

## JOURNAL OF THE HOUSE

## Fifty-ninth Legislative Assembly

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Bismarck, April 5, 2005

The House convened at 8:00 a.m., with Speaker Klein presiding.

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

The roll was called and all members were present except Representatives Iverson and S. Meyer.

A quorum was declared by the Speaker.

## SIXTH ORDER OF BUSINESS

**SB 2004: REP. BELLEW (Appropriations Committee) MOVED** that the amendments on HJ pages 1570-1573 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

## SECOND READING OF SENATE BILL

**SB 2004:** A BILL for an Act to provide an appropriation for defraying the expenses of the state department of health; to create and enact a new subsection to section 23-01-05 of the North Dakota Century Code, relating to the state health officer's duty to establish an environmental review process for commercial buildings; to amend and reenact subsection 1 of section 19-02.1-24, section 19-08-04, subsections 5 and 8 of section 23-09-01, and sections 23-09-16, 23-09-24, 23-09.1-02.2, and 23-10-03 of the North Dakota Century Code, relating to licensure of food vending machines, beverage sales, food and lodging establishments, assisted living facilities, pushcarts, mobile food units, salvaged food distributors, bed and breakfasts, mobile home parks, trailer parks, and campgrounds; to repeal sections 19-08-05, 23-09-17, 23-09.1-03, and 23-10-05 of the North Dakota Century Code, relating to license fee amounts for beverage sales, food and lodging establishments, mobile food units, pushcarts, bed and breakfasts, mobile home parks, trailer parks, and campgrounds; to provide for a report to the legislative council; to provide legislative intent; and to provide for a legislative council study.

## 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, 2 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovda; Ekstrom; Froseth; Galvin; Glassheim; Grande; Guleson; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsch, S.; Kempenich; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

**NAYS:** Froelich; Kerzman

**ABSENT AND NOT VOTING:** Iverson; Meyer, S.

Engrossed SB 2004 passed and the title was agreed to.

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## SIXTH ORDER OF BUSINESS

**SB 2228: REP. MONSON (Appropriations Committee) MOVED** that the amendments on HJ pages 1603-1604 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

**SECOND READING OF SENATE BILL**

**SB 2228:** A BILL for an Act to provide an appropriation to the parks and recreation department to assist with the construction costs of the international arts center at the international music camp; and to declare an emergency.

**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 81 YEAS, 11 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; Delmore; Devlin; Dietrich; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleeson; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kingsbury; Klemm; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Potter; Price; Rennerfeldt; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigasaa; Wald; Wall; Wieland; Williams; Zaiser; Speaker Klein

**NAYS:** Brusegaard; DeKrey; Delzer; Dosch; Drovda; Kempnich; Porter; Ruby; Weiler; Weisz; Wrangham

**ABSENT AND NOT VOTING:** Iverson; Meyer, S.

Engrossed SB 2228 passed, the title was agreed to, and the emergency clause was declared carried.

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**SIXTH ORDER OF BUSINESS**

**SB 2018: REP. CARLSON (Appropriations Committee) MOVED** that the amendments on HJ pages 1573-1584 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

**SECOND READING OF SENATE BILL**

**SB 2018:** A BILL for an Act to provide an appropriation for defraying the expenses of the department of commerce; to provide exemptions; to provide appropriations to various agencies; to authorize the office of management and budget to borrow funds from the Bank of North Dakota; to provide a statement of legislative intent; to create and enact two new sections to chapter 54-34.3 and three new sections to chapter 54-60 of the North Dakota Century Code, relating to a division of economic development and finance international business and trade office, a division of economic development and finance local economic developer certification program, department of commerce target industry requirements, a department of commerce state employee image training program, and a department of commerce business hotline program; to amend and reenact sections 4-41.1-10 and 54-34.3-03, subsection 1 of section 54-34.3-06, and section 57-51.1-07.2 of the North Dakota Century Code, relating to the ethanol production incentive fund, the structure of the division of economic development and finance, the division of economic development and finance North Dakota American Indian business development office, and the permanent oil tax trust fund; and to provide for state agency studies and reports to the legislative council.

**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 82 YEAS, 10 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Dietrich; Dosch; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleeson; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Keiser; Kelsch, R.; Kelsh, S.; Kempnich; Kerzman; Kingsbury; Klemm; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Sandvig; Schmidt; Sitte; Skarphol; Svedjan; Thoreson; Timm; Uglem; Vigasaa; Wald; Wall; Wieland; Williams; Zaiser; Speaker Klein

**NAYS:** Delzer; Devlin; Drovda; Kasper; Ruby; Solberg; Thorpe; Weiler; Weisz; Wrangham

**ABSENT AND NOT VOTING:** Iverson; Meyer, S.

Engrossed SB 2018 passed and the title was agreed to.

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#### **SIXTH ORDER OF BUSINESS**

**SB 2032: REP. CARLSON (Appropriations Committee) MOVED** that the amendments on HJ pages 1585-1603 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

#### **SECOND READING OF SENATE BILL**

**SB 2032:** A BILL for an Act to amend and reenact sections 6-09-15, 10-04-05, 10-30.5-04, and 54-34.3-03, subsection 1 of section 54-34.3-06, section 54-60-02, subsection 1 of section 57-38-01.2, and subsection 1 of section 57-38-71 of the North Dakota Century Code, relating to the authority of the Bank of North Dakota to invest funds, cross-references affected by the repeal of the venture capital corporation law, organization of the department of commerce and division of economic development and finance, and duties of the North Dakota American Indian business development office; to repeal chapters 10-30.1 and 10-30.2 of the North Dakota Century Code, relating to venture capital corporations and the Myron G. Nelson Fund, Incorporated; to provide for state agency studies, reports to the legislative council, and a legislative council study; to provide an appropriation; 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 85 YEAS, 5 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Dietrich; Dosch; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Guleson; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Monson; Mueller; Nelson; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigasaa; Wald; Wall; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

**NAYS:** Delzer; Devlin; Drovdal; Ruby; Weiler

**ABSENT AND NOT VOTING:** Boe; Iverson; Meyer, S.; Nicholas

Reengrossed SB 2032 passed and the title was agreed to.

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#### **SIXTH ORDER OF BUSINESS**

**SB 2247: REP. CARLSON (Appropriations Committee) MOVED** that the amendments on HJ pages 1604-1606 be adopted.

#### **REQUEST**

**REP. S. KELSH REQUESTED** a recorded roll call vote on the motion to adopt the proposed amendments to SB 2247, which request was granted.

#### **ROLL CALL**

The question being the motion to adopt the amendments to SB 2247, the roll was called and there were 25 YEAS, 66 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Belter; Berg; Bernstein; Boehning; Brusegaard; Carlson; Clark; Damschen; Delzer; Drovdal; Froseth; Grande; Haas; Kempenich; Monson; Pietsch; Rennerfeldt; Skarphol; Svedjan; Thoreson; Timm; Uglem; Wald; Wieland; Speaker Klein

**NAYS:** Aarsvold; Amerman; Bellew; Boe; Boucher; Carlisle; Charging; Conrad; DeKrey; Delmore; Devlin; Dietrich; Dosch; Ekstrom; Froelich; Galvin; Glassheim; Guleson; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Mueller; Nelson;

Nicholas; Norland; Nottestad; Onstad; Owens; Pollert; Porter; Potter; Price; Ruby; Sandvig; Schmidt; Sitte; Solberg; Thorpe; Vigesaa; Wall; Weiler; Weisz; Williams; Wrangham; Zaiser

**ABSENT AND NOT VOTING:** Brandenburg; Iverson; Meyer, S.

The motion to adopt the amendments to SB 2247 failed to pass.

#### MOTION

**REP. BERG MOVED** that they suspend the rules and rerefer SB 2247 to the Appropriations Committee, which motion prevailed. Pursuant to Rep. Berg's motion, SB 2247 was rereferred.

#### ROLL CALL

The roll was called and there were 58 YEAS, 33 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Bellew; Belter; Berg; Bernstein; Boehning; Brusegaard; Carlisle; Carlson; Charging; Clark; Damschen; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Froseth; Galvin; Grande; Haas; Hawken; Headland; Herbel; Johnson, D.; Kasper; Keiser; Kelsch, R.; Kempenich; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Meier, L.; Monson; Nelson; Nicholas; Norland; Nottestad; Owens; Pietsch; Pollert; Porter; Price; Rennerfeldt; Ruby; Skarphol; Svedjan; Thoreson; Timm; Uglem; Wald; Wall; Weiler; Wieland; Wrangham; Speaker Klein

**NAYS:** Aarsvold; Amerman; Boe; Boucher; Conrad; DeKrey; Ekstrom; Froelich; Glassheim; Guleson; Hanson; Horter; Hunskor; Johnson, N.; Kaldor; Kelsh, S.; Kerzman; Kroeber; Maragos; Martinson; Metcalf; Mueller; Onstad; Potter; Sandvig; Schmidt; Sitte; Solberg; Thorpe; Vigesaa; Weisz; Williams; Zaiser

**ABSENT AND NOT VOTING:** Brandenburg; Iverson; Meyer, S.

#### SIXTH ORDER OF BUSINESS

**SB 2254: REP. HAWKEN (Transportation Committee) MOVED** that the amendments be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion failed.

