

JOURNAL OF THE HOUSE

Fifty-eighth Legislative Assembly

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Bismarck, April 17, 2003

The House convened at 12:30 p.m., with Speaker Wentz presiding.

The prayer was offered by Rep. Kathy Hawken, District 46.

The roll was called and all members were present except Representatives Carlson, Kretschmar, Koppelman, Price, and Warner.

A quorum was declared by the Speaker.

CORRECTION AND REVISION OF THE JOURNAL

MADAM SPEAKER: Your **Committee on Correction and Revision of the Journal (Rep. Kretschmar, Chairman)** has carefully examined the Journal of the Sixty Fourth Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 1427, line 27, remove "-1223"

Page 1427, line 40, replace "892" with "1079"

Page 1428, line 16, remove "-874"

Page 1428, line 30, remove the word "furthur"

Page 1429, line 17 remove the second "-1146"

These corrections needed due to incorrect committee clerk reports.

REP. KRETSCHMAR MOVED that the report be adopted, which motion prevailed.

COMMUNICATION FROM GOVERNOR JOHN HOEVEN

This is to inform you that on April 17, 2003, I have signed the following: HB 1006, HB 1008, HB 1043, HB 1051, HB 1088, HB 1112, HB 1180, HB 1212, HB 1245, HB 1363, HB 1471, and HB 1504.

REPORT OF CONFERENCE COMMITTEE

SB 2033, as engrossed: Your conference committee (Sens. Krebsbach, Brown, Nelson and Reps. Grande, Devlin, Williams) recommends that the **HOUSE RECEDE** from the House amendments on SJ pages 1032-1041 and place SB 2033 on the Seventh order.

Engrossed SB 2033 was placed on the Seventh order of business on the calendar.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. GRANDE MOVED that the conference committee report on Engrossed SB 2033 be adopted, which motion prevailed on a voice vote.

Engrossed SB 2033, as amended, was placed on the Fourteenth order.

SECOND READING OF SENATE BILL

SB 2033: A BILL for an Act to create and enact two new subsections to section 54-52-01, a new section to chapter 54-52, and two new sections to chapter 54-52.6 of the North Dakota Century Code, relating to participation by peace officers and correctional officers in the defined benefit retirement plan and the defined contribution retirement plan; to amend and reenact the two new subsections to section 54-52-01 as created by section 1 of this Act, as approved by the fifty-eighth legislative assembly, subsection 3 of section 54-52-01, section 54-52-02.1, subsection 3 of section 54-52-05, the new section to chapter 54-52 as created by section 6 of this Act, as approved by the fifty-eighth legislative assembly, subsection 3 of section 54-52-17, subsection 3 of section 54-52-17, as amended by section 8 of this Act, as approved by the fifty-eighth legislative assembly, section 54-52.6-01, section 54-52.6-01, as amended by section 10 of this Act, as approved by the fifty-eighth legislative assembly, subsection 1 of section 54-52.6-02, section 54-52.6-02, as amended by section 12 of this Act, as approved by

the fifty-eighth legislative assembly, section 54-52.6-03, and the new section to chapter 54-52.6 as created by section 17 of this Act, as approved by the fifty-eighth legislative assembly of the North Dakota Century Code, relating to participation by peace officers and correctional officers in the defined benefit retirement plan and the defined contribution retirement plan; and to provide an effective date.

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 80 YEAS, 10 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Clark; DeKrey; Delmore; Delzer; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Galvin; Glassheim; Grande; Grosz; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemm; Koppelman; Kreidt; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Porter; Potter; Rennerfeldt; Sandvig; Schmidt; Severson; Sitte; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Warnke; Weiler; Weisz; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

NAYS: Belter; Devlin; Froseth; Kasper; Pietsch; Pollert; Ruby; Skarphol; Wald; Wieland

ABSENT AND NOT VOTING: Carlson; Kretschmar; Price; Warner

Engrossed SB 2033, as amended, passed and the title was agreed to.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. HAWKEN MOVED that the conference committee report on Engrossed HB 1295 be adopted, which motion prevailed on a voice vote.

Engrossed HB 1295, as amended, was placed on the Eleventh order.

SECOND READING OF HOUSE BILL

HB 1295: A BILL for an Act to amend and reenact section 15.1-02-13 of the North Dakota Century Code, relating to school district employee compensation reports.

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 90 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemm; Koppelman; Kreidt; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

ABSENT AND NOT VOTING: Carlson; Kretschmar; Price; Warner

Engrossed HB 1295, as amended, passed and the title was agreed to.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. MONSON MOVED that the conference committee report on Engrossed SB 2030 be adopted, which motion prevailed on a voice vote.

