JOURNAL OF THE HOUSE

Fifty-sixth Legislative Assembly

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Bismarck, March 19, 1999

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

The prayer was offered by Pastor James Hanson, Our Savior's Lutheran Church, Hillsboro.

The roll was called and all members were present except Representatives Henegar, Metcalf, Monson, Pollert, Poolman, and Weisz.

A quorum was declared by the Speaker.

CORRECTION AND REVISION OF THE JOURNAL

MR. SPEAKER: Your **Committee on Correction and Revision of the Journal (Rep. DeKrey, Chairman)** has carefully examined the Journal of the Forty-ninth Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 863, line 1, replace "**FEBRUARY**" with "**MARCH**"

Page 863, line 5, replace "**February**" with "**March**"

Page 865, line 1, replace "**FEBRUARY**" with "**MARCH**"

Page 867, line 1, replace "**FEBRUARY**" with "**MARCH**"

Page 869, line 1, replace "**FEBRUARY**" with "**MARCH**"

Page 871, line 1, replace "**FEBRUARY**" with "**MARCH**"

Page 873, line 1, replace "**FEBRUARY**" with "**MARCH**"

Page 875, line 1, replace "**FEBRUARY**" with "**MARCH**"

Page 877, line 1, replace "**FEBRUARY**" with "**MARCH**"

Page 879, line 1, replace "**FEBRUARY**" with "**MARCH**"

Page 881, line 1, replace "**FEBRUARY**" with "**MARCH**"

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

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bills were delivered to the Governor for his approval on March 19, 1999: HB 1028, HB 1045, HB 1069, HB 1072, HB 1099, HB 1101, HB 1122, HB 1126, HB 1130, HB 1143, HB 1188, HB 1200, HB 1209, HB 1233, HB 1303, HB 1332, HB 1347, HB 1349.

THE HOUSE RECOGNIZED THE PRESENCE OF:

Former Representative John Hokana

COMMUNICATION FROM GOVERNOR EDWARD T. SCHAFER

This is to inform you that on March 18, 1999, I have signed the following: HB 1367, HB 1374, HB 1379, HB 1416, and HB 1423.

MOTION

REP. FROSETH MOVED that the House reconsider its action whereby the House concurred in the Senate amendments to Engrossed HB 1310, which motion prevailed on a verification vote.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. FROSETH MOVED that the House do not concur in the Senate amendments to Engrossed HB 1310 as printed on HJ page 835 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a verification vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on Engrossed HB 1310: Reps. Severson, Disrud, Ekstrom.

SIXTH ORDER OF BUSINESS

REP. DORSO MOVED that the amendments on the Sixth order of business to Engrossed SB 2001, Engrossed SB 2004, Engrossed SB 2006, Engrossed SB 2153, Engrossed SB 2170, SB 2192, SB 2300, Engrossed SB 2320, Engrossed SB 2327, Engrossed SB 2400, and Engrossed SB 2409 be adopted, which motion prevailed.

Engrossed SB 2001, Engrossed SB 2004, Engrossed SB 2006, Engrossed SB 2153, Engrossed SB 2170, SB 2192, SB 2300, Engrossed SB 2320, Engrossed SB 2327, Engrossed SB 2400, and Engrossed SB 2409, as amended, were placed on the Fourteenth order of business on the calendar.

SECOND READING OF SENATE BILL

SB 2088: A BILL for an Act to create and enact a new section to chapter 15-04 of the North Dakota Century Code, relating to payments for county services benefiting school trust lands; and to amend and reenact sections 15-04-10, 15-06-26, and 15-07-20 of the North Dakota Century Code, relating to leasing and sale of school trust lands.

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, 6 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleson; Gunter; Haas; Hanson; Hawken; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Meyer; Mickelson; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Wentz; Wikenheiser; Winrich; Speaker Wald

ABSENT AND NOT VOTING: Henegar; Metcalf; Monson; Pollert; Poolman; Weisz

SB 2088, as amended, passed and the title was agreed to.

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SECOND READING OF SENATE BILL

SB 2127: A BILL for an Act to amend and reenact section 39-21-41.2 of the North Dakota Century Code, relating to use of seatbelts.

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 78 YEAS, 14 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Berg; Bernstein; Boucher; Brandenburg; Brekke; Byerly; Carlisle; Clark; Cleary; Dalrymple; Delmore; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Froseth; Galvin; Glassheim; Gorder; Grumbo; Gulleson; Gunter; Haas; Hanson; Hawken; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lundgren; Mahoney; Maragos; Martinson; Mickelson; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Porter; Price; Renner; Rennerfeldt; Rose; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Tollefson; Warner; Wentz; Wikenheiser; Winrich; Speaker Wald

NAYS: Boehm; Brusegaard; Carlson; DeKrey; Delzer; Devlin; Froelich; Grande; Grosz; Kerzman; Lloyd; Meyer; Sandvig; Timm

ABSENT AND NOT VOTING: Henegar; Metcalf; Monson; Pollert; Poolman; Weisz

Engrossed SB 2127, as amended, passed and the title was agreed to.

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SECOND READING OF SENATE BILL

SB 2154: A BILL for an Act to create and enact a new subsection to section 15-40.1-07.6 of the North Dakota Century Code, relating to authority of the superintendent of public instruction to withhold state special education funds; and to amend and reenact section 15-59-02.1 of the North Dakota Century Code, relating to special education policies.

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, 4 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; Delmore; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grumbo; Gunter; Haas; Hanson; Hawken; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Meyer; Mickelson; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Wentz; Wikenheiser; Winrich; Speaker Wald

NAYS: DeKrey; Gulleson; Lundgren; Martinson

ABSENT AND NOT VOTING: Grosz; Henegar; Metcalf; Monson; Pollert; Poolman; Weisz

SB 2154, as amended, passed and the title was agreed to.

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SECOND READING OF SENATE BILL

SB 2166: A BILL for an Act to create and enact chapter 23-01.3 and a new section to chapter 23-17.3 of the North Dakota Century Code, relating to confidential or protected health information in possession of a public health authority; 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, 6 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleson; Gunter; Haas; Hanson; Hawken; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Meyer; Mickelson; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Wentz; Wikenheiser; Winrich; Speaker Wald

ABSENT AND NOT VOTING: Henegar; Metcalf; Monson; Pollert; Poolman; Weisz

Engrossed SB 2166, as amended, passed and the title was agreed to.

