federal Regulations, part 310"

Page 4, line 18, replace "no-call" with "do-not-call"

Page 4, line 21, replace "1." with "a."

Page 4, line 26, replace "2." with "b." and replace "shall be" with "is"

Page 4, line 30, replace "3." with "c."

Page 4, line 31, replace the first "or" with a comma and after "telephone" insert a comma

Page 5, line 1, replace "4." with "d."

Page 5, replace line 5 with:

"e. The"

Page 5, remove line 6

Page 5, line 7, remove "subscribers who object to receiving telephone solicitations, the"

Page 5, line 8, after "include" insert "in the list established under this section" and after "national" insert "do-not-call registry established and maintained by the federal trade commission under title 16, Code of Federal Regulations, part 310"

Page 5, line 9, remove "list in the list established under this section" and replace "also" with "provide to the federal trade commission the telephone numbers of North Dakota subscribers who are in the attorney general's do-not-call list or who have otherwise notified the attorney general of the subscriber's objection to receiving telephone solicitations for inclusion in the national do-not-call registry."

Page 5, remove lines 10 through 12

Page 5, line 13, replace "6." with "f."

Page 5, replace lines 17 through 22 with:

- "2. Notwithstanding any other provision of this chapter, the attorney general may designate the national do-not-call registry established and maintained by the federal trade commission under title 16, Code of Federal Regulations, part 61, as the state do-not-call list."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2261, as engrossed: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). Engrossed SB 2261 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "a new section to chapter 6-09,"

Page 1, remove lines 10 through 16

Page 9, line 13, after the third "agreement" insert "entered as part of a long-term lease and leaseback transaction"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2288, as engrossed: Government and Veterans Affairs Committee (Rep. M. Klein, Chairman) recommends **DO PASS** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed SB 2288 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2324: Political Subdivisions Committee (Rep. Froseth, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2324 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2326: Agriculture Committee (Rep. Nicholas, Chairman) recommends **DO PASS** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2326 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2331, as engrossed: Political Subdivisions Committee (Rep. Froseth, Chairman) recommends **DO NOT PASS** (7 YEAS, 5 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2331 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2368, as engrossed: Political Subdivisions Committee (Rep. Froseth, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2368 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2409, as engrossed: Government and Veterans Affairs Committee (Rep. M. Klein, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2409 was placed on the Sixth order on the calendar.

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

Page 1, line 2, after "16.1-06" insert ", and a new section to chapter 16.1-13"

Page 1, line 3, replace "and adopting rules to establish" with ", the establishment of"

Page 1, line 4, after "systems" insert ", and the casting of ballots after poll closings"

Page 1, line 6, after the sixth comma insert "16.1-06-19,"

Page 5, line 13, replace "adopt rules for the purpose of establishing" with "establish"

Page 5, line 14, replace "may adopt rules" with "shall"

Page 5, line 15, remove "according to subsection 3 of section 16.1-01-01 to"

Page 16, line 5, replace "2007" with "2006" and after the underscored period insert:

"SECTION 17. AMENDMENT. Section 16.1-06-19 of the North Dakota Century Code is amended and reenacted as follows:

16.1-06-19. Instructions, advertisements, maps, and ballots posted in polling places. Each county auditor shall have cards printed, in large type, containing full instructions to electors on obtaining and ~~preparing~~ voting ballots and a copy of section 16.1-01-12, any federal laws regarding prohibitions on acts of fraud and misrepresentations, and general information on voting rights under applicable federal and state laws, including instructions on how to contact the appropriate officials if these rights are alleged to have been violated. The county auditor shall furnish ten such cards to the election inspector in each election precinct who, ~~prior to~~ before the opening of the polls, shall post at least one of the cards in each booth or compartment provided for the preparation of ballots and at least three of the cards in and about the polling place. Three of the official ballots without the official stamp thereon must be posted conspicuously in the polling place on the morning of the election. The county auditor, at the time of delivering the ballots to the inspector of elections in each precinct, shall deliver at least five copies of the newspaper publication or other copy of the complete text of any constitutional amendment or initiated or referred measure to such inspector of elections. Not less than three of ~~such~~ the newspaper publications or copies must be posted conspicuously in the polling place on the morning of the election. Each county auditor shall furnish the election inspector in each precinct with four copies of a map showing the election precinct's boundaries and information regarding the date of the election and the hours during which polling places will be open. The inspector shall, ~~prior to~~ before the opening of the polls, post the maps and information regarding the date of the election and the hours during which polling places will be open at the entry to and in other conspicuous places around the polling place."

Page 18, line 27, after "each" insert "one hundred"

Page 18, line 30, overstrike "for each two hundred electors or"

Page 18, line 31, overstrike "fraction thereof" and overstrike "the" and insert immediately thereafter "each"

Page 19, after line 13, insert:

"SECTION 26. A new section to chapter 16.1-13 of the North Dakota Century Code is created and enacted as follows:

Voters casting ballots after regular poll closings - Provisional ballots. An individual who votes after the regular poll closing time in an election in which a federal office appears as a result of a federal or state court order or any other order extending the time established for closing the polls under state law in effect ten days before the date of that election may only vote in that election by casting a provisional ballot. The ballot must be marked as a provisional ballot and must be separated and held apart

from other ballots cast by those not affected by the order. The secretary of state shall approve the form of any provisional ballot and may prescribe any procedures the secretary of state determines to be necessary to facilitate the casting, secrecy, and counting of provisional ballots."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SCR 4009: Agriculture Committee (Rep. Nicholas, Chairman) recommends **DO PASS** (10 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). SCR 4009 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4023, as engrossed: Human Services Committee (Rep. Price, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SCR 4023 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4032, as engrossed: Agriculture Committee (Rep. Nicholas, Chairman) recommends **DO NOT PASS** (9 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SCR 4032 was placed on the Fourteenth order on the calendar.

MOTION

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

MOTION

REP. MONSON MOVED that the House be on the Fifth, Seventh, Ninth, Twelfth, and Sixteenth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Tuesday, March 25, 2003, which motion prevailed.

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

BRADLEY C. FAY, Chief Clerk

