JOURNAL OF THE SENATE

Fifty-seventh Legislative Assembly

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Bismarck, March 23, 2001

The Senate convened at 12:30 p.m., with President Pro Tem Krebsbach presiding.

The prayer was offered by Pastor Bob Nordvall, Charity Lutheran, Bismarck.

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

A quorum was declared by the President Pro Tem.

CONSIDERATION OF AMENDMENTS

HB 1046: SEN. FLAKOLL (Education Committee) MOVED that the amendments on SJ page 904 be adopted and then be placed on the Fourteenth order with **DO PASS.**

REQUEST

SEN. KELSH REQUESTED that the question of the adoption of the the amendments to HB 1046 be divided to have the sections voted on separately in the following manner, which request was granted.

DIVISION A

Page 1, line 7, after "15.1-09-34" insert ", 15.1-09-44"

Page 1, line 12, after "contracts" insert ", schoolbuses"

Page 9, after line 23, insert:

"**SECTION 18. AMENDMENT.** Section 15.1-09-44 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

15.1-09-44. Schoolbuses - Use of nonprofit organizations. The board of a school district may make a schoolbus available to a nonprofit organization for use in conjunction with the organization's activities. The board shall negotiate the terms of usage with the organization. The terms must address rental charges and insurance coverage. The driver of a schoolbus used by a nonprofit organization under this section must satisfy the requirements for a schoolbus driver set forth in section ~~15.1-07-21~~ 15.1-07-20."

DIVISION B

Page 1, line 10, remove "and 57-51.1-08,"

Page 1, line 17, replace the second "and" with a comma and after "15.1-09-37" insert ", and 57-51.1-08"

Page 1, line 18, replace "and" with a comma and after "fees" insert ", and legislative intent"

Page 22, remove lines 25 through 31

Page 23, remove lines 1 through 13

Page 24, line 3, replace "and" with a comma and after "15.1-09-37" insert ", and 57-51.1-08"

Renumber accordingly

REQUEST

SEN. KELSH REQUESTED a recorded roll call vote on Divisions A and B of the proposed amendments to HB 1046, which request was granted.

ROLL CALL

The question being on the adoption of Division A of the proposed amendments to HB 1046, the roll was called and there were 48 YEAS, 1 NAY, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein;

Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

NAYS: Polovitz

Division A of the proposed amendments to HB 1046 was adopted.

ROLL CALL

The question being on the adoption of Division B of the proposed amendments to HB 1046, the roll was called and there were 22 YEAS, 27 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Christmann; Cook; Dever; Espegard; Fischer; Flakoll; Freborg; Grindberg; Kilzer; Klein; Krebsbach; Kringstad; Lee; Nelson, G.; Nething; Schobinger; Stenehjem; Thane; Traynor; Wanzek; Watne

NAYS: Bercier; Bowman; Christenson; Erbele; Every; Heitkamp; Holmberg; Kelsh; Krauter; Kroeplin; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nichols; O'Connell; Polovitz; Robinson; Solberg; Tallackson; Tollefson; Tomac; Trenbeath; Urlacher; Wardner

Division B of the proposed amendments to HB 1046 failed.

The question being on the adoption of the proposed amendments to HB 1046, consisting of Division A and excluding Division B, the proposed amendments were adopted on a voice vote.