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SECOND READING OF SENATE BILL

SB 2181: A BILL for an Act to amend and reenact sections 26.1-01-07, 26.1-11-06, 26.1-11-07, 26.1-26-02, 26.1-26-03, 26.1-26-04, 26.1-26-05, 26.1-26-08, 26.1-26-10, 26.1-26-13, 26.1-26-14, 26.1-26-20, 26.1-26-21, 26.1-26-22, 26.1-26-23, 26.1-26-24, 26.1-26-25, 26.1-26-31, 26.1-26-34, 26.1-26-37, 26.1-26-38, 26.1-26-40, 26.1-26-41, 26.1-26-46, and 26.1-39-09.2 of the North Dakota Century Code, relating to fees charged by commissioner, reciprocal penalties of foreign insurance companies, countersignature requirements, and insurance agents; and to repeal sections

26.1-26-47 and 26.1-39-09.1 of the North Dakota Century Code, relating to insurance agents and property and casualty insurance programs.

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, 7 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gunter; Haas; Hanson; Hawken; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Meyer; Mickelson; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Wentz; Wikenheiser; Winrich; Speaker Wald

ABSENT AND NOT VOTING: Gulleson; Henegar; Metcalf; Monson; Pollert; Poolman; Weisz

Engrossed SB 2181, as amended, passed and the title was agreed to.

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SECOND READING OF SENATE BILL

SB 2396: A BILL for an Act to provide for nonprofit mutual insurance companies to evaluate hospital reimbursement rates; and to provide an expiration 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, 12 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleson; Gunter; Haas; Hanson; Hawken; Herbel; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Meyer; Mickelson; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Porter; Renner; Rennerfeldt; Rose; Schmidt; Severson; Solberg; Stefonowicz; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Wentz; Wikenheiser; Winrich; Speaker Wald

NAYS: Brandenburg; Cleary; Fairfield; Galvin; Hoffner; Kelsh, S.; Kerzman; Mueller; Price; Sandvig; Svedjan; Sveen

ABSENT AND NOT VOTING: Henegar; Metcalf; Monson; Pollert; Poolman; Weisz

SB 2396, as amended, passed and the title was agreed to.

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SECOND READING OF SENATE BILL

SB 2413: A BILL for an Act to create and enact a new chapter to title 14 of the North Dakota Century Code, relating to a North Dakota human rights commission; to amend and reenact sections 14-02.4-19 and 14-02.4-21 of the North Dakota Century Code, relating to actions, limitations, and mediation for discriminatory practices; and to provide a penalty.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 41 YEAS, 51 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Boucher; Cleary; Delmore; Disrud; Ekstrom; Fairfield; Froelich; Glassheim; Gorder; Grumbo; Gulleson; Haas; Hanson; Hoffner; Huether; Jensen; Kelsh, S.; Kerzman; Kroeber; Lemieux; Lundgren; Mahoney; Maragos; Martinson;

Meyer; Mueller; Nicholas; Nichols; Niemeier; Nowatzki; Rose; Sandvig; Schmidt; Solberg; Stefonowicz; Sveen; Thorpe; Warner; Winrich

NAYS: Berg; Bernstein; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Dalrymple; DeKrey; Delzer; Devlin; Dorso; Drovdal; Eckre; Froseth; Galvin; Grande; Grosz; Gunter; Hawken; Herbel; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Klein; Klemin; Kliniske; Koppang; Koppelman; Lloyd; Mickelson; Nelson; Nottestad; Porter; Price; Renner; Rennerfeldt; Severson; Svedjan; Thoreson, B.; Thoreson, L.; Timm; Tollefson; Wentz; Wikenheiser; Speaker Wald

ABSENT AND NOT VOTING: Henegar; Metcalf; Monson; Pollert; Poolman; Weisz

Engrossed SB 2413, as amended, was declared lost.

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SECOND READING OF SENATE BILL

SB 2011: A BILL for an Act to provide an appropriation for defraying the expenses of the office of the securities commissioner.

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, 16 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Dalrymple; DeKrey; Delmore; Devlin; Disrud; Dorso; Drovdal; Eckre; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gunter; Haas; Hawken; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Klein; Klemin; Kliniske; Koppang; Koppelman; Lloyd; Mahoney; Maragos; Martinson; Meyer; Mickelson; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Porter; Price; Renner; Rennerfeldt; Rose; Schmidt; Severson; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Timm; Tollefson; Wentz; Wikenheiser; Speaker Wald

NAYS: Cleary; Ekstrom; Fairfield; Froelich; Gulleson; Hanson; Kelsh, S.; Kerzman; Kroeber; Lemieux; Lundgren; Sandvig; Solberg; Thorpe; Warner; Winrich

ABSENT AND NOT VOTING: Delzer; Henegar; Metcalf; Monson; Pollert; Poolman; Weisz

Engrossed SB 2011, as amended, passed and the title was agreed to.

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MOTION

REP. DORSO MOVED that Engrossed SB 2290 and SB 2398, which are on the Fourteenth order, be laid over one legislative day, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2356: A BILL for an Act to provide for a Legislative Council study of the feasibility and desirability of forming a multistate agricultural marketing commission.

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 88 YEAS, 1 NAY, 0 EXCUSED, 9 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grosz; Grumbo; Gunter; Haas; Hanson; Hawken; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Meyer; Mickelson; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Wentz; Winrich; Speaker Wald

NAYS: Lemieux

ABSENT AND NOT VOTING: Grande; Gulleson; Henegar; Metcalf; Monson; Pollert; Poolman; Weisz; Wikenheiser

Engrossed SB 2356, as amended, passed and the title was agreed to.

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SECOND READING OF SENATE BILL

SB 2375: A BILL for an Act to amend and reenact section 23-16-14 of the North Dakota Century Code, relating to participation in abortions and other procedures.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 10 YEAS, 81 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

YEAS: Brusegaard; Clark; Cleary; Froelich; Gorder; Kerzman; Lundgren; Nowatzki; Sandvig; Thoreson, B.

NAYS: Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Byerly; Carlisle; Carlson; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Froseth; Galvin; Glassheim; Grosz; Grumbo; Gulleson; Gunter; Haas; Hanson; Hawken; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Meyer; Mickelson; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Porter; Price; Renner; Rennerfeldt; Rose; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Wentz; Wikenheiser; Winrich; Speaker Wald

ABSENT AND NOT VOTING: Grande; Henegar; Metcalf; Monson; Pollert; Poolman; Weisz

Engrossed SB 2375, as amended, was declared lost.

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SECOND READING OF SENATE BILL

SB 2393: A BILL for an Act to amend and reenact section 28-32-12.1 of the North Dakota Century Code, relating to ex parte communications between an agency head and the agency head's litigation attorney.