#### SECOND READING OF SENATE BILL

**SB 2254:** A BILL for an Act to create and enact a new section to chapter 39-20 of the North Dakota Century Code, relating to drivers' records for driving while under the influence.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 33 YEAS, 58 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Berg; Boe; Boehning; Carlisle; Delmore; Delzer; Dietrich; Drovdal; Froelich; Froseth; Glassheim; Hawken; Headland; Herbel; Johnson, N.; Kasper; Kelsch, R.; Kempenich; Maragos; Martinson; Mueller; Nelson; Norland; Pollert; Porter; Schmidt; Solberg; Thoreson; Thorpe; Timm; Wald; Weiler; Wrangham

**NAYS:** Aarsvold; Amerman; Bellew; Belter; Bernstein; Boucher; Brusegaard; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Devlin; Dosch; Ekstrom; Galvin; Grande; Guleson; Haas; Hanson; Horter; Hunskor; Johnson, D.; Kaldor; Keiser; Kelsh, S.; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Meier, L.; Metcalf; Monson; Nicholas; Nottestad; Onstad; Owens; Pietsch; Potter; Price; Rennerfeldt; Ruby; Sandvig; Sitte; Skarphol; Svedjan; Uglem; Vigesaa; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Klein

**ABSENT AND NOT VOTING:** Brandenburg; Iverson; Meyer, S.

Engrossed SB 2254 lost.

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#### CONSIDERATION OF MESSAGE FROM THE SENATE

**REP. SVEDJAN MOVED** that the House do not concur in the Senate amendments to HB 1016 as printed on HJ pages 1564-1568 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

**APPOINTMENT OF CONFERENCE COMMITTEE**

**THE SPEAKER APPOINTED** as a Conference Committee on HB 1016: Reps. Carlson, Skarphol, Glassheim.

**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. SVEDJAN MOVED** that the House do not concur in the Senate amendments to HB 1324 as printed on HJ page 1001 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

**APPOINTMENT OF CONFERENCE COMMITTEE**

**THE SPEAKER APPOINTED** as a Conference Committee on HB 1324: Reps. Kasper, Ruby, Boe.

**MOTION**

**REP. MONSON MOVED** that the House stand in recess until 1:00 p.m., which motion prevailed.

**THE HOUSE RECONVENED** pursuant to recess taken, with Speaker Klein presiding.

**POINT OF PERSONAL PRIVILEGE**

**REP. BERG:** Mr. Speaker: I rise on a point of personal privilege.

It is my honor to introduce to my fellow Representatives, Captains Meriwether Lewis and William Clark of the Discovery Expedition of St. Charles, MO.

Meriwether Lewis is portrayed by Bryant Boswell and William Clark is portrayed by his great-great-great grandson, Peyton "Bud" Clark.

Both are at Fort Mandan this week for the Bicentennial commemoration of the Expedition's departure from Fort Mandan, which will take place at 4:00 p.m., Thursday, April 7.

A full week of Bicentennial activities is underway at Fort Mandan and other locations in North Dakota.

Please join me in welcoming back these two Legendary figures of North Dakota history. I join with the Lewis & Clark Fort Mandan Foundation of Washburn in inviting all of you to participate in Bicentennial events taking place through Saturday at Fort Mandan.

**REQUEST**

**REP. MONSON REQUESTED** that the remarks of Rep. Berg be printed in the Journal, which request was granted.

**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. SVEDJAN MOVED** that the House do not concur in the Senate amendments to HB 1018 as printed on HJ pages 1561-1562 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

**APPOINTMENT OF CONFERENCE COMMITTEE**

**THE SPEAKER APPOINTED** as a Conference Committee on HB 1018: Reps. Carlisle, Kempenich, Kroeber.

**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. SVEDJAN MOVED** that the House do concur in the Senate amendments to Engrossed HB 1006 as printed on HJ pages 1523-1524, which motion prevailed on a voice vote.

Engrossed HB 1006, as amended, was placed on the Eleventh order of business.

**SECOND READING OF HOUSE BILL**

**HB 1006:** A BILL for an Act to provide an appropriation for defraying the expenses of the office of the state tax commissioner and for payment of state reimbursement under the homestead tax credit; to provide for a transfer; to amend and reenact section 57-01-04 of the North Dakota Century Code, relating to the tax commissioner's salary; and to authorize the tax commissioner to enter into a financing agreement to establish an integrated tax system.

**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 81 YEAS, 11 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Ekstrom; Froseth; Galvin; Glassheim; Grande; Haas; Hanson; Hawken; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Maragos; Martinson; Meier, L.; Metcalf; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Ruby; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

**NAYS:** Aarsvold; Amerman; Drovdal; Froelich; Gulleson; Kaldor; Kasper; Kroeber; Rennerfeldt; Sandvig; Thoreson

**ABSENT AND NOT VOTING:** Headland; Meyer, S.

Reengrossed HB 1006 passed and the title was agreed to.

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#### **CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. SVEDJAN MOVED** that the House do concur in the Senate amendments to HB 1023 as printed on HJ pages 1397-1399, which motion prevailed on a voice vote.

HB 1023, as amended, was placed on the Eleventh order of business.

#### **SECOND READING OF HOUSE BILL**

**HB 1023:** A BILL for an Act to provide an appropriation for defraying the expenses of various state retirement and investment agencies; and to amend and reenact sections 54-44.1-11 and 54-44.3-12.1 of the North Dakota Century Code, relating to the cancellation of unexpended appropriations and revisions to compensation plans under the central personnel system.

#### **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 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleson; Haas; Hanson; Hawken; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

**ABSENT AND NOT VOTING:** Headland; Meyer, S.

Engrossed HB 1023 passed and the title was agreed to.

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#### **CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. PRICE MOVED** that the House do concur in the Senate amendments to HB 1280 as printed on HJ pages 1422-1426, which motion prevailed on a voice vote.

HB 1280, as amended, was placed on the Eleventh order of business.

#### **SECOND READING OF HOUSE BILL**

**HB 1280:** A BILL for an Act to create and enact a new section to chapter 43-42 of the North Dakota Century Code, relating to licensure of polysomnographic technologists; to amend and reenact section 43-42-01, subsection 2 of section 43-42-02, and section 43-42-03 of the North Dakota Century Code, relating to licensure of registered polysomnographic technologists; to provide for a legislative council study; to provide an effective date; to provide an expiration date; and to declare an emergency.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 84 YEAS, 8 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleon; Haas; Hanson; Hawken; Herbel; Horter; Hunsakor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Metcalf; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pollert; Porter; Potter; Price; Rennerfeldt; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigasaa; Wald; Wall; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

**NAYS:** Carlisle; Dosch; Martinson; Meier, L.; Pietsch; Ruby; Weiler; Weisz

**ABSENT AND NOT VOTING:** Headland; Meyer, S.

Engrossed HB 1280 passed and the title was agreed to.

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**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. DEKREY MOVED** that the House do concur in the Senate amendments to HB 1289 as printed on HJ page 1454, which motion prevailed on a voice vote.

HB 1289, as amended, was placed on the Eleventh order of business.

**SECOND READING OF HOUSE BILL**

**HB 1289:** A BILL for an Act to amend and reenact section 25-03.3-03, subsection 4 of section 25-03.3-03.1, and sections 25-03.3-05, 25-03.3-11, and 25-03.3-13 of the North Dakota Century Code, relating to making evidence presented at a commitment hearing, preliminary hearing, or commitment proceeding of a sexually dangerous individual open, notice to the attorney general, and the release of medically indentifiable health information.

**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 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleon; Haas; Hanson; Hawken; Herbel; Horter; Hunsakor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

**ABSENT AND NOT VOTING:** Headland; Meyer, S.

HB 1289 passed and the title was agreed to.

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**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. PRICE MOVED** that the House do concur in the Senate amendments to Engrossed HB 1470 as printed on HJ page 1536, which motion prevailed on a voice vote.

Engrossed HB 1470, as amended, was placed on the Eleventh order of business.

**SECOND READING OF HOUSE BILL**

**HB 1470:** A BILL for an Act to amend and reenact subsection 2 of section 50-24.6-02 and section 50-24.6-04 of the North Dakota Century Code, relating to the membership of the drug use review board and the prior authorization program.

**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 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleon; Haas; Hanson; Hawken; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

**ABSENT AND NOT VOTING:** Headland; Meyer, S.

Engrossed HB 1470 passed and the title was agreed to.

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**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**REP. NOTTESTAD MOVED** that the conference committee report on HB 1028 as printed on HJ page 1427 be adopted, which motion prevailed on a voice vote.

HB 1028, as amended, was placed on the Eleventh order.

**SECOND READING OF HOUSE BILL**

**HB 1028:** A BILL for an Act to amend and reenact section 52-02-07 of the North Dakota Century Code, relating to the establishment of an unemployment insurance advisory council.

**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, 7 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Gulleon; Haas; Hanson; Hawken; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Maragos; Martinson; Meier, L.; Metcalf; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

**NAYS:** Amerman; Bellew; Carlson; Delzer; Grande; Kroeber; Sandvig

**ABSENT AND NOT VOTING:** Headland; Meyer, S.

Engrossed HB 1028 passed and the title was agreed to.