Engrossed SB 2030, as amended, was placed on the Fourteenth order.

SECOND READING OF SENATE BILL

SB 2030: A BILL for an Act to create and enact a new section to chapter 54-60 of the North Dakota Century Code, relating to a department of commerce career guidance and job opportunities internet web site; and to provide a continuing appropriation.

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 84 YEAS, 6 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Carlisle; Clark; DeKrey; Delmore; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleeson; Haas; Hanson; Hawken; Headland; Herbel; Hunkor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsch, S.; Kemperich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warnke; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

NAYS: Bellew; Brusegaard; Delzer; Devlin; Skarphol; Weiler

ABSENT AND NOT VOTING: Carlson; Kretschmar; Price; Warner

Engrossed SB 2030, as amended, passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

SB 2065, as reengrossed: Your conference committee (Sens. Cook, G. Lee, Christenson and Reps. R. Kelsch, Haas, Mueller) recommends that the **HOUSE RECEDE** from the House amendments on SJ page 1007, adopt amendments as follows, and place SB 2065 on the Seventh order:

That the House recede from its amendments as printed on page 1007 of the Senate Journal and pages 921 and 922 of the House Journal and that Reengrossed Senate Bill No. 2065 be amended as follows:

Page 1, line 1, replace "section" with "sections" and after "15.1-21-08" insert "and 15.1-21-10"

Page 1, line 2, after "to" insert "the"

Page 1, line 8, remove "all"

Page 1, line 10, after "to" insert "all public school students in"

Page 1, line 14, after "test" insert "to all public school students"

Page 1, line 17, remove "to all public school students"

Page 1, line 19, after "to" insert "all public school students in"

Page 1, line 20, replace the first "to" with "in" and replace the second "to" with "in"

Page 1, line 22, replace "November" with "December"

Page 1, after line 22, insert:

"SECTION 2. AMENDMENT. Section 15.1-21-10 of the North Dakota Century Code is amended and reenacted as follows:

15.1-21-10. Test scores - Publication. Upon receiving notice that the compilation of test scores has been completed, the superintendent of public instruction shall inform the legislative council. The superintendent shall present the test scores publicly for the first time at a meeting of a legislative committee designated by the legislative council. At the meeting, the superintendent and representatives of the testing service that created the tests shall provide detailed testimony regarding the testing instrument, the methodology used to test and assess the students, the

established cut scores, the methodology used to determine the cut scores, the validation of all test products, and the significance of the test scores."

Page 2, remove lines 1 through 6

Renumber accordingly

Reengrossed SB 2065 was placed on the Seventh order of business on the calendar.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. R. KELSCH MOVED that the conference committee report on Reengrossed SB 2065 be adopted, which motion prevailed on a voice vote.

Reengrossed SB 2065, as amended, was placed on the Fourteenth order.

SECOND READING OF SENATE BILL

SB 2065: A BILL for an Act to amend and reenact sections 15.1-21-08 and 15.1-21-10 of the North Dakota Century Code, relating to the state assessment of public school students in reading, mathematics, and science.

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 85 YEAS, 5 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Clark; DeKrey; Delmore; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grosz; Gulleon; Haas; Hanson; Hawken; Headland; Herbel; Hunsford; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsch, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemm; Koppelman; Kreidt; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Zaiser; Speaker Wentz

NAYS: Delzer; Grande; Sitte; Skarphol; Wrangham

ABSENT AND NOT VOTING: Carlson; Kretschmar; Price; Warner

Reengrossed SB 2065, as amended, passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

SB 2311, as reengrossed: Your conference committee (Sens. Wardner, Urlacher, Nichols and Reps. Rennerfeldt, Wald, Warner) recommends that the **HOUSE RECEDE** from the House amendments on SJ pages 1088-1089, adopt amendments as follows, and place SB 2311 on the Seventh order:

That the House recede from its amendments as printed on pages 1088 and 1089 of the Senate Journal and pages 1192 and 1193 of the House Journal and that Reengrossed Senate Bill No. 2311 be amended as follows:

Page 1, remove lines 10 and 11

Page 2, line 16, remove "- Governor to appoint"

Page 2, line 17, replace "governor shall appoint an oil and gas research council composed of nine" with "oil and gas research council is composed of seven members, four of whom must currently be engaged in and have at least five years of active experience in the oil and natural gas exploration and production industry. The council consists of:

- a. Four members appointed by the governor from a list provided by the North Dakota oil and gas association. The governor may reject the list and request the association to submit a new list until the appointments are made.
- b. One member appointed by the governor from a list provided by the North Dakota association of oil and gas producing counties. The

governor may reject the list and request the association to submit a new list until the appointment is made.