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 82 YEAS, 9 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Gorder; Grosz; Grumbo; Gulleson; Gunter; Haas; Hanson; Hawken; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Mickelson; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Porter; Price; Renner; Rennerfeldt; Rose; Schmidt; Severson; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Timm; Tollefson; Warner; Wentz; Wikenheiser; Winrich; Speaker Wald

NAYS: Fairfield; Kelsh, S.; Lemieux; Meyer; Mueller; Sandvig; Solberg; Stefonowicz; Thorpe

ABSENT AND NOT VOTING: Grande; Henegar; Metcalf; Monson; Pollert; Poolman; Weisz

SB 2393 passed and the title was agreed to.

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SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4002: A concurrent resolution urging the continued cooperation and coordination among county social service agencies to provide for the delivery and administration of social services in a cost-effective and efficient manner and to report to the Legislative Council and directing the Legislative Council to monitor the cooperation and coordination among county social service agencies.

ROLL CALL

The question being on the adoption of the resolution, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 12 YEAS, 76 NAYS, 0 EXCUSED, 10 ABSENT AND NOT VOTING.

YEAS: Cleary; Delmore; Ekstrom; Fairfield; Glassheim; Hoffner; Kelsh, S.; Rose; Solberg; Stefonowicz; Thorpe; Winrich

NAYS: Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Dalrymple; DeKrey; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Froelich; Froseth; Grosz; Grumbo; Gulleson; Gunter; Haas; Hanson; Hawken; Herbel; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Martinson; Meyer; Mickelson; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Porter; Price; Renner; Rennerfeldt; Sandvig; Schmidt; Severson; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Timm; Tollefson; Warner; Wentz; Wikenheiser; Speaker Wald

ABSENT AND NOT VOTING: Galvin; Gorder; Grande; Henegar; Maragos; Metcalf; Monson; Pollert; Poolman; Weisz

SCR 4002 was declared lost on a roll call vote.

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SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4017: A concurrent resolution for the amendment of section 5 of article V of the Constitution of North Dakota, relating to the election of executive branch officers.

ROLL CALL

The question being on the adoption of the resolution, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 75 YEAS, 14 NAYS, 0 EXCUSED, 9 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Berg; Bernstein; Boucher; Brandenburg; Brekke; Carlisle; Clark; DeKrey; Delmore; Devlin; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grumbo; Gulleson; Haas; Hanson; Hawken; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Klein; Klemin; Kliniske; Koppang; Kroeber; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Meyer; Mickelson; Mueller; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Wentz; Wikenheiser; Winrich; Speaker Wald

NAYS: Belter; Boehm; Brusegaard; Byerly; Carlson; Cleary; Dalrymple; Delzer; Grosz; Kempenich; Koppelman; Lemieux; Nelson; Thoreson, B.

ABSENT AND NOT VOTING: Disrud; Grande; Gunter; Henegar; Metcalf; Monson; Pollert; Poolman; Weisz

SCR 4017 was declared adopted on a roll call vote.

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CONSIDERATION OF MESSAGE FROM THE SENATE

REP. PRICE MOVED that the House do not concur in the Senate amendments to Engrossed HB 1075 as printed on HJ page 861 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1075: Reps. Devlin, Porter, Niemeier.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. BERG MOVED that the House do not concur in the Senate amendments to Engrossed HB 1325 as printed on HJ page 790 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1325: Reps. Keiser, Klein, Stefonowicz.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2212: Reps. DeKrey, Disrud, S. Kelsh.

SECOND READING OF SENATE CONCURRENT RESOLUTIONS ON CONSENT CALENDAR

SCR 4027: A concurrent resolution directing the Legislative Council to study issues related to the Missouri River in North Dakota.

SCR 4029: A concurrent resolution urging the United States Fish and Wildlife Service and the United States Department of the Interior to budget for and make full entitlement payments under the refuge revenue sharing program.

SCR 4036: A concurrent resolution directing the Legislative Council to study the operation of the temporary assistance for needy families program in North Dakota as it relates to the relationship between the state and the federally recognized Indian tribes in the state.

SCR 4044: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of consolidating under the School for the Blind all programs and services provided to children and adults who are blind or visually impaired.

SCR 4045: A concurrent resolution directing the Legislative Council to study alternative systems for the funding of services delivered to children and adults who are developmentally disabled.

The question being on the final adoption of the resolutions, which have been read.

Engrossed SCR 4027, as amended, Engrossed SCR 4029, as amended, Engrossed SCR 4036, as amended, SCR 4044, and SCR 4045 were declared adopted on a voice vote.

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REQUEST

REP. DORSO REQUESTED that Engrossed SB 2413 be held at the desk, which request was granted.

MOTION

REP. DORSO MOVED that House Rule 329(4) be suspended until 5:00 p.m., Monday, March 22, 1999, which motion prevailed.

MESSAGE TO THE SENATE FROM THE HOUSE (LANCE HAGEN, CHIEF CLERK)

MADAM PRESIDENT: The House does not concur in the Senate amendments to HB 1075, HB 1310, and HB 1325 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1075: Reps. Devlin; Porter; Niemeier
HB 1310: Reps. Severson; Disrud; Ekstrom
HB 1325: Reps. Keiser; Klein; Stefonowicz

MESSAGE TO THE SENATE FROM THE HOUSE (LANCE HAGEN, CHIEF CLERK)

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

SB 2212: Reps. DeKrey; Disrud; S. Kelsh

MESSAGE TO THE SENATE FROM THE HOUSE (LANCE HAGEN, CHIEF CLERK)

MADAM PRESIDENT: The House has amended and subsequently passed: SCR 4027, SCR 4029, SCR 4036.

MESSAGE TO THE SENATE FROM THE HOUSE (LANCE HAGEN, CHIEF CLERK)

MADAM PRESIDENT: The House has passed unchanged: SCR 4044, SCR 4045.

MESSAGE TO THE SENATE FROM THE HOUSE (LANCE HAGEN, CHIEF CLERK)

MADAM PRESIDENT: The House has amended and subsequently passed: SB 2088, SB 2127, SB 2154, SB 2166, SB 2181, SB 2396.

MESSAGE TO THE SENATE FROM THE HOUSE (LANCE HAGEN, CHIEF CLERK)
MADAM PRESIDENT: The House has passed unchanged: SB 2011, SB 2356, SB 2393, SCR 4017.

MESSAGE TO THE SENATE FROM THE HOUSE (LANCE HAGEN, CHIEF CLERK)
MADAM PRESIDENT: The House has failed to pass: SB 2375, SCR 4002.

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

MOTION
REP. DORSO MOVED that the House be on the Fifth, Twelfth, and Sixteenth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Monday, March 22, 1999, which motion prevailed.

REPORT OF STANDING COMMITTEE
SB 2002, as engrossed: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2002 was placed on the Sixth order on the calendar.