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**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**REP. KLEMIN MOVED** that the conference committee report on Engrossed HB 1092 be adopted, which motion prevailed on a voice vote.

**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**REP. DIETRICH MOVED** that the conference committee report on HB 1188 as printed on HJ page 1461 be adopted, which motion prevailed on a voice vote.



HB 1188, as amended, was placed on the Eleventh order.

### SECOND READING OF HOUSE BILL

**HB 1188:** A BILL for an Act to create and enact a new section to chapter 28-01 of the North Dakota Century Code, relating to a four-year statute of limitations for an action resulting from a breach of duty with respect to a real estate transaction.

### 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 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleson; Haas; Hanson; Hawken; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

**ABSENT AND NOT VOTING:** Headland; Meyer, S.

HB 1188 passed and the title was agreed to.

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### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**REP. PRICE MOVED** that the conference committee report on HB 1190 be adopted as printed on HJ page 1323, which motion prevailed on a voice vote.

HB 1190, as amended, was placed on the Eleventh order.

### SECOND READING OF HOUSE BILL

**HB 1190:** A BILL for an Act to amend and reenact section 23-09.3-01.1 of the North Dakota Century Code, relating to a moratorium on the expansion of basic care bed capacity.

### 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 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleson; Haas; Hanson; Hawken; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

**ABSENT AND NOT VOTING:** Headland; Meyer, S.

Engrossed HB 1190 passed and the title was agreed to.

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### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**REP. KREIDT MOVED** that the conference committee report on HB 1191 be adopted as printed on HJ page 1349, which motion prevailed on a voice vote.

HB 1191, as amended, was placed on the Eleventh order.

**SECOND READING OF HOUSE BILL**

**HB 1191:** A BILL for an Act to amend and reenact section 23-16-01.1 of the North Dakota Century Code, relating to a moratorium on long-term care bed capacity.

**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 91 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleson; Haas; Hanson; Hawken; Herbel; Horter; Hunsakor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

**ABSENT AND NOT VOTING:** Headland; Meyer, S.; Ruby

Engrossed HB 1191 passed and the title was agreed to.

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**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**REP. WEISZ MOVED** that the conference committee report on Engrossed HB 1200 be adopted as printed on HJ page 986, which motion prevailed on a voice vote.

Engrossed HB 1200, as amended, was placed on the Eleventh order.

**SECOND READING OF HOUSE BILL**

**HB 1200:** A BILL for an Act to amend and reenact section 43-28-25 of the North Dakota Century Code, relating to dental services offered through a nonprofit organization; and to provide a penalty.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleson; Haas; Hanson; Hawken; Herbel; Horter; Hunsakor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

**ABSENT AND NOT VOTING:** Headland; Meyer, S.

Engrossed HB 1200 passed and the title was agreed to.

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**REPORT OF CONFERENCE COMMITTEE**

**HB 1205, as engrossed:** Your conference committee (Sens. Syverson, Hacker, Triplett and Reps. Koppelman, Galvin, Zaiser) recommends that the **HOUSE ACCEDE** to the Senate amendments on HJ page 940, adopt further amendments as follows, and place HB 1205 on the Seventh order:

That the House accede to the Senate amendments as printed on page 940 of the House Journal and page 700 of the Senate Journal and that Engrossed House Bill No. 1205 be further amended as follows:

Page 2, line 4, remove the overstrike over "A"

Page 2, remove the overstrike over lines 5 and 6

Page 2, line 7, remove the overstrike over "~~testing will be conducted~~", remove the overstrike over "~~The~~", after "~~local agency~~" insert "person", and remove the overstrike over "~~conducting the~~"

Page 2, line 8, remove the overstrike over "~~testing may assess a charge of up to~~", after "fifty" insert "twenty-five", and remove the overstrike over "~~dollars for conducting this testing.~~"

Renumber accordingly

Engrossed HB 1205 was placed on the Seventh order of business on the calendar.

#### **CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**REP. KOPPELMAN MOVED** that the conference committee report on Engrossed HB 1205 be adopted, which motion prevailed on a verification vote.

Engrossed HB 1205, as amended, was placed on the Eleventh order.

#### **SECOND READING OF HOUSE BILL**

**HB 1205:** A BILL for an Act to amend and reenact section 62.1-04-03 of the North Dakota Century Code, relating to concealed weapon permit testing.

#### **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 61 YEAS, 31 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Berg; Boehning; Boucher; Brusegaard; Carlisle; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Dosch; Ekstrom; Froseth; Galvin; Glassheim; Guleson; Haas; Hawken; Herbel; Horter; Hunskor; Johnson, D.; Johnson, N.; Kelsch, R.; Kelsh, S.; Kempenich; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Monson; Nelson; Nicholas; Nottestad; Onstad; Owens; Pietsch; Porter; Price; Sandvig; Sitte; Skarphol; Solberg; Svedjan; Thorpe; Uglen; Vigesaa; Wall; Weiler; Wieland; Williams; Zaiser; Speaker Klein

**NAYS:** Bellew; Belter; Bernstein; Boe; Brandenburg; Carlson; Delzer; Devlin; Dietrich; Drovda; Froelich; Grande; Hanson; Iverson; Kaldor; Kasper; Keiser; Kerzman; Metcalf; Mueller; Norland; Pollert; Potter; Rennerfeldt; Ruby; Schmidt; Thoreson; Timm; Wald; Weisz; Wrangham

**ABSENT AND NOT VOTING:** Headland; Meyer, S.

Engrossed HB 1205 passed and the title was agreed to.

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#### **MOTION**

**REP. MONSON MOVED** that the House stand in recess until 4:00 p.m., which motion prevailed.

**THE HOUSE RECONVENED** pursuant to recess taken, with Speaker Klein presiding.

#### **MOTION**

**REP. MONSON MOVED** that they adopt all the DO NOT CONCURS on the Twelfth Order, which motion prevailed.

#### **CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. SVEDJAN MOVED** that the House do not concur in the Senate amendments to SB 2014, and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

#### **APPOINTMENT OF CONFERENCE COMMITTEE**

**THE SPEAKER APPOINTED** as a Conference Committee on SB 2014: Reps. Thoreson, Carlisle, Kroeber.

**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. SVEDJAN MOVED** that the House do not concur in the Senate amendments to SB 2157, and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

**APPOINTMENT OF CONFERENCE COMMITTEE**

**THE SPEAKER APPOINTED** as a Conference Committee on SB 2157: Reps. Delzer, Carlson, Aarsvold.

**MOTION**

**REP. BERG MOVED** that HB 1248 be moved to the bottom of the calendar, which motion prevailed.

**REPORT OF CONFERENCE COMMITTEE**

**HB 1284, as engrossed:** Your conference committee (Sens. Syverson, Traynor, Nelson and Reps. Klemm, Koppelman, Zaiser) recommends that the **SENATE RECEDE** from the Senate amendments on HJ page 1321, adopt amendments as follows, and place HB 1284 on the Seventh order:

That the Senate recede from its amendments as printed on page 1321 of the House Journal and page 1018 of the Senate Journal and that Engrossed House Bill No. 1284 be amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact section 51-12-01 of the North Dakota Century Code, relating to false and misleading advertising; and to provide a penalty.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1. AMENDMENT.** Section 51-12-01 of the North Dakota Century Code is amended and reenacted as follows:

**51-12-01. False and misleading advertising prohibited.**

1. No person, ~~firm, corporation, limited liability company, or association~~ with intent to sell, dispose of, increase the consumption of, or induce the public to enter ~~into~~ an obligation relative to; or to acquire title or interest in any food, drug, medicine, patent and proprietary product, merchandise, security, service, performance, medical treatment, paint, varnish, oil, clothing, wearing apparel, machinery, or anything offered to the public; may make, publish, disseminate, circulate, or place before the public, or directly or indirectly shall cause to be made, published, disseminated, circulated, or placed before the public in a newspaper, or other publication, or in the form of a book, notice, handbill, poster, bill, circular, pamphlet, tab, label, letter, or in any other way, an advertisement ~~which that~~ contains any assertion, representation, or statement of fact, including the price thereof, which is untrue, deceptive, or misleading regarding such food, drug, medicine, patent and proprietary product, merchandise, security, service, performance, medical treatment, paint, varnish, oil, clothing, wearing apparel, machinery, or anything offered to the public.
2. It is not a violation of this section to advertise a performance by a performing group if at least one member of the performing group was a member of the recording group, the performance is identified as a "salute" or "tribute" to the recording group, the performance is expressly authorized in the advertising by the recording group, the advertising does not relate to a live music performance taking place in this state, or the advertising contains a disclaimer that the performing group is not the recording group or is not affiliated with the recording group."

Renumber accordingly

Engrossed HB 1284 was placed on the Seventh order of business on the calendar.

**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**REP. KLEMM MOVED** that the conference committee report on HB 1284 be adopted, which motion prevailed on a voice vote.

HB 1284, as amended, was placed on the Eleventh order.