- c. The executive director of the North Dakota petroleum council, or the executive director's designee.
- d. A county commissioner from an oil producing county appointed by the governor.
- e. The director of the oil and gas division and the state geologist shall serve on the council as advisory nonvoting members."

Page 2, remove lines 18 through 21

Page 2, line 23, replace the first "three" with "two" and replace the second "three" with "two"

Page 2, line 29, replace "Six" with "Four"

Page 3, line 5, replace "A member" with "Members" and replace "serves" with "appointed by the governor serve"

Page 4, line 12, replace "if the estimates for the oil and gas gross production tax and the oil" with "the first fifty thousand dollars of revenue from the state's share of the oil and gas production tax and oil extraction tax"

Page 4, remove line 13

Page 4, line 14, remove "hundred fifty-nine dollars, the excess, up to four thousand nine hundred dollars,"

Page 4, line 15, replace "as provided in this" with ". In the 2003-05 biennium, if actual revenues for the 2001-03 biennium from the state general fund share of the oil and gas production tax and oil extraction tax exceeded seventy-one million sixty-four thousand dollars, the excess up to five hundred thousand dollars must be deposited in a special fund known as the oil and gas research fund, as provided in this section"

Page 4, remove lines 16 through 22

Page 4, line 23, remove "thousand six hundred fifty-nine dollars or less, transfers to the fund shall cease"

Page 4, line 24, replace "three" with "two"

Page 4, line 25, replace "two" with "one" and after "million" insert "three hundred thousand"

Page 4, line 27, replace "three" with "two"

Renumber accordingly

Reengrossed SB 2311 was placed on the Seventh order of business on the calendar.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. RENNERFELDT MOVED that the conference committee report on Reengrossed SB 2311 as printed on HJ pages 1192-1193 be adopted, which motion prevailed on a voice vote.

Reengrossed SB 2311, as amended, was placed on the Fourteenth order.

SECOND READING OF SENATE BILL

SB 2311: A BILL for an Act to create and enact a new chapter to title 54 and a new section to chapter 57-51.1 of the North Dakota Century Code, relating to creating and establishing an oil and gas research council and oil and gas research fund; and to provide a continuing appropriation.

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 87 YEAS, 3 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Hunsakor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemm; Koppelman; Kreidt; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Uglem; Wald; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

NAYS: Nelson; Nicholas; Timm

ABSENT AND NOT VOTING: Carlson; Kretschmar; Price; Warner

Reengrossed SB 2311, as amended, passed and the title was agreed to.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. KASPER MOVED that the conference committee report on Engrossed SB 2403 as printed on HJ pages 1150-1151 be adopted, which motion prevailed on a voice vote.

Engrossed SB 2403, as amended, was placed on the Fourteenth order.

SECOND READING OF SENATE BILL

SB 2403: A BILL for an Act to create and enact three new sections to chapter 16.1-08.1 of the North Dakota Century Code, relating to campaign contribution statements; and to amend and reenact sections 16.1-08.1-01, 16.1-08.1-02, 16.1-08.1-03, 16.1-08.1-03.1, 16.1-08.1-03.2, 16.1-08.1-03.3, 16.1-08.1-03.5, 16.1-08.1-03.7, 16.1-08.1-03.8, 16.1-08.1-04, 16.1-08.1-05, and 16.1-08.1-06 of the North Dakota Century Code, relating to campaign contributions.

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 64 YEAS, 26 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Bellew; Belter; Berg; Bernstein; Boehning; Brusegaard; Carlisle; Clark; DeKrey; Delmore; Delzer; Dosch; Drovdal; Froseth; Galvin; Glassheim; Grande; Grosz; Haas; Hawken; Headland; Herbel; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kempenich; Kingsbury; Klein, F.; Klein, M.; Klemm; Koppelman; Kreidt; Maragos; Martinson; Meier; Monson; Nelson; Nicholas; Norland; Nottestad; Pietsch; Pollert; Porter; Rennerfeldt; Ruby; Severson; Sitte; Skarphol; Svedjan; Thoreson; Tieman; Timm; Uglem; Wald; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Wrangham; Speaker Wentz

NAYS: Aarsvold; Amerman; Boe; Boucher; Devlin; Eckre; Ekstrom; Froelich; Gulleson; Hanson; Hunsakor; Kelsh, S.; Kerzman; Kroeber; Metcalf; Mueller; Niemeier; Onstad; Potter; Sandvig; Schmidt; Solberg; Thorpe; Williams; Winrich; Zaiser

ABSENT AND NOT VOTING: Carlson; Kretschmar; Price; Warner

Engrossed SB 2403, as amended, passed and the title was agreed to.