Page 1, line 15, replace "1,846,778" with "1,827,218"

Page 1, line 19, replace "3,592,568" with "3,573,008"

Page 1, line 21, replace "3,342,568" with "3,323,008"

Page 2, line 3, replace "3,877,768" with "3,858,208"

Page 2, line 5, replace "4,127,768" with "4,108,208"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 108 - SECRETARY OF STATE

HOUSE - This amendment makes the following changes:

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	$1,868,340	$1,846,778	($19,560)	$1,827,218
Operating expenses	1,673,790	1,673,790		1,673,790
Equipment	60,000	60,000		60,000
Petition review	12,000	12,000		12,000
Presidential preference contest	250,000			
Total all funds	$3,864,130	$3,592,568	($19,560)	$3,573,008
Less special funds		250,000		250,000
General fund	$3,864,130	$3,342,568	($19,560)	$3,323,008
FTE	26.00	26.00	(0.50)	25.50

Detail of House changes to the Senate version includes:

	REMOVE UNDESIGNATED POSITION	TOTAL HOUSE CHANGES
Salaries and wages	($19,560) [1]	($19,560)
Operating expenses		
Equipment		
Petition review		
Presidential preference contest		
Total all funds	($19,560)	($19,560)
Less special funds		
General fund	($19,560)	($19,560)
FTE	(0.50)	(0.50)

House changes narrative:

[1] Removes a .5 FTE undesignated position.

REPORT OF STANDING COMMITTEE

SB 2010, as engrossed: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (17 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2010 was placed on the Sixth order on the calendar.

Page 1, line 2, after the semicolon insert "to provide for the appointment of legislative representatives to the national conference of insurance legislators; and", after "reenact" insert "subsection 3 of section 26.1-01-07.1,", and after "26.1-01-09" insert a comma

Page 1, line 3, after "to" insert "the cash balance of the insurance regulatory trust fund," and after "commissioner" insert a comma

Page 1, line 4, remove "; and to provide for a legislative council study"

Page 1, line 13, replace "1,503,289" with "1,493,289"

Page 1, line 14, replace "153,155" with "119,355"

Page 1, line 15, replace "5,852,093" with "5,808,293"

Page 2, replace lines 13 through 15 with:

"**SECTION 7. National conference of insurance legislators - Appointment of representatives.** The majority leader of the house of representatives shall appoint two members of the house of representatives and the majority leader of the senate shall appoint one member of the senate to represent the state at functions of the national conference of insurance legislators. Each member shall serve a two-year term. If a member is unable to complete the member's term, the majority leader of the respective chamber shall appoint another member to complete the term. The insurance commissioner shall pay the necessary expenses of the legislative members for attending functions of the national conference of insurance legislators.

SECTION 8. AMENDMENT. Subsection 3 of section 26.1-01-07.1 of the North Dakota Century Code is amended and reenacted as follows:

3. Except as otherwise provided by law, at the end of each fiscal year, the state treasurer shall transfer, after all fiscal year expenses have been paid, any cash balance remaining in the insurance regulatory trust fund that exceeds one million ~~five hundred thousand~~ dollars to the general fund."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 401 - INSURANCE DEPARTMENT

HOUSE - This amendment makes the following changes:

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	$4,244,556	$4,195,649		$4,195,649
Operating expenses	1,503,289	1,503,289	($10,000)	1,493,289
Equipment	153,155	153,155	(33,800)	119,355
Total special funds	$5,901,000	$5,852,093	($43,800)	$5,808,293
Less special funds	5,901,000	5,852,093	(43,800)	5,808,293
General fund	$0	$0	$0	$0
FTE	45.50	45.50	0.00	45.50

Detail of House changes to the Senate version includes:

	REDUCE OFFICE EQUIPMENT AND FURNITURE	REDUCE TRAVEL	TOTAL HOUSE CHANGES
Salaries and wages			
Operating expenses		($10,000)	($10,000)
Equipment	($33,800)		(33,800)
Total special funds	($33,800)	($10,000)	($43,800)
Less special funds	(33,800)	(10,000)	(43,800)
General fund	$0	$0	$0
FTE	0.00	0.00	0.00

House changes narrative:

The section added in the Senate providing for an interim Legislative Council study of the activities of and the need for continuing the petroleum tank release compensation fund is removed.

A section is added providing that the House majority leader appoint two members from the House, and the Senate majority leader appoint one member from the Senate to represent the state at functions of the National Conference of Insurance Legislators (NCOIL). Expenses of the appointed legislators for attending these functions are to be paid by the Insurance Commissioner.

A section is added reducing the balance that may remain in the insurance regulatory trust fund at the end of each fiscal year by $500,000, from $1.5 million to $1 million. This change will result in an estimated $500,000 of additional funding being transferred from the insurance regulatory trust fund to the general fund during the 1999-2001 biennium.

REPORT OF STANDING COMMITTEE

SB 2018: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (20 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2018 was placed on the Sixth order on the calendar.

Page 1, line 8, replace "3,701,911" with "3,523,363"

Page 1, line 14, replace "5,493,381" with "5,314,833"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 616 - SEED DEPARTMENT

HOUSE - This amendment makes the following changes:

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	$3,701,911	$3,701,911	($178,548)	$3,523,363
Operating expenses	1,201,470	1,201,470		1,201,470
Equipment	70,000	70,000		70,000
Major improvements	20,000	20,000		20,000
Grants	300,000	300,000		300,000
Contingency	200,000	200,000		200,000
Total all funds	$5,493,381	$5,493,381	($178,548)	$5,314,833
Less special funds	5,493,381	5,493,381	(178,548)	5,314,833
General fund	$0	$0	$0	$0
FTE	35.50	35.50	(2.50)	33.00

Detail of House changes to the Senate version includes:

	REDUCE COMPENSATION PACKAGE TO 2/2	ADJUST HEALTH INSURANCE COST	REMOVE VACANT POSITIONS	TOTAL HOUSE CHANGES
Salaries and wages	($34,854)	$10,549	($154,243) [1]	($178,548)
Operating expenses				
Equipment				
Major improvements				
Grants				
Contingency				
Total all funds	($34,854)	$10,549	($154,243)	($178,548)
Less special funds	(34,854)	10,549	(154,243)	(178,548)
General fund	$0	$0	$0	$0
FTE	0.00	0.00	(2.50)	(2.50)

House changes narrative:

[1] Removes the following vacant positions:

(1 FTE) Potato/grain inspector	($53,938)
(1 FTE) Potato/grain inspector	(53,938)
(.5 FTE) Potato/grain supervisor	(46,367)
Total	($154,243)

REPORT OF STANDING COMMITTEE

SB 2058, as engrossed: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2058 was placed on the Sixth order on the calendar.