### SECOND READING OF HOUSE BILL

**HB 1284:** A BILL for an Act to amend and reenact section 51-12-01 of the North Dakota Century Code, relating to false and misleading advertising; and to provide a penalty.

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 75 YEAS, 9 NAYS, 0 EXCUSED, 10 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Clark; Conrad; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; Froseth; Galvin; Grande; Gulleson; Haas; Hanson; Hawken; Herbel; Horter; Hunsakor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsh, S.; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Monson; Mueller; Nelson; Nicholas; Owens; Pietsch; Pollert; Price; Rennerfeldt; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

**NAYS:** Bellew; Damschen; Glassheim; Kaldor; Kelsch, R.; Porter; Potter; Ruby; Thoreson

**ABSENT AND NOT VOTING:** Bernstein; Charging; Froelich; Headland; Kempenich; Metcalf; Meyer, S.; Norland; Nottestad; Onstad

Engrossed HB 1284 passed and the title was agreed to.

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### REPORT OF CONFERENCE COMMITTEE

**HB 1286:** Your conference committee (Sens. Trenbeath, Syverson, Nelson and Reps. Boehning, Charging, Onstad) recommends that the **SENATE RECEDE** from the Senate amendments on HJ pages 940-941, adopt amendments as follows, and place HB 1286 on the Seventh order:

That the Senate recede from its amendments as printed on pages 940 and 941 of the House Journal and page 702 of the Senate Journal and that House Bill No. 1286 be amended as follows:

Page 3, line 9, replace "fifteen" with "twenty-five"

Renumber accordingly

HB 1286 was placed on the Seventh order of business on the calendar.

### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**REP. BOEHNING MOVED** that the conference committee report on HB 1286 as printed on HJ page 1461 be adopted, which motion prevailed on a voice vote.

HB 1286, as amended, was placed on the Eleventh order.

### SECOND READING OF HOUSE BILL

**HB 1286:** A BILL for an Act to create and enact a new subsection to section 44-04-18.10 and a new subsection to section 44-04-19.2 of the North Dakota Century Code, relating to the release of confidential records disclosed to another entity and the sequestering of competitors in a competitive selection or hiring process; and to amend and reenact subsection 2 of section 28-32-33, subsection 6 of section 39-08-13, subsection 8 of section 44-04-17.1, section 44-04-18, subsection 2 of section 44-04-18.1, sections 44-04-18.4, 44-04-18.12, and 44-04-19.1, subsections 5 and 6 of section 44-04-20, and section 44-04-21.1 of the North Dakota Century Code, relating to discovery in adjudicative proceedings, providing copies of records, fees for copies, release of bidding records, litigation and investigatory records, meeting notices, and violations.

### 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, 0 NAYS, 0 EXCUSED, 10 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; Froseth; Galvin; Glassheim; Grande; Gulleon; Haas; Hanson; Hawken; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Monson; Mueller; Nelson; Nicholas; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

**ABSENT AND NOT VOTING:** Bernstein; Charging; Froelich; Headland; Kempenich; Metcalf; Meyer, S.; Norland; Nottestad; Onstad

HB 1286 passed and the title was agreed to.

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#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**REP. RUBY MOVED** that the conference committee report on HB 1314 as printed on HJ page 1427, which motion prevailed on a voice vote.

HB 1314, as amended, was placed on the Eleventh order.

#### SECOND READING OF HOUSE BILL

**HB 1314:** A BILL for an Act to create and enact three new sections to chapter 49-02 and two new subsections to section 57-38-01.8 of the North Dakota Century Code, relating to a renewable electricity and recycled energy credit trading and tracking system by the public service commission and a tax credit for a wind energy device; 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 82 YEAS, 3 NAYS, 0 EXCUSED, 9 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; Froseth; Galvin; Glassheim; Grande; Gulleon; Haas; Hanson; Hawken; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Monson; Mueller; Nelson; Nicholas; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigasaa; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

**NAYS:** Carlson; Skarphol; Wald

**ABSENT AND NOT VOTING:** Bernstein; Froelich; Headland; Kempenich; Metcalf; Meyer, S.; Norland; Nottestad; Onstad

Engrossed HB 1314 passed and the title was agreed to.

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#### REPORT OF STANDING COMMITTEE

**SB 2247, as reengrossed: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (22 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Reengrossed SB 2247 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 provide a statement of legislative intent regarding state employee compensation adjustments.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1. LEGISLATIVE INTENT - STATE EMPLOYEE COMPENSATION**

**ADJUSTMENTS - GUIDELINES.** It is the intent of the fifty-ninth legislative assembly that 2005-07 biennium compensation adjustments for permanent state employees are to be increases of four percent beginning with the month of July 2005, to be paid in August 2005, and of four percent beginning with the month of July 2006, to be paid in August 2006. A minimum increase of sixty dollars per month is to be provided each year.

Employees whose documented performance levels do not meet standards are not eligible for the general increases.

Probationary employees are not entitled to the general increases. However, probationary employees may be given all or a portion of the increases upon completion of probation, at the discretion of the appointing authority.

During the biennium, no salary increase other than the four percent in July 2005 and the four percent in July 2006 may be given to an employee whose salary exceeds or would exceed the salary range maximum.

Each agency appropriation for salaries and wages is increased by four percent the first year and four percent the second year of the 2005-07 biennium for these compensation adjustments.

**SECTION 2. LEGISLATIVE INTENT - MERIT AND EQUITY INCREASES.** Of the four percent increase each year, one percentage point may be used by agency and institution directors for equity and market adjustments to address salary disparities, merit and performance increases in recognition of documented performance consistently superior or which consistently exceeds performance and accountability standards, or salary adjustments for changes in workload, promotions, and reclassifications. Appropriate documentation and justification must be maintained by the agency or institution."

Renumber accordingly

#### **SIXTH ORDER OF BUSINESS**

**SB 2247: REP. CARLSON (Appropriations Committee) MOVED** that the amendments be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

#### **SECOND READING OF SENATE BILL**

**SB 2247:** A BILL for an Act to provide a statement of legislative intent regarding state employee compensation adjustments; to amend and reenact section 54-52.1-06 of the North Dakota Century Code, relating to state employee contributions for participation in the uniform group insurance program; to provide for application; and to declare an emergency.

#### **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 83 YEAS, 3 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; Froseth; Galvin; Glassheim; Grande; Gulleon; Haas; Hanson; Hawken; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Monson; Mueller; Nelson; Nicholas; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

**NAYS:** Keiser; Klemin; Skarphol

**ABSENT AND NOT VOTING:** Bernstein; Froelich; Headland; Metcalf; Meyer, S.; Norland; Nottestad; Onstad

Engrossed SB 2247 passed and the title was agreed to.

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

**MR. PRESIDENT:** The House has amended and subsequently passed: SB 2247.

**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 1200.

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

**MR. PRESIDENT:** The House has adopted the conference committee report on: HB 1092.

**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 1028, HB 1188, HB 1190, HB 1191, HB 1205.

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

**MR. PRESIDENT:** The House has amended and subsequently passed: SB 2015.

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

**MR. PRESIDENT:** The House has passed and your favorable consideration is requested on: HB 1531.

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

**MR. PRESIDENT:** The House does not concur in the Senate amendments to HB 1018 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

**HB 1018:** Reps. Carlisle; Kempenich; Kroeber

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

**MR. PRESIDENT:** The House does not concur in the Senate amendments to HB 1003, HB 1009, HB 1172, HB 1181, HB 1189, HB 1370, HB 1500, and HB 1522 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

**HB 1003:** Reps. Carlisle; Thoreson; Williams

**HB 1009:** Reps. Kempenich; Carlisle; Kroeber

**HB 1172:** Reps. Porter; Nelson; Kaldor

**HB 1181:** Reps. Bellew; Pollert; Kerzman

**HB 1189:** Reps. Porter; Nelson; Hanson

**HB 1370:** Reps. Owens; Weisz; Schmidt

**HB 1500:** Reps. Galvin; Koppelman; Onstad

**HB 1522:** Reps. Weisz; Price; Sandvig

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

**MR. PRESIDENT:** The House does not concur in the Senate amendments to HB 1016 and HB 1324 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

**HB 1016:** Reps. Carlson; Skarphol; Glassheim

**HB 1324:** Reps. Kasper; Ruby; Boe

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

**MR. PRESIDENT:** The House has failed to pass: SB 2254.

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

**MR. PRESIDENT:** The House has amended, subsequently passed, and the emergency clause carried: SB 2228.

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

**MR. PRESIDENT:** The House has amended and subsequently passed: SB 2004, SB 2018, SB 2032.

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

**MR. PRESIDENT:** The House concurred in the Senate amendments and subsequently passed: HB 1006, HB 1023, HB 1280, HB 1289, and HB 1470.