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

MR. SPEAKER: The President has appointed Sen. Kringstad to replace Sen. Andrist on the Conference Committee on SB 2416.

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

MR. SPEAKER: The President has appointed Sen. Andrist to replace Sen. Thane on the Conference Committee on SB 2416.

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

MR. SPEAKER: The Senate has adopted the conference committee report: SB 2345.

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

MR. SPEAKER: The Senate has adopted the conference committee report, subsequently passed, and the emergency clause carried: SB 2418.

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

MR. SPEAKER: The Senate has adopted the conference committee report and subsequently passed: SB 2190.

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

MR. SPEAKER: The Senate has adopted the conference committee report: SB 2033.

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

MR. SPEAKER: The Senate has adopted the conference committee report and subsequently passed: SB 2065, SB 2311.

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

MR. SPEAKER: The Senate has adopted the conference committee report and subsequently passed: HB 1050.

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

MR. SPEAKER: The Senate has adopted the conference committee report and subsequently passed: HB 1439.

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 2029, SB 2083, SB 2135, SB 2248, SB 2249.

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

MR. SPEAKER: The President has signed: HB 1009, HB 1264, HB 1372, HB 1397, HB 1469, HCR 3037.

MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)

MR. PRESIDENT: The Speaker has appointed Rep. Weisz to replace Rep. Headland on the Conference Committee on HB 1047.

MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)

MR. PRESIDENT: The Speaker has appointed Rep. Glassheim to replace Rep. Warner on the Conference Committee on SB 2001.

MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)

MR. PRESIDENT: The Speaker has appointed Rep. Glassheim to replace Rep. Warner on the Conference Committee on HB 1002.

MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)

MR. PRESIDENT: The Speaker has appointed Rep. Glassheim to replace Rep. Warner on the Conference Committee on SB 2003.

MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)

MR. PRESIDENT: The Speaker has appointed Rep. Kroeber to replace Rep. Warner on the Conference Committee on SB 2002.

MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)

MR. PRESIDENT: The Speaker has appointed Rep. Kroeber to replace Rep. Warner on the Conference Committee on HB 1015.

MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)

MR. PRESIDENT: The Speaker has appointed Rep. Kroeber to replace Rep. Warner on the Conference Committee on SB 2416.

MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)

MR. PRESIDENT: The Speaker has appointed Rep. Kroeber to replace Rep. Warner on the Conference Committee on SB 2009.

MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)

MR. PRESIDENT: The Speaker has appointed Rep. Glassheim to replace Rep. Warner on the Conference Committee on SB 2311.

MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)

MR. PRESIDENT: The Speaker has appointed Rep. Hawken to replace Rep. Kretschmar on the Conference Committee on HCR3005.

MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)

MR. PRESIDENT: The House has adopted the conference committee report: SB 2010.

MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)

MR. PRESIDENT: The House has adopted the conference committee report and subsequently passed: HB 1295.

MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)

MR. PRESIDENT: The House has adopted the conference committee report and subsequently passed: SB 2030, SB 2033, SB 2065, SB 2311, SB 2403.

MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)

MR. PRESIDENT: The Speaker has signed and your signature is respectfully requested on: HB 1050, HB 1179, HB 1218, HB 1439.

MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)

MR. PRESIDENT: The Speaker has signed: SB 2148, SB 2149, SB 2150, SB 2188, SB 2235, SB 2363, SB 2384.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following resolution was delivered to the Secretary of State for filing on April 17, 2003: HCR 3037.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bills were delivered to the Governor for approval on April 17, 2003: HB 1009, HB 1264, HB 1372, HB 1397, HB 1469.

REPORT OF CONFERENCE COMMITTEE

HB 1035, as engrossed: Your conference committee (Sens. Dever, Trenbeath, Nelson and Reps. DeKrey, Grande, Delmore) recommends that the **SENATE RECEDE** from the House amendments on HJ pages 869-870, adopt amendments as follows, and place HB 1035 on the Seventh order:

That the Senate recede from its amendments as printed on pages 869 and 870 of the House Journal and pages 684 and 685 of the Senate Journal and that Engrossed House Bill No. 1035 be amended as follows:

Page 3, line 12, replace "14." with "13."

Page 3, line 15, replace "15." with "14."