Page 1, line 7, overstrike the second "a" and insert immediately thereafter "each"

Page 1, line 9, after "for" insert "each record check for" and after "operated" insert "in this state"

Page 1, line 10, remove "and which does not"

Page 1, line 11, remove "receive gaming proceeds from a charitable organization"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

HOUSE - This amendment limits the application of the lower $3 background check fee to nonprofit organizations that are organized and operated in North Dakota but does not limit it only to organizations that do not receive gaming proceeds.

REPORT OF STANDING COMMITTEE

SB 2125, as engrossed: Judiciary Committee (Rep. DeKrey, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2125 was placed on the Sixth order on the calendar.

Page 1, line 2, remove the second "and" and after "penalty" insert "; and to declare an emergency"

Page 1, line 14, replace "a person" with "an individual"

Page 1, line 16, replace "person's" with "individual's"

Page 1, after line 20, insert:

"3. A city or county may adopt an ordinance or resolution that deems a violation of subsection 2 a noncriminal violation with a fee of twenty-five dollars.

a. Any individual who has been cited for a violation that is designated a noncriminal offense may appear before a court of competent jurisdiction and pay the statutory fee by the time scheduled for a hearing, or if bond has been posted, may forfeit the bond by not appearing at the scheduled time. An individual appearing at the time scheduled in the citation may make a statement in explanation of that individual's action and the judge may waive, reduce, or suspend the statutory fee or bond, or both. If the individual cited follows the procedures of this subdivision, that individual has admitted the violation and has waived the right to a hearing on the issue of commission of the violation. The bond required to secure appearance before the court must be identical to the statutory fee. This subdivision does not allow a halting officer to receive the statutory fee or bond.

b. If an individual cited for a violation that is designated a noncriminal offense does not choose to follow any procedure provided under subdivision a, that individual may request a hearing on the issue of the commission of the violation charged. The hearing must be held at the time scheduled in the citation or at some future time, not to exceed ninety days later, set at that first appearance. At the time of a request for a hearing on the issue on commission of the violation, the individual charged shall deposit with the court an appearance bond equal to the statutory fee for the violation charged. The state must prove the commission of a charged violation at the hearing under this section by a preponderance of the evidence.

4. A law enforcement officer who cites a minor for violation of this section shall mail a notice of the violation to the parent or legal guardian of the minor within ten days of the citation.

SECTION 2. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2148, as engrossed: Government and Veterans Affairs Committee (Rep. Klein, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2148 was placed on the Sixth order on the calendar.

In lieu of the amendments printed on pages 724 and 725 of the House Journal, Engrossed Senate Bill No. 2148 is amended as follows:

Page 1, line 1, after "section" insert "to chapter 16.1-08.1 and a new section"

Page 1, line 2, after "to" insert "reporting requirements for political committees that organize and register according to federal law and"

Page 1, line 3, after the second comma insert "16.1-08.1-01, 16.1-08.1-02, 16.1-08.1-03, 16.1-08.1-03.2, subsection 3 of section 16.1-08.1-03.3, sections 16.1-08.1-06," and after the fifth comma insert "subsection 3 of section 16.1-13-22, sections 16.1-15-01,"

Page 1, line 5, after the second comma insert "campaign contribution statements,"

Page 1, line 6, remove "form of the"

Page 2, after line 31, insert:

"**SECTION 3. AMENDMENT.** Section 16.1-08.1-01 of the North Dakota Century Code is amended and reenacted as follows:

16.1-08.1-01. Definitions. As used in this chapter, unless the context otherwise ~~plainly~~ requires:

1. "Association" means any club, association, union, brotherhood, fraternity, organization, or group of any kind of two or more persons, including labor unions, trade associations, professional associations, or governmental associations, which is united for any purpose, business, or object and which assesses any dues, membership fees, or license fees in any amount, or which maintains a treasury fund in any amount. The term does not include corporations, cooperative corporations, limited liability companies, political committees, or political parties.

2. "Candidate" means an individual who seeks nomination for election or election to public office.

3. "Contribution" means a gift, subscription, loan, advance, or deposit of money, made for the purpose of influencing the nomination for election, or election, of any person to public office or aiding or opposing the circulation or passage of a statewide initiative or referendum petition or measure. ~~Contribution~~ The term also means a contract, promise, or agreement, express or implied, whether or not legally enforceable, to make a contribution for any of the above purposes~~, and~~. The term includes funds received by a candidate for public office or a political party or committee which are transferred or signed over to that candidate, party, or committee from another candidate, party, or political committee or other source except as provided in subdivision d. ~~This definition~~ The term does not include:

   a. A loan of money from a bank or other lending institution made in the regular course of business.

   b. Time spent by volunteer campaign or political party workers.

   c. Money spent by a candidate on the candidate's own behalf.

d. Any money received ~~from a district or state committee of a political party, as established pursuant to sections 16.1-03-06 and 16.1-03-08, except for contributions reported pursuant to section 16.1-08.1-03~~ by a candidate for legislative office which is immediately transferred or signed over to a district committee of a political party within thirty days of the candidate receiving the money. The district committee of the political party shall report a transfer of this kind as a contribution according to section 16.1-08.1-03 and shall show the origin of the contribution to the legislative candidate.

4. "Cooperative corporations", "corporations", and "limited liability companies" are as defined in this code.

5. "Expenditure" means a purchase, payment, distribution, loan, advance, deposit, or gift of money or property, except a loan of money from a bank or other lending institution made in the regular course of business, made for the purpose of influencing the nomination for election, or election, of any person to office. The term also means a contract, promise, or agreement, express or implied, whether or not legally enforceable, to make any expenditure and includes the transfer of funds by a political committee to another political committee.

6. "Patron" means a person who owns equity interest in the form of stock, shares, or membership or maintains similar financial rights in a cooperative corporation.

7. "Person" means an individual, partnership, committee, association, corporation, cooperative corporation, limited liability company, or other organization or group of persons.

8. "Political committee" means any committee, club, association, or other group of persons which receives contributions or makes expenditures primarily for political purposes.

9. "Political party" means any association, committee, or organization which nominates a candidate for election to any office which may be filled by a vote of the electors of this state or any of its political subdivisions and whose name appears on the election ballot as the candidate of such association, committee, or organization.

10. "Political purpose" means any activity undertaken in support of or in opposition to the election or nomination of a candidate to public office whether the activity is undertaken by a candidate, a political committee, a political party, or any person. The term does not include activities undertaken in the performance of a duty of a state office.

11. "Public office" means every statewide or legislative office to which persons can be elected by vote of the people under the laws of this state.