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

**MR. PRESIDENT:** The House does not concur in the Senate amendments to HB 1003, HB 1009, HB 1172, HB 1181, HB 1189, HB 1346, HB 1370, HB 1500, and HB 1522 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:



**HB 1003:** Reps. Carlisle; Thoreson; Williams  
**HB 1009:** Reps. Kempenich; Carlisle; Kroeber  
**HB 1172:** Reps. Porter; Nelson; Kaldor  
**HB 1181:** Reps. Bellew; Pollert; Kerzman  
**HB 1189:** Reps. Porter; Nelson; Hanson  
**HB 1346:** Reps. Klemin; DeKrey; Delmore  
**HB 1370:** Reps. Owens; Weisz; Schmidt  
**HB 1500:** Reps. Galvin; Koppelman; Onstad  
**HB 1522:** Reps. Weisz; Price; Sandvig

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

**MR. PRESIDENT:** The Speaker has appointed as a conference committee to act with a like committee from the Senate on:

**SB 2014:** Reps. Thoreson; Carlisle; Kroeber  
**SB 2157:** Reps. Delzer; Carlson; Aarsvold

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

**MR. PRESIDENT:** The Speaker has appointed as a conference committee to act with a like committee from the Senate on:

**SB 2002:** Reps. Carlisle; Thoreson; Kroeber  
**SB 2008:** Reps. Kempenich; Timm; Williams  
**SB 2009:** Reps. Rennerfeldt; Brusegaard; Aarsvold  
**SB 2010:** Reps. Wieland; Bellew; Kerzman  
**SB 2011:** Reps. Kempenich; Timm; Williams  
**SB 2016:** Reps. Wald; Rennerfeldt; Gulleeson  
**SB 2019:** Reps. Wald; Rennerfeldt; Gulleeson  
**SB 2020:** Reps. Brusegaard; Rennerfeldt; Gulleeson  
**SB 2021:** Reps. Skarphol; Monson; Glassheim  
**SB 2023:** Reps. Carlson; Skarphol; Glassheim  
**SB 2031:** Reps. Carlisle; Timm; Kroeber  
**SB 2059:** Reps. Galvin; Froseth; Potter  
**SB 2133:** Reps. Carlson; Klein; Glassheim  
**SB 2204:** Reps. Porter; Nelson; Kaldor  
**SB 2274:** Reps. Dosch; Hawken; Thorpe  
**SB 2341:** Reps. Pollert; Wieland; Kerzman  
**SB 2373:** Reps. Wieland; Pollert; Metcalf

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

**MR. PRESIDENT:** Your signature is respectfully requested on: HB 1518, HCR 3002, HCR 3005, HCR 3017, HCR 3031, HCR 3055.

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

**MR. PRESIDENT:** The Speaker has signed: SB 2005, SB 2117, SB 2227, SB 2281, SB 2343, SCR 4030.

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

**MR. PRESIDENT:** Your signature is respectfully requested on: HB 1121, HB 1153, HB 1321, HB 1325, HB 1326, HB 1333, HB 1337, HB 1344, HB 1527.

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

**MR. PRESIDENT:** The Speaker has signed: SB 2027, SB 2028, SB 2044, SB 2101, SB 2120, SB 2208, SB 2269, SB 2272, SB 2344, SCR 4012.

**DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following bills were delivered to the Governor for approval on April 5, 2005: HB 1120, HB 1151, HB 1168, HB 1174, HB 1177, HB 1274, HB 1305, HB 1409, HB 1418, HB 1475, HB 1525, HB 1528.

**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 2078, SB 2129, SB 2149, SB 2237.

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

**MR. SPEAKER:** The Senate has amended and subsequently passed: HB 1010.

**SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1010**

In lieu of the amendments adopted by the Senate as printed on pages 1261 and 1262 of the Senate Journal, Engrossed House Bill No. 1010 is amended as follows:

Page 1, line 3, remove the first "and"

Page 1, line 4, after "salary" insert "; and to provide for a legislative council study"

Page 1, line 21, replace "361,269" with "355,279"

Page 1, line 22, replace "331,876" with "381,876"

Page 2, line 1, replace "2,116,000" with "1,091,000"

Page 2, line 2, replace "2,702,245" with "1,721,255"

Page 2, line 3, replace "2,802,245" with "1,821,255"

Page 2, line 10, replace "5,059,647" with "5,053,657"

Page 2, line 11, replace "2,113,377" with "2,163,377"

Page 2, line 12, replace "7,420,000" with "6,395,000"

Page 2, line 13, replace "14,593,024" with "13,612,034"

Page 2, line 15, replace "\$7,420,000" with "\$6,395,000"

Page 2, line 16, replace "\$7,200,000" with "\$6,200,000"

Page 2, line 18, replace "\$100,000" with "\$75,000"

Page 3, after line 9, insert:

**"SECTION 10. ADDITIONAL CRITICAL METHAMPHETAMINE-USE ZONE.**

Notwithstanding rules adopted by the commissioner identifying a critical methamphetamine-use zone, the commissioner shall designate the counties of Walsh, Cavalier, and Pembina as a critical methamphetamine-use zone subject to section 19-20.2-11 and rules adopted pursuant to that section. Section 3 of this Act includes the sum of \$50,000 from the insurance regulatory trust fund, or so much of the sum as is necessary, to implement security measures established by the commissioner, including the purchase and distribution of locking devices, in the counties of Walsh, Cavalier, and Pembina, for the biennium beginning July 1, 2005, and ending June 30, 2007."

Page 3, after line 15, insert:

**"SECTION 12. LEGISLATIVE COUNCIL STUDY - ACCIDENT AND HEALTH INSURANCE LOSS RATIOS.** During the 2005-06 interim, the legislative council shall study the appropriate minimum standard of loss ratio for accident and health insurers and whether that loss ratio is more appropriately set by statute or by rule. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixtieth legislative assembly."

Renumber accordingly

**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 1012.

**SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1012**

Page 1, line 2, replace "and" with "an"

Page 1, line 3, remove "and" and after "authority" insert "; to create and enact a new section to chapter 25-18 of the North Dakota Century Code, relating to providing services to medically fragile children; to amend and reenact subsection 10 of section 54-44.8-01 of the North Dakota Century Code, relating to telecommunications equipment; and to declare an emergency"

Page 3, line 29, replace "\$486,633" with "\$498,738"

Page 3, line 30, replace "(1,787,339)" with "27,401,520"

Page 4, line 2, replace "\$5,535,466" with "\$23,641,288"

Page 4, line 3, replace "(11,288,586)" with "17,895,373"

Page 4, line 4, replace "5,753,120" with "5,745,915"

Page 4, line 7, replace "699,801" with "670,847"

Page 4, line 8, replace "(109,195)" with "(29,195)"

Page 4, line 10, replace "44,572,418" with "44,935,006"

Page 4, line 11, replace "71,360,100" with "73,920,919"

Page 4, line 12, replace "116,517,316" with "119,491,769"

Page 4, line 13, replace "63,463,933" with "65,616,479"

Page 4, line 14, replace "53,053,383" with "53,875,290"

Page 4, line 19, replace "43,292" with "37,052"

Page 4, line 20, replace "39,123" with "35,963"

Page 4, line 21, replace "4,169" with "1,089"

Page 4, line 23, replace "713,327" with "698,351"

Page 4, line 24, replace "533,839" with "526,839"

Page 4, line 25, replace "179,488" with "171,512"

Page 4, line 27, replace "680,656" with "672,918"

Page 4, line 28, replace "431,083" with "427,285"

Page 4, line 29, replace "249,573" with "245,633"

Page 5, line 2, replace "1,055,769" with "1,037,049"

Page 5, line 3, replace "745,840" with "734,210"

Page 5, line 4, replace "309,929" with "302,839"

Page 5, line 6, replace "2,801,880" with "2,779,416"

Page 5, line 7, replace "2,430,373" with "2,417,169"

Page 5, line 8, replace "371,507" with "362,247"

Page 5, line 10, replace "780,171" with "769,313"

Page 5, line 11, replace "578,413" with "572,445"

Page 5, line 12, replace "201,758" with "196,868"

Page 5, line 14, replace "920,924" with "905,199"

Page 5, line 15, replace "537,278" with "529,098"

Page 5, line 16, replace "383,646" with "376,101"

Page 5, line 18, replace "383,660" with "373,926"

Page 5, line 19, replace "250,774" with "245,520"

Page 5, line 20, replace "132,886" with "128,406"

Page 5, line 22, replace "230,001" with "292,827"

Page 5, line 23, replace "5,430,860" with "5,424,120"

Page 5, line 24, replace "5,660,861" with "5,716,947"

Page 5, line 25, replace "~~(728,482)~~" with "(746,586)"

Page 5, line 26, replace "6,389,343" with "6,463,533"

Page 5, line 28, replace "1,463,546" with "1,403,643"

Page 5, line 29, replace "~~(1,124,148)~~" with "(1,168,531)"

Page 5, line 30, replace "2,587,694" with "2,572,174"

Page 5, line 31, replace "14,254,086" with "14,143,814"

Page 6, line 1, replace "3,694,093" with "3,573,412"

Page 6, line 2, replace "10,559,993" with "10,570,402"

Page 6, line 3, replace "69,366,496" with "70,191,607"

Page 6, line 4, replace "55,869,440" with "87,085,264"

Page 6, line 5, replace "125,235,936" with "157,276,871"

Page 6, line 14, replace "10,529,652" with "10,517,547"

Page 6, line 15, replace "31,779,849" with "60,968,708"

Page 6, line 17, replace "42,312,257" with "71,489,011"