Page 19, after line 29, insert:

"19. If the child-placing agency has located both genetic parents and only one parent authorizes disclosure, the identifying information disclosed by the agency may not relate to the objecting parent. Before an agency discloses information under this subsection, the parent consenting to disclosure shall sign a statement that the consenting parent will not disclose to the receiving party any information identifying the objecting parent. In an action in which wrongful disclosure of identifying information by the agency or consenting parent is claimed by the objecting parent, there is a disputable presumption of damages in the amount of fifty thousand dollars. In such an action, the court may award the objecting parent costs, including reasonable attorney's fees."

Page 19, line 30, replace "19." with "20."

Page 21, line 1, replace "20." with "21."

Page 21, line 10, replace "21." with "22."

Page 22, line 2, replace "22." with "23."

Page 22, line 9, replace "23." with "24."

Page 23, line 3, replace "24." with "25."

Page 23, line 6, replace "25." with "26."

Page 23, line 8, replace "26." with "27."

Renumber accordingly

Engrossed HB 1035 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2190: Your conference committee (Sens. J. Lee, Syverson, Christenson and Reps. Grande, Boehning, Eckre) recommends that the **HOUSE RECEDE** from the House amendments on SJ pages 770-771, adopt amendments as follows, and place SB 2190 on the Seventh order:

That the House recede from its amendments as printed on pages 770 and 771 of the Senate Journal and on pages 859 and 860 of the House Journal and that Senate Bill No. 2190 be amended as follows:

Page 1, line 10, remove "1."

Page 1, line 15, overstrike "or"

Page 1, line 17, replace the underscored period with ", or"

Page 1, line 18, remove "2. A person under twenty-one years of age may not"

Page 1, line 19, remove the overstrike over the overstruck comma

Page 1, line 21, after "~~entering~~" insert "who"

Page 2, line 3, remove "3."

Page 2, line 4, remove "4."

Page 2, line 12, remove "1."

Page 2, line 17, remove "2."

Page 2, line 18, remove the overstrike over "if" and remove the underscored colon

Page 2, line 19, remove "a. If"

Page 2, line 21, remove the overstrike over the overstruck comma and insert immediately thereafter "or", remove the overstrike over "if", and remove the underscored semicolon

Page 2, line 22, remove "b. If"

Page 2, line 25, replace the underscored semicolon with ". A person may enter and remain on the licensed premises if"

Page 2, line 26, remove "c. If"

Page 2, line 27, remove the underscored semicolon and after "or" insert "if"

Page 2, line 28, remove "d. If" and replace "restaurant" with "licensed premises"

Page 3, line 1, remove "3."

Page 3, line 4, remove "4."

Renumber accordingly

SB 2190 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2345, as engrossed: Your conference committee (Sens. Brown, Erbele, Polovitz and Reps. Porter, Wieland, Potter) recommends that the **HOUSE RECEDE** from the House amendments on SJ page 1011 and place SB 2345 on the Seventh order.

Engrossed SB 2345 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2418, as engrossed: Your conference committee (Sens. Cook, G. Lee, Christenson and Reps. Nelson, Herbel, Williams) recommends that the **HOUSE RECEDE** from the House amendments on SJ pages 1011-1012, adopt amendments as follows, and place SB 2418 on the Seventh order:

That the House recede from its amendments as printed on pages 1011 and 1012 of the Senate Journal and pages 1084 and 1085 of the House Journal and that Engrossed Senate Bill No. 2418 be amended as follows:

Page 1, line 1, replace "an investigating" with "a select"

Page 1, line 4, replace "**INVESTIGATING**" with "**ACT OF 2001 - SELECT**"

Page 1, line 5, replace "**POWERS**" with "**DUTIES**"

Page 1, line 6, replace "an investigating" with "a select" and replace "six" with "five"

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

Page 1, remove lines 16 through 19

Page 1, line 20, replace "4." with "3."

Page 2, replace lines 1 through 3 with:

- "4. When an agency files a notice of proposed rulemaking with the office of the legislative council under subsection 1 of section 28-32-10 on any matter governed by the No Child Left Behind Act of 2001, the agency shall provide a copy of the notice to the chairman of the committee. The chairman shall convene the committee within sixty days of receiving the notice, or as soon thereafter as practicable, for the purpose of receiving a presentation by the agency regarding the nature and scope of the proposed rules and for the purpose of receiving presentations by members of the public regarding the nature and scope of the proposed rules."

Page 2, line 4, replace "6." with "5."

Renumber accordingly

Engrossed SB 2418 was placed on the Seventh order of business 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 8:00 a.m., Friday, April 18, 2003, which motion prevailed.

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

BRADLEY C. FAY, Chief Clerk