SECTION 4. AMENDMENT. Section 16.1-08.1-02 of the North Dakota Century Code is amended and reenacted as follows:

16.1-08.1-02. Contributions statement required of candidates.

1. Any candidate who is soliciting or accepting contributions for any political purpose shall make and file a statement in accordance with this section.

2. The candidate shall include in the statement the name and mailing address of all contributors who contributed in excess of ~~one~~ two hundred dollars in the aggregate during the reporting period to the candidate, the amount of each reportable contribution, and the date each reportable contribution was received.

3. The candidate shall file the statement in the office of the secretary of state no later than the twelfth day before the date of the election in which the candidate's name appears on the ballot or in which the candidate seeks election through write-in votes complete from the beginning of that calendar year through the twentieth day before the date of the election. The candidate shall file a complete statement for the entire calendar year no later than the thirty-first day of January of the following year, regardless of

whether the candidate's name appeared on the ballot for any office during that calendar year or whether the candidate did not seek election at any election through write-in votes.

~~Statements of a legislative candidate must be filed in the office of the county auditor of the candidate's county of residence. Statements of state office candidates must be filed in the office of the secretary of state.~~

4. Even if the candidate has not received any contributions in excess of ~~one~~ two hundred dollars during the ~~calendar year~~ reporting period, the candidate shall file a statement as required by this chapter.

SECTION 5. AMENDMENT. Section 16.1-08.1-03 of the North Dakota Century Code is amended and reenacted as follows:

16.1-08.1-03. Contributions statement required of political parties.

1. Any political party that receives contributions in excess of ~~one~~ two hundred dollars in the aggregate during the reporting period shall file a statement containing a detailed list of all contributions received from a person or political committee which exceed ~~one~~ two hundred dollars in amount. The statement must include the name and mailing address of all contributors listed, the amount of each reportable contribution, and the date each reportable contribution was received.

2. A yearend statement covering the entire calendar year must be filed with the secretary of state no later than the thirty-first day of January of the following year. A preelection statement must be filed no later than the twelfth day before any election at which the party has endorsed or will nominate a candidate and must be complete from the beginning of that calendar year through the twentieth day before the election.

3. Even if the political party has not received any contributions in excess of two hundred dollars during the reporting period, the political party shall file a statement as required by this chapter.

SECTION 6. AMENDMENT. Section 16.1-08.1-03.2 of the North Dakota Century Code is amended and reenacted as follows:

16.1-08.1-03.2. Political committee registration. A political committee, other than a political party and a committee organized in support of a legislative candidate, and a person aiding or opposing a measure to be voted upon by the voters of the state shall register its name, address, and its agent's name and address with the secretary of state each calendar year in which it receives any contribution. The registration must be completed within five days of the receipt of any contribution and must be submitted with a registration fee of five dollars. A political committee that organizes and registers according to federal law and makes a disbursement in excess of two hundred dollars to a nonfederal candidate seeking public office in this state is not required to register as a political committee according to this section if the political committee reports according to section 8 of this Act.

SECTION 7. AMENDMENT. Subsection 3 of section 16.1-08.1-03.3 of the North Dakota Century Code is amended and reenacted as follows:

3. All political committees formed for the purpose of administering the segregated fund provided for in this section shall file a statement showing the name and mailing address of each contributor of an amount in excess of two hundred dollars in the aggregate for the reporting period and a listing of all expenditures of an amount in excess of ~~one~~ two hundred dollars in the aggregate made for political purposes with the secretary of state. The statement must include the amount of each reportable contribution and the date it was received and the amount of each reportable expenditure and the date it was made. A yearend statement covering the entire calendar year must be filed no later than the thirty-first day of the following year. A preelection statement must be filed no later than the twelfth day before any primary, special, or general election and must be complete from the beginning of the calendar year through the twentieth day before the election.

SECTION 8. A new section to chapter 16.1-08.1 of the North Dakota Century Code is created and enacted as follows:

Political committees that organize and register according to federal law that make disbursements to nonfederal candidates. A political committee that organizes and registers according to federal law and makes a disbursement in excess of two hundred dollars to a nonfederal candidate seeking public office in this state shall file a copy of that portion of the committee's federal report detailing the disbursement made to the candidate. The political committee shall file a copy of the committee's federal report with the secretary of state at the time of filing the report with the applicable federal agency. The report must include:

1. The name, mailing address, and treasurer of the political committee;

2. The recipient's name and mailing address; and

3. The date and amount of the disbursement made.

SECTION 9. AMENDMENT. Section 16.1-08.1-06 of the North Dakota Century Code is amended and reenacted as follows:

16.1-08.1-06. Contributions statement requirements.

1. A statement required by this chapter to be filed with the secretary of state ~~or county auditor~~ must be:

~~1.~~ a. Deemed properly filed when deposited in an established post office within the prescribed time, postage affixed, and directed to the secretary of state ~~or county auditor~~, but if it is not received, a duplicate of the statement must be promptly filed upon notice by the secretary of state ~~or county auditor~~ of its nonreceipt.

~~2.~~ b. Preserved by the secretary of state ~~or county auditor~~ for a period of four years from the date of filing. The statement is to be considered a part of the public records of the secretary of state's ~~or county auditor's~~ office and must be open to public inspection.

2. If the filing date falls on a Saturday or Sunday or a holiday on which the office of the secretary of state ~~or county auditor~~ is closed, the statement must be filed on the next available day on which the office of the secretary of state ~~or county auditor~~ is open. In determining the amount of individual contributions from any contributor, all amounts received from the same contributor during the reporting period must be aggregated to report an overall total contribution for the purposes of the statements required by this chapter. Aggregate contributions must reference the date of the most recent contribution. Contributions made separately by different persons from joint accounts are considered separate contributions for reporting purposes."

Page 6, after line 26, insert:

"**SECTION 14. AMENDMENT.** Subsection 3 of section 16.1-13-22 of the North Dakota Century Code is amended and reenacted as follows:

3. At primary elections, the inspector or judge shall also inform each elector that if the elector splits the party ballot or votes for candidates of more than one party the elector's party ballot will be rejected.

SECTION 15. AMENDMENT. Section 16.1-15-01 of the North Dakota Century Code is amended and reenacted as follows:

16.1-15-01. Ballots void and not counted - Part of ballot may be counted.

1. In the canvass of the votes at any election, a ballot is void and may not be counted if:

~~1.~~ a. It is not endorsed with the official stamp and initials as provided in this title; or

~~2.~~ b. It is impossible to determine the elector's choice from the ballot or parts of a ballot.