Page 6, line 18, replace "22,841,521" with "52,025,480"

Page 6, line 19, replace "19,470,736" with "19,463,531"

Page 6, line 22, replace "22,753,582" with "22,724,628"

Page 6, line 23, replace "37,272,214" with "37,352,214"

Page 6, line 25, replace "333,260,143" with "333,622,731"

Page 6, line 26, replace "993,037,274" with "995,598,093"

Page 6, line 27, replace "1,386,357,077" with "1,389,331,530"

Page 6, line 28, replace "1,022,556,015" with "1,024,708,561"

Page 6, line 29, replace "363,801,062" with "364,622,969"

Page 7, line 3, replace "7,318,971" with "7,312,731"

Page 7, line 4, replace "3,684,763" with "3,681,603"

Page 7, line 5, replace "3,634,208" with "3,631,128"

Page 7, line 7, replace "15,278,197" with "15,263,221"

Page 7, line 8, replace "7,257,513" with "7,250,513"

Page 7, line 9, replace "8,020,684" with "8,012,708"

Page 7, line 11, replace "9,101,589" with "9,093,851"

Page 7, line 12, replace "4,214,056" with "4,210,258"

Page 7, line 13, replace "4,887,533" with "4,883,593"

Page 7, line 15, replace "20,496,952" with "20,478,232"

Page 7, line 16, replace "12,190,660" with "12,179,030"

Page 7, line 17, replace "8,306,292" with "8,299,202"

Page 7, line 19, replace "23,526,422" with "23,503,958"

Page 7, line 20, replace "13,645,595" with "13,632,391"

Page 7, line 21, replace "9,880,827" with "9,871,567"

Page 7, line 23, replace "12,139,146" with "12,128,288"

Page 7, line 24, replace "6,310,281" with "6,304,313"

Page 7, line 25, replace "5,828,865" with "5,823,975"

Page 7, line 27, replace "18,505,768" with "18,490,043"

Page 7, line 28, replace "9,658,913" with "9,650,733"

Page 7, line 29, replace "8,846,855" with "8,839,310"

Page 8, line 1, replace "9,308,287" with "9,298,553"

Page 8, line 2, replace "4,809,497" with "4,804,243"

Page 8, line 3, replace "4,498,790" with "4,494,310"

Page 8, line 5, replace "42,119,562" with "42,182,388"

Page 8, line 6, replace "5,430,860" with "5,424,120"

Page 8, line 7, replace "47,550,422" with "47,606,508"

Page 8, line 8, replace "15,676,878" with "15,658,774"

Page 8, line 9, replace "31,873,544" with "31,947,734"

Page 8, line 11, replace "42,224,603" with "42,164,700"

Page 8, line 12, replace "30,825,680" with "30,781,297"

Page 8, line 13, replace "11,398,923" with "11,383,403"

Page 8, line 14, replace "205,450,357" with "205,340,085"

Page 8, line 15, replace "108,273,836" with "108,153,155"

Page 8, line 16, replace "97,176,521" with "97,186,930"

Page 8, line 17, replace "480,448,319" with "481,273,430"

Page 8, line 18, replace "1,153,671,372" with "1,184,887,196"

Page 8, line 19, replace "1,634,119,691" with "1,666,160,626"

Page 9, line 11, replace "\$114,755" with "\$254,356"

Page 9, after line 14, insert:

**"SECTION 8. ESTIMATED INCOME - LIMIT - HEALTH CARE TRUST FUND.**

The estimated income line item in subdivision 1 of section 3 of this Act includes \$3,667,820 from the health care trust fund. The department of human services expenditures from this fund may not exceed this amount for the period beginning with the effective date of this Act, and ending June 30, 2007."

Page 9, after line 25, insert:

**"SECTION 11. LEGISLATIVE COUNCIL STUDY - RESIDENTIAL TREATMENT CENTER AND RESIDENTIAL CHILD CARE FACILITY PAYMENT SYSTEMS.** The legislative council shall consider studying, during the 2005-06 interim, the services provided by residential treatment centers and residential child care facilities and the appropriateness of the payments provided by the state for these services.

**SECTION 12. PLAN TO TRANSFER APPROPRIATE DEVELOPMENTAL CENTER RESIDENTS TO COMMUNITIES - LEGISLATIVE COUNCIL REPORT.** The department of human services, with input from developmental disabilities services providers, shall develop, during the 2005-06 interim, a plan to transfer appropriate individuals from the developmental center to community placements and to the extent possible, begin the transfers during the 2005-07 biennium. The department shall report to the legislative council on its plan and on the anticipated number of individuals that may be transferred during the 2005-07 biennium.

**SECTION 13. DEPARTMENT OF HUMAN SERVICES AND INDIAN AFFAIRS COMMISSION - CHILD SUPPORT - STATE AND TRIBAL COURT COORDINATION.** The department of human services and the indian affairs commission shall collaborate to facilitate the coordination of state and tribal court activities to increase the amount of child support collected for noncustodial parents for the biennium beginning July 1, 2005, and ending June 30, 2007.

**SECTION 14.** A new section to chapter 25-18 of the North Dakota Century Code is created and enacted as follows:

Payment for services to medically fragile children. The department shall recognize the unique level of care, the additional cost required to provide services to medically fragile clients under twenty-one years of age, and the actual and reasonable cost of providing services to developmentally disable individuals when reimbursing an intermediate care facility for the mentally retarded.

**SECTION 15. AMENDMENT.** Subsection 10 of section 54-44.8-01 of the North Dakota Century Code is amended and reenacted as follows:

10. "Specialized telecommunications equipment" means a dedicated telecommunications device that, when connected to a telephone, enables or assists a person who is communications impaired to communicate with another person utilizing the telephone network. The term may include telecommunications devices for the deaf, amplifiers, and signaling devices. Specialized telecommunications equipment provided under this chapter to an individual may not exceed two thousand dollars in total cost per device.

**SECTION 16. EMERGENCY.** The appropriation of \$29,188,859 included in subdivision 1 of section 3 of this Act for the medicaid management information system replacement project and section 15 of this Act are declared to be an emergency measure."

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### House Bill No. 1012 - Summary of Senate Action

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
DHS - Management				
Total all funds	\$71,539,214	\$42,312,257	\$29,176,754	\$71,489,011
Less estimated income	48,374,575	22,841,521	29,183,959	52,025,480
General fund	\$23,164,639	\$19,470,736	(\$7,205)	\$19,463,531
DHS - Program/Policy				
Total all funds	\$1,396,151,539	\$1,386,357,077	\$2,974,453	\$1,389,331,530
Less estimated income	1,027,728,022	1,022,556,015	2,152,546	1,024,708,561
General fund	\$368,423,517	\$363,801,062	\$821,907	\$364,622,969
DHS - State Hospital				
Total all funds	\$47,728,538	\$47,550,422	\$56,086	\$47,606,508
Less estimated income	15,610,871	15,676,878	(18,104)	15,658,774
General fund	\$32,117,667	\$31,873,544	\$74,190	\$31,947,734
DHS - Developmental Center				
Total all funds	\$43,046,377	\$42,224,603	(\$59,903)	\$42,164,700
Less estimated income	31,349,952	30,825,680	(44,383)	30,781,297

General fund	\$11,696,425	\$11,398,923	(\$15,520)	\$11,383,403
DHS - Northwest HSC				
Total all funds	\$7,379,756	\$7,318,971	(\$6,240)	\$7,312,731
Less estimated income	3,691,210	3,684,763	(3,160)	3,681,603
General fund	\$3,688,546	\$3,634,208	(\$3,080)	\$3,631,128
DHS - North Central HSC				
Total all funds	\$15,433,218	\$15,278,197	(\$14,976)	\$15,263,221
Less estimated income	7,270,196	7,257,513	(7,000)	7,250,513
General fund	\$8,163,022	\$8,020,684	(\$7,976)	\$8,012,708
DHS - Lake Region HSC				
Total all funds	\$9,196,380	\$9,101,589	(\$7,738)	\$9,093,851
Less estimated income	4,221,881	4,214,056	(3,798)	4,210,258
General fund	\$4,974,499	\$4,887,533	(\$3,940)	\$4,883,593
DHS - Northeast HSC				
Total all funds	\$20,696,142	\$20,496,952	(\$18,720)	\$20,478,232
Less estimated income	12,211,610	12,190,660	(11,630)	12,179,030
General fund	\$8,484,532	\$8,306,292	(\$7,090)	\$8,299,202
DHS - Southeast HSC				
Total all funds	\$23,822,246	\$23,526,422	(\$22,464)	\$23,503,958
Less estimated income	13,673,717	13,645,595	(13,204)	13,632,391
General fund	\$10,148,529	\$9,880,827	(\$9,260)	\$9,871,567
DHS - South Central HSC				
Total all funds	\$12,238,992	\$12,139,146	(\$10,858)	\$12,128,288
Less estimated income	6,322,357	6,310,281	(5,968)	6,304,313
General fund	\$5,916,635	\$5,828,865	(\$4,890)	\$5,823,975
DHS - West Central HSC				
Total all funds	\$18,700,619	\$18,505,768	(\$15,725)	\$18,490,043
Less estimated income	9,675,203	9,658,913	(8,180)	9,650,733
General fund	\$9,025,416	\$8,846,855	(\$7,545)	\$8,839,310
DHS - Badlands HSC				
Total all funds	\$9,388,791	\$9,308,287	(\$9,734)	\$9,298,553
Less estimated income	4,819,177	4,809,497	(5,254)	4,804,243
General fund	\$4,569,614	\$4,498,790	(\$4,480)	\$4,494,310
Bill Total				
Total all funds	\$1,675,321,812	\$1,634,119,691	\$32,040,935	\$1,666,160,626
Less estimated income	1,184,948,771	1,153,671,372	31,215,824	1,184,887,196
General fund	\$490,373,041	\$480,448,319	\$825,111	\$481,273,430