2. If a ballot is marked so only a part of the voter's intention can be determined, the election judges shall count such part. If an elector votes for more than the number of persons to be elected to any office, the elector's ballot may be invalidated only insofar as the elector's vote for such office is concerned, and the balance of the elector's ballot, if otherwise proper, may not be invalidated. However, at primary elections only, a party ballot is void if the elector votes for candidates of more than one party."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2195: Education Committee (Rep. R. Kelsch, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (12 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). SB 2195 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "provide for" with "authorize" and replace "to establish" with "the establishment of"

Page 1, line 2, remove "; and to provide a continuing appropriation"

Page 1, line 5, replace "shall establish and" with "may adopt rules to", after "administer" insert ", manage, promote, and market", and replace "to provide for" with "that permits"

Page 1, line 6, after the period insert "The Bank shall ensure that a tuition account program established in accordance with this Act is maintained in compliance with internal revenue service standards for qualified state tuition programs. The state shall reimburse the difference if the fund return does not meet the rate of increase in tuition cost."

Page 1, remove lines 7 through 24

Remove pages 2 through 9

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2216: Judiciary Committee (Rep. DeKrey, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2216 was placed on the Sixth order on the calendar.

Page 1, line 14, after "1" insert "or 2"

Page 1, line 16, after "1" insert "or 2" and remove "and each subsequent"

Page 1, line 17, after "1" insert "or 2" and after "class" insert "A misdemeanor and a third and subsequent violation is a class"

Page 1, line 18, remove "For a first violation of subsection 2, the state treasurer shall notify, by certified mail,"

Page 1, remove lines 19 through 24

Page 2, line 1, remove "6."

Page 2, after line 2, insert "This section does not apply to a transaction in which an individual twenty-one years of age or older who imports or transports into this state 2.38 gallons [9 liters] or less of liquor or two hundred eighty-eight fluid ounces [8517.18 milliliters] or less of beer per month for personal use and not for resale from a person as described under subsection 1 or 2. Every package of alcoholic beverages shipped directly to an individual in this state must be labeled with conspicuous words "SIGNATURE OF PERSON AGE 21 OR OLDER REQUIRED FOR DELIVERY". A shipper shall obtain the signature of an individual twenty-one years of age or older before delivering any alcoholic beverages shipped directly to an individual in this state."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2242: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 7 NAYS, 1 ABSENT AND NOT VOTING). SB 2242 was placed on the Sixth order on the calendar.

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

Page 1, line 2, remove "provide an appropriation"

Page 1, line 7, after "school" insert "or has received a general equivalency certificate"

Page 1, line 20, replace "one" with "eighty-five"

Page 1, line 21, remove "hundred"

Page 2, line 21, after the second period insert "The Bank may not guarantee more than one million five hundred thousand dollars in loans under the beginning entrepreneur loan guarantee program."

Page 2, line 27, replace "The" with "Notwithstanding any provision of this chapter, the"

Page 3, remove lines 1 through 5

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2276, as engrossed: Transportation Committee (Rep. Keiser, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (8 YEAS, 5 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2276 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "use" with "disclosure" and after "parts" insert "used"

Page 1, line 20, after "repairs" insert "private passenger"

Page 1, line 21, replace "a part typically replaced during repair of a" with "the"

Page 1, line 22, remove "damaged motor vehicle, including"

Page 1, line 24, after "component" insert "of a private passenger motor vehicle"

Page 2, line 1, replace "Except as provided under subsection 4, before" with "Before"

Page 2, line 2, after "disclose" insert "to the motor vehicle owner or the owner's authorized representative"

Page 2, line 3, remove "and obtain written authorization from the motor"

Page 2, line 4, remove "vehicle owner or the owner's authorized representative"

Page 2, line 5, remove "and Authorization Form"

Page 2, line 7, replace "signed by" with "provided to"

Page 2, line 9, remove "subject to the conditions in subsection 4"

Page 2, line 11, replace "a part typically replaced during the repair of a" with "the"

Page 2, line 12, remove "damaged motor vehicle, including"

Page 2, line 14, after "components" insert "of a private passenger motor vehicle"

Page 3, remove lines 1 through 17

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2350, as engrossed: Natural Resources Committee (Rep. Grosz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO**

PASS (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2350 was placed on the Sixth order on the calendar.

Page 1, line 2, after "for" insert "certified" and remove "; and to amend and reenact"

Page 1, remove line 3

Page 1, line 4, remove "outfitters"

Page 1, remove lines 6 through 19

Page 1, line 22, replace "**Guides**" with "**Certified guides**", remove the underscore under "**and outfitters - Requirements.** An individual may not be issued a" and insert immediately thereafter "certified guide", remove the underscore under "license", and remove "to"

Page 1, line 23, remove "guide" and remove the underscore under "without first providing the director:"

Page 2, remove the underscore under lines 1 through 7

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2365: Agriculture Committee (Rep. Nicholas, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). SB 2365 was placed on the Sixth order on the calendar.

Page 2, line 1, replace "[30.48 meters]" with "[.80 kilometer]"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2390, as engrossed: Political Subdivisions Committee (Rep. Froseth, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2390 was placed on the Sixth order on the calendar.

Page 1, line 1, after "Act" insert "to create and enact a new section to chapter 11-10 of the North Dakota Century Code, relating to the appointment of state's attorneys;"

Page 1, line 5, after "attorney" insert "; and to provide for application"

Page 2, line 6, after "11-10-02" insert ", except as provided in section 12 of this Act"

Page 3, line 28, overstrike "The"

Page 3, line 29, after "~~manager~~" insert "Except as provided in section 12 of this Act, the"

Page 5, line 8, after "appointed" insert ", except as provided in section 12 of this Act"

Page 5, line 18, overstrike "One state's attorney."

Page 5, overstrike line 19

Page 5, line 20, overstrike "6."

Page 5, line 21, overstrike "7." and insert immediately thereafter "5."

Page 5, line 22, overstrike "8." and insert immediately thereafter "6."

Page 5, line 24, after the underscored comma insert "unless otherwise provided in section 12 of this Act,"

Page 6, after line 17, insert:

"**SECTION 12.** A new section to chapter 11-10 of the North Dakota Century Code is created and enacted as follows:

Appointment of state's attorney upon voter approval. Upon the submission to the board of county commissioners of a petition signed by ten percent or more of the total number of qualified electors of the county voting for governor at the most recent gubernatorial election or upon resolution of the board of county commissioners, the county auditor shall place the question of appointing the state's attorney on the ballot at the next regular election. If a majority of the qualified electors of the county voting on the question approves the change from elective to appointive, the change is effective at the end of the term of office of the state's attorney holding office at the time of the election."

Page 7, line 3, remove the overstrike over "~~office~~" and remove "offices"

Page 7, line 4, after "~~judge~~" insert "sheriff", remove the overstrike over "~~is~~", and remove "sheriff and state's attorney are"

Page 7, after line 14, insert:

"**SECTION 16. APPLICATION.** Section 12 of this Act does not apply to any county that has an appointive state's attorney before the effective date of this Act."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2421: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **DO PASS** (16 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING). SB 2421 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2425: Agriculture Committee (Rep. Nicholas, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2425 was placed on the Sixth order on the calendar.

Page 3, line 14, after the period insert "The Bank may not issue a letter of credit for bonds issued under this Act."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SCR 4021: Agriculture Committee (Rep. Nicholas, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4021 was placed on the Sixth order on the calendar.

Page 1, line 3, remove the first "and" and after "procedures" insert ", methods to encourage American businesses to keep their production operations in the United States, and methods to encourage the location of low-environmental impact and local, culturally friendly production facilities on or near American Indian reservations to access and develop tribal work forces and increase employment opportunities for tribal members"

Page 1, line 21, after "procedures" insert ", methods to encourage American businesses to keep their production operations in the United States, and methods to encourage the location of low-environmental impact and local, culturally friendly production facilities on or near American Indian reservations to access and develop tribal work forces and increase employment opportunities for tribal members"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SCR 4051: Judiciary Committee (Rep. DeKrey, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SCR 4051 was placed on the Tenth order on the calendar.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)

MR. SPEAKER: The Senate has passed unchanged: HB 1128, HB 1157, HB 1237, HB 1242, HB 1370, HB 1452, HB 1454, HCR 3004, HCR 3007, HCR 3016, HCR 3019, HCR 3038, HCR 3045, HCR 3047, HCR 3049, HCR 3050, HCR 3053, HCR 3054, HCR 3061, HCR 3064, HCR 3068, HCR 3072, HCR 3073, HCR 3077, HCR 3078.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)
MR. SPEAKER: The Senate has failed to pass: HB 1433, HB 1468.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)
MR. SPEAKER: The Senate has amended and subsequently passed: HB 1175, HCR 3013, HCR 3080.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1175
Page 1, line 1, after "enact" insert "a new section to chapter 26.1-01 and"

Page 1, line 2, after "to" insert "electronic filings,"

Page 1, after line 10, insert:

"**SECTION 1.** A new section to chapter 26.1-01 of the North Dakota Century Code is created and enacted as follows:

Electronic filings allowed.

1. Notwithstanding any other provision of this title, the commissioner may adopt rules that allow either an applicant or a licensee to file documents electronically with the commissioner or the commissioner's designee. The rules may contain procedures for the electronic filing of the following:

   a. Any document required as part of an application for a license under this title;

   b. Any document required to be filed by an applicant or licensee to maintain the license in good standing;

   c. Any fee required under this title; and

   d. Any other document required or permitted to be filed.

2. This section may not be interpreted to supersede any other provision of law that requires the electronic filing of a document or to require an applicant or licensee to make any other filing electronically."

Renumber accordingly

SENATE AMENDMENTS TO HOUSE CONCURRENT RESOLUTION NO. 3013
Page 1, line 2, replace "in" with "of" and replace "Valley" with "Basin"

Page 1, line 5, replace "Valley's" with "Basin's"

Page 1, line 7, replace "Valley" with "Basin"

Page 1, line 10, replace "Valley" with "Basin"

Page 1, line 15, replace "Valley" with "Basin"

Page 1, line 18, replace "in" with "of"

Page 1, line 19, replace "Valley" with "Basin" and after the semicolon insert "and"

Renumber accordingly

SENATE AMENDMENTS TO HOUSE CONCURRENT RESOLUTION NO. 3080
Page 1, line 1, after "service" insert "and Amtrak service"

Page 1, after line 4, insert:

"**WHEREAS**, a passenger railway service provides a scenic view of this state to tourists and a schedule that provides for a stop in this state for a few days would aid tourism; and"

Page 1, line 11, after "service" insert "and Amtrak service"

Renumber accordingly

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)
MR. SPEAKER: The Senate does not concur in the House amendments to SB 2068 and SB 2075 and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2068: Sens. Freborg; Wanzek; O'Connell
SB 2075: Sens. Cook; Wanzek; O'Connell

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)
MR. SPEAKER: The President has appointed as a conference committee to act with a like committee from the House on:

HB 1431: Sens. Traynor; Lyson; C. Nelson

SIGNING OF BILLS AND RESOLUTIONS
The Speaker signed the following enrolled bills and resolution: HB 1095, HB 1154, HB 1155, HB 1161, HB 1169, HB 1185, HB 1260, HB 1315, HB 1356, HB 1372, HB 1388, HB 1417, HB 1439, HB 1450, HCR 3027.

MESSAGE TO THE SENATE FROM THE HOUSE (LANCE HAGEN, CHIEF CLERK)
MADAM PRESIDENT: The Speaker has signed and your signature is respectfully requested on: HB 1095, HB 1154, HB 1155, HB 1161, HB 1169, HB 1185, HB 1260, HB 1315, HB 1356, HB 1372, HB 1388, HB 1417, HB 1439, HB 1450, HCR 3027.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)
MR. SPEAKER: The President has signed and your signature is respectfully requested on: SB 2187, SB 2234, SB 2282, SB 2335, SB 2353, SB 2366, SB 2436, SCR 4019, SCR 4028, SCR 4031, SCR 4038, SCR 4039, SCR 4042, SCR 4048.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)
MR. SPEAKER: The President has signed and your signature is respectfully requested on: SCR 4018, SCR 4020, SCR 4025, SCR 4026, SCR 4034, SCR 4040.

SIGNING OF BILLS AND RESOLUTIONS
The Speaker signed the following enrolled bills and resolutions: SB 2187, SB 2234, SB 2282, SB 2335, SB 2353, SB 2366, SB 2436, SCR 4018, SCR 4019, SCR 4020, SCR 4025, SCR 4026, SCR 4028, SCR 4031, SCR 4034, SCR 4038, SCR 4039, SCR 4040, SCR 4042, SCR 4048.

MESSAGE TO THE SENATE FROM THE HOUSE (LANCE HAGEN, CHIEF CLERK)
MADAM PRESIDENT: The Speaker has signed: SB 2187, SB 2234, SB 2282, SB 2335, SB 2353, SB 2366, SB 2436, SCR 4018, SCR 4019, SCR 4020, SCR 4025, SCR 4026, SCR 4028, SCR 4031, SCR 4034, SCR 4038, SCR 4039, SCR 4040, SCR 4042, SCR 4048.

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

LANCE HAGEN, Chief Clerk