## House Bill No. 1012 - DHS - Management - Senate Action

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES <sup>1</sup>	SENATE VERSION	
Salaries and wages	\$10,567,750	\$10,529,652	(\$12,105)	\$10,517,547	
Operating expenses	60,968,708	31,779,849	29,188,859	60,968,708	
Capital assets	2,756	2,756		2,756	
Total all funds	\$71,539,214	\$42,312,257	\$29,176,754	\$71,489,011	
Less estimated income	48,374,575	22,841,521	29,183,959	52,025,480	
General fund	\$23,164,639	\$19,470,736	(\$7,205)	\$19,463,531	
FTE	99.10	99.10	0.00	99.10	
		FTE	GENERAL FUND	ESTIMATED INCOME	TOTAL
<sup>1</sup> Management - Senate Changes:					
Reduces recommended funding for health insurance			(\$7,205)	(\$4,900)	(\$12,105)
<b>Administration Support Program</b>					
None					
<b>Division of Information Technology Program</b>					
Restores funding for the Medicaid management system (MMIS) computer project removed by the House with state matching funds of \$3,667,820 provided from the health care trust fund rather than the general fund				29,188,859	29,188,859
<b>Total Senate Changes - Management</b>		0.00	(\$7,205)	\$29,183,959	\$29,176,754

## House Bill No. 1012 - DHS - Program/Policy - Senate Action

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES <sup>1</sup>	SENATE VERSION
Salaries and wages	\$23,054,340	\$22,753,582	(\$28,954)	\$22,724,628
Operating expenses	38,232,573	37,272,214	80,000	37,352,214
Capital assets	33,864	33,864		33,864
Grants	334,055,993	333,260,143	362,588	333,622,731
Grants - Medical assistance	1,000,774,769	993,037,274	2,560,819	995,598,093
Total all funds	\$1,396,151,539	\$1,386,357,077	\$2,974,453	\$1,389,331,530
Less estimated income	1,027,728,022	1,022,556,015	2,152,546	1,024,708,561
General fund	\$368,423,517	\$363,801,062	\$821,907	\$364,622,969

FTE	233.30	232.30	0.00	232.30	
		FTE	GENERAL FUND	ESTIMATED INCOME	TOTAL
<b><sup>1</sup>Program and Policy - Senate Changes:</b>					
Reduces recommended funding for health insurance			(\$8,140)	(\$20,814)	(\$28,954)
<b>Economic Assistance Policy Program</b>					
None					
<b>Child Support Program</b>					
None					
<b>Medical Services Program</b>					
Restores funding reduced by the House from the community health trust fund for breast and cervical cancer treatment services				139,601	139,601
Adds funding for the children's health insurance program (Healthy Steps) in anticipation of increased caseload resulting from implementation of the vision eligibility system			428,425	1,607,893	2,036,318
<b>Long-Term Care Program</b>					
None					
<b>Aging Services Program</b>					
None					
<b>Children and Family Services Program</b>					
Adds funding for increasing the maximum treatment services payment for residential child care facilities to \$15 per day. The House had added funding to increase the maximum payment from \$11.50 to \$14.15 per day.			21,622	56,066	77,688
Restores a portion of the House reductions made to the funding anticipated to be needed for foster care and subsidized adoption services. The House had reduced this funding by \$594,106, of which \$250,000 is from the general fund.			100,000	184,900	284,900
<b>Mental Health and Substance Abuse Program</b>					
None					
<b>Developmental Disabilities Council</b>					
None					
<b>Disabilities Program</b>					
Adds funding for increasing payment rates for facilities serving children with extensive medical needs, including the Anne Carlsen Center. This amount is in addition to the \$284,900 added by the House for this purpose.			100,000	184,900	284,900
Adds funding for the department to develop a plan to transfer appropriate individuals from the Developmental Center to community placements, and to the extent possible to begin the transition during the 2005-07 biennium			50,000		50,000
Restores funding to \$910,056 from the general fund for the family subsidy program. The House reduced funding for this program by \$100,000 from the general fund.			100,000		100,000
Adds funding for paying petitioning costs for indigent individuals with developmental disabilities who have been referred for corporate guardianship			30,000		30,000
<b>Total Senate Changes - Program and Policy</b>	0.00		\$821,907	\$2,152,546	\$2,974,453

**Other changes affecting Program and Policy programs:**

A section is added requiring the department to recognize additional costs incurred by intermediate care facilities for the mentally retarded (ICF/MRs) serving medically fragile clients under 21 years of age.

A section is added directing the department and developmental disabilities services providers to develop, during the 2005-06 interim, a plan for transferring appropriate individuals from the Developmental Center to community placements and to the extent possible, to begin the transition during the 2005-07 biennium. The section also provides that the department report to the Legislative Council on its plan.

A section is added changing the definition of specialized telecommunications equipment.

A section is added requiring the department and the Indian Affairs Commission to collaborate to improve the coordination of tribal and state court activities relating to child support enforcement.

A section is added providing for a Legislative Council study of the services provided by residential treatment centers and residential child care facilities and the appropriateness of the payments provided by the state for these services.



	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES <sup>1</sup>	SENATE VERSION	
Salaries and wages					
Traditional	\$42,272,978	\$42,119,562	\$62,826	\$42,182,388	
Secure	<u>5,455,560</u>	<u>5,430,860</u>	<u>(6,740)</u>	<u>5,424,120</u>	
Total all funds	\$47,728,538	\$47,550,422	\$56,086	\$47,606,508	
Less estimated income	<u>15,610,871</u>	<u>15,676,878</u>	<u>(18,104)</u>	<u>15,658,774</u>	
General fund	\$32,117,667	\$31,873,544	\$74,190	\$31,947,734	
FTE	424.01	424.01	0.00	424.01	
		FTE	GENERAL FUND	ESTIMATED INCOME	TOTAL
<b><sup>1</sup>State Hospital - Senate Changes:</b>					
Reduces recommended funding for health insurance			(\$35,810)	(\$18,104)	(\$53,914)
Adds funds for repairing and painting the State Hospital water tower			110,000		110,000
<b>Total Senate Changes - State Hospital</b>		0.00	\$74,190	(\$18,104)	\$56,086

**House Bill No. 1012 - DHS - Developmental Center - Senate Action**

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES <sup>1</sup>	SENATE VERSION	
Human service centers/institutions	\$43,046,377	\$42,224,603	(\$59,903)	\$42,164,700	
Total all funds	\$43,046,377	\$42,224,603	(\$59,903)	\$42,164,700	
Less estimated income	<u>31,349,952</u>	<u>30,825,680</u>	<u>(44,383)</u>	<u>30,781,297</u>	
General fund	\$11,696,425	\$11,398,923	(\$15,520)	\$11,383,403	
FTE	451.54	451.54	0.00	451.54	
		FTE	GENERAL FUND	ESTIMATED INCOME	TOTAL
<b><sup>1</sup>Developmental Center - Senate Changes:</b>					
Reduces recommended funding for health insurance			(\$15,520)	(\$44,383)	(\$59,903)
<b>Total Senate Changes - Developmental Center</b>		0.00	(\$15,520)	(\$44,383)	(\$59,903)

**House Bill No. 1012 - Human Service Centers - General Fund Summary**

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES <sup>1</sup>	SENATE VERSION
DHS - Northwest HSC	\$3,688,546	\$3,634,208	(\$3,080)	\$3,631,128
DHS - North Central HSC	8,163,022	8,020,684	(7,976)	8,012,708
DHS - Lake Region HSC	4,974,499	4,887,533	(3,940)	4,883,593
DHS - Northeast HSC	8,484,532	8,306,292	(7,090)	8,299,202
DHS - Southeast HSC	10,148,529	9,880,827	(9,260)	9,871,567
DHS - South Central HSC	5,916,635	5,828,865	(4,890)	5,823,975
DHS - West Central HSC	9,025,416	8,846,855	(7,545)	8,839,310
DHS - Badlands HSC	<u>4,569,614</u>	<u>4,498,790</u>	<u>(4,480)</u>	<u>4,494,310</u>
Total general fund	\$54,970,793	\$53,904,054	(\$48,261)	\$53,855,793

**House Bill No. 1012 - Human Service Centers - Other Funds Summary**

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES <sup>1</sup>	SENATE VERSION
DHS - Northwest HSC	\$3,691,210	\$3,684,763	(\$3,160)	\$3,681,603
DHS - North Central HSC	7,720,196	7,257,513	(7,000)	7,250,513
DHS - Lake Region HSC	4,221,881	4,214,056	(3,798)	4,210,258
DHS - Northeast HSC	12,211,610	12,190,660	(11,630)	12,179,030
DHS - Southeast HSC	13,673,717	13,645,595	(13,204)	13,632,391
DHS - South Central HSC	6,322,357	6,310,281	(5,968)	6,304,313
DHS - West Central HSC	9,675,203	9,658,913	(8,180)	9,650,733
DHS - Badlands HSC	<u>4,619,177</u>	<u>4,809,497</u>	<u>(5,254)</u>	<u>4,804,243</u>
Total other funds	\$61,885,351	\$61,771,278	(\$58,194)	\$61,713,084

**House Bill No. 1012 - Human Service Centers - All Funds Summary**

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES <sup>1</sup>	SENATE VERSION
DHS - Northwest HSC	\$7,379,756	\$7,318,971	(\$6,240)	\$7,312,731
DHS - North Central HSC	15,433,218	15,278,197	(14,976)	15,263,221

DHS - Lake Region HSC	9,196,380	9,101,589	(7,738)	9,093,851
DHS - Northeast HSC	20,696,142	20,496,952	(18,720)	20,478,232
DHS - Southeast HSC	23,822,246	23,526,422	(22,464)	23,503,958
DHS - South Central HSC	12,238,992	12,139,146	(10,858)	12,128,288
DHS - West Central HSC	18,700,619	18,505,768	(15,725)	18,490,043
DHS - Badlands HSC	9,388,791	9,308,287	(9,734)	9,298,553
Total all funds	\$116,856,144	\$115,675,332	(\$106,455)	\$115,568,877
FTE	840.48	840.48	0.00	840.48

<sup>1</sup>Reduces recommended funding for health insurance at the human service centers as follows:

FTE	GENERAL FUND	ESTIMATED INCOME	TOTAL
Northwest HSC	(\$3,080)	(\$3,160)	(\$6,240)
North Central HSC	(7,976)	(7,000)	(14,976)
Lake Region HSC	(3,940)	(3,798)	(7,738)
Northeast HSC	(7,090)	(11,630)	(18,720)
Southeast HSC	(9,260)	(13,204)	(22,464)
South Central HSC	(4,890)	(5,968)	(10,858)
West Central HSC	(7,545)	(8,180)	(15,725)
Badlands HSC	(4,480)	(5,254)	(9,734)
Total	(\$48,261)	(\$58,194)	(\$106,455)

# 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 1004:** Sens. Kilzer; Schobinger; Krauter  
**HB 1008:** Sens. Schobinger; Christmann; Mathern  
**HB 1230:** Sens. Flakoll; Freborg; Taylor  
**HB 1258:** Sens. Krebsbach; Klein; Fairfield  
**HB 1291:** Sens. Erbele; Urlacher; Taylor  
**HB 1346:** Sens. Trenbeath; Hacker; Triplett  
**HB 1417:** Sens. Hacker; Dever; Triplett  
**HB 1437:** Sens. Espegard; Mutch; Heitkamp  
**HB 1454:** Sens. Cook; G. Lee; Fairfield

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

**MR. SPEAKER:** The Senate does not concur in the House amendments to SB 2003, SB 2014, and SB 2157 and the President has appointed as a conference committee to act with a like committee from the House on:

**SB 2003:** Sens. Holmberg; Kringstad; Robinson  
**SB 2014:** Sens. Schobinger; Fischer; Lindaas  
**SB 2157:** Sens. Wardner; Tollefson; Bercier

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

**MR. SPEAKER:** The Senate has concurred in the House amendments and subsequently passed: SCR 4039.

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

**MR. SPEAKER:** The President has signed: HB 1445.

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

**MR. SPEAKER:** The President has signed: SB 2041, SB 2087, SB 2102, SB 2118, SB 2125, SB 2141, SB 2147, SB 2181, SB 2215, SB 2216, SB 2246, SB 2265, SB 2282, SB 2326, SB 2340, SB 2348, SB 2356, SB 2366.

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

**MR. SPEAKER:** Your signature is respectfully requested on: SB 2017, SB 2022, SB 2067, SB 2186, SB 2280, SB 2301, SB 2304, SB 2336, SB 2368, SB 2371, SB 2411, SB 2412.

## MOTION

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

## MOTION

**REP. MONSON MOVED** that the House be on the Fifth, Thirteenth, Fourteenth, and Sixteenth orders of business and at the conclusion of those orders, the House stand adjourned until 8:00 a.m., Wednesday, April 6, 2005, which motion prevailed.

## REPORT OF CONFERENCE COMMITTEE

**HB 1248, as engrossed:** Your conference committee (Sens. Brown, Dever, Warner and Reps. Weisz, Nelson, Sandvig) recommends that the **SENATE RECEDE** from the

Senate amendments on HJ page 1215, adopt amendments as follows, and place HB 1248 on the Seventh order:

That the Senate recede from its amendments as printed on page 1215 of the House Journal and pages 877 and 878 of the Senate Journal and that Engrossed House Bill No. 1248 be amended as follows:

Page 1, line 2, after "annuities" insert "; and to provide for application"

Page 3, line 8, remove "and interest"

Page 3, line 9, after "to" insert "at least eighty-five percent of"

Page 3, line 23, after "child" insert "who resided and was supported financially by the deceased" and after "or" insert "by a"

Page 3, line 26, after "children" insert "who resided and were supported financially by the deceased" and after the second "or" insert "the"

Page 3, after line 30, insert:

**"SECTION 2. APPLICATION.** If any provision of this Act is determined by the federal government to be in conflict with existing or future federal requirements with respect to federal participation in medical assistance, the federal requirements prevail."

Renumber accordingly

Engrossed HB 1248 was placed on the Seventh order of business on the calendar.

#### REPORT OF CONFERENCE COMMITTEE

**HB 1421, as engrossed:** Your conference committee (Sens. Cook, G. Lee, Fairfield and Reps. Devlin, Koppelman, Ekstrom) recommends that the **HOUSE ACCEDE** to the Senate amendments on HJ pages 1392-1396

Engrossed HB 1421 was placed on the Seventh order of business on the calendar.

#### REPORT OF CONFERENCE COMMITTEE

**SB 2078, as engrossed:** Your conference committee (Sens. Flakoll, G. Lee, Seymour and Reps. Sitte, Horter, Mueller) recommends that the **SENATE ACCEDE** to the House amendments on SJ page 768 and place SB 2078 on the Seventh order.

Engrossed SB 2078 was placed on the Seventh order of business on the calendar.

#### REPORT OF CONFERENCE COMMITTEE

**SB 2129, as engrossed:** Your conference committee (Sens. J. Lee, Brown, Nelson and Reps. Froseth, L. Meier, Amerman) recommends that the **SENATE ACCEDE** to the House amendments on SJ page 754 and place SB 2129 on the Seventh order.

Engrossed SB 2129 was placed on the Seventh order of business on the calendar.

#### REPORT OF CONFERENCE COMMITTEE

**SB 2149, as engrossed:** Your conference committee (Sens. Dever, Brown, Warner and Reps. Devlin, Damschen, Potter) recommends that the **HOUSE RECEDE** from the House amendments on SJ page 734, adopt amendments as follows, and place SB 2149 on the Seventh order:

That the House recede from its amendments as printed on page 734 of the Senate Journal and page 889 of the House Journal and that Engrossed Senate Bill No. 2149 be amended as follows:

Page 1, line 14, remove the underscored colon

Page 1, line 15, replace "a. The" with "the"

Page 1, line 16, remove the underscored semicolon

Page 1, line 17, replace "b. The" with "the"

Page 1, line 18, after the underscored period insert "If a county is released from the county's duty to supervise and administer designated child welfare services under this"

subsection, the county retains its financial responsibility for providing those services unless otherwise negotiated and approved by the department."

Renumber accordingly

Engrossed SB 2149 was placed on the Seventh order of business on the calendar.

#### REPORT OF CONFERENCE COMMITTEE

**SB 2237:** Your conference committee (Sens. Wardner, Traynor, Heitkamp and Reps. Maragos, Dietrich, Kaldor) recommends that the **HOUSE RECEDE** from the House amendments on SJ page 873, adopt amendments as follows, and place SB 2237 on the Seventh order:

That the House recede from its amendments as printed on page 873 of the Senate Journal and page 1005 of the House Journal and that Senate Bill No. 2237 be amended as follows:

Page 1, line 13, after "providing" insert "services, which may include", remove the overstrike over "~~police protection, sewer and water, garbage removal~~", and remove the overstrike over "~~,and~~"

Page 1, line 14, remove the overstrike over "~~public road construction and maintenance,~~"

Page 2, line 17, after "provide" insert "services, which may include" and remove the overstrike over "~~police protection, sewer and water, garbage removal~~"

Page 2, line 18, remove the overstrike over "~~,and public road construction and maintenance,~~"

Renumber accordingly

SB 2237 was placed on the Seventh order of business on the calendar.

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

**Bradley C. Fay, Chief Clerk**