MOTION

SEN. CHRISTMANN MOVED that the rules be suspended, and after action taken on the Sixth order, all of the bills on that order with the exception of HB 1109, be placed on the Fourteenth order, as amended, for immediate second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1046: A BILL for an Act to create and enact two new sections to chapter 15-10, a new section to chapter 15.1-09, and a new section to chapter 15.1-19 of the North Dakota Century Code, relating to oaths by faculty members, vehicle and heating fuel purchases, and student usage of alcohol or controlled substances; to amend and reenact subsection 1 of section 6-09.4-23, sections 15-19-01, 15-19-04, 15.1-06-01, 15.1-07-02, 15.1-07-03, 15.1-07-17, and 15.1-08-06, subsection 2 of section 15.1-09-01, subsection 4 of section 15.1-09-05, sections 15.1-09-25, 15.1-09-26, 15.1-09-31, 15.1-09-34, 15.1-09-44, and 15.1-09-50, subsection 9 of section 15.1-12-10, section 15.1-19-09, subsection 7 of section 21-03-07, sections 21-06-12, 25-01.2-13, 34-07-02, and 34-07-15, subsection 5 of section 50-11.1-02, subsection 1 of section 54-07-01.2, sections 54-23.2-04.2, 57-15-14, 57-15-14.2, 57-15-55.1, 57-16-04, and 57-51.1-08, and subsection 1 of section 57-62-02 of the North Dakota Century Code, relating to evidences of indebtedness, correspondence courses, school admission, school district petitions, school district contracts, schoolbuses, military installation school districts, school board member oaths, school board size, school board minutes, fuel purchases, school board powers, reorganization, bond issuances, labor by minors, early childhood services, boards and commissions, vital records, educational foundations, special education, mill levies, education funding, and the coal development trust fund; and to repeal sections 15.1-07-22 and 15.1-09-37 of the North Dakota Century Code, relating to oaths of school district business managers and fees.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 49 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

HB 1046, as amended, passed and the title was agreed to.

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CONSIDERATION OF AMENDMENTS

HB 1109, as reengrossed: SEN. T. MATHERN (Human Services Committee) MOVED that the amendments on SJ pages 904-905 be adopted with **DO PASS,** which motion prevailed.

MOTION

SEN. CHRISTMANN MOVED that Reengrossed HB 1109, as amended, be rereferred to the **Appropriations Committee,** which motion prevailed. Pursuant to Sen. Christmann's motion, HB 1109 was rereferred.

CONSIDERATION OF AMENDMENTS

HB 1141, as reengrossed: SEN. WANZEK (Education Committee) MOVED that the amendments on SJ pages 905-907 be adopted and then be placed on the Fourteenth order with **DO PASS,** which motion prevailed.

SECOND READING OF SENATE BILL

HB 1141: A BILL for an Act to create and enact three new sections to chapter 15.1-12 of the North Dakota Century Code, relating to school district reorganization; and to amend and reenact section 15.1-12-11.1 of the North Dakota Century Code, relating to school district reorganization bonuses.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 49 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

Reengrossed HB 1141, as amended, passed and the title was agreed to.

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CONSIDERATION OF AMENDMENTS

HB 1261, as engrossed: SEN. STENEHJEM (Transportation Committee) MOVED that the amendments on SJ pages 907-908 be adopted and then be placed on the Fourteenth order with **DO PASS,** which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1261: A BILL for an Act to create and enact a new section to chapter 39-04 of the North Dakota Century Code, relating to the failure to register a motor vehicle upon becoming employed in this state.

MOTION

SEN. SCHOBINGER MOVED that Engrossed HB 1261 be amended as follows, which motion prevailed on a voice vote.

In lieu of the amendments adopted by the Senate as printed on pages 907 and 908 of the Senate Journal, Engrossed House Bill No. 1261 is amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new section to chapter 39-04 and a new subsection to section 57-40.3-07 of the North Dakota Century Code, relating to registration of a motor vehicle.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 39-04 of the North Dakota Century Code is created and enacted as follows:

Failure to register upon gainful employment. A person operating a motor vehicle in violation of subdivision c or e of subsection 2 of section 39-04-18 shall purchase an annual registration for that motor vehicle for a fee that is not discounted from the appropriate amount listed in a table in section 39-04-19. A law enforcement officer may issue a registration for that vehicle and shall remit the registration fee to the department of transportation. The department shall provide for evidence of registration

to be issued by a law enforcement officer enforcing subdivision c or e of subsection 2 of section 39-04-18.

SECTION 2. A new subsection to section 57-40.3-07 of the North Dakota Century Code is created and enacted as follows:

For a vehicle leased and registered or licensed in another state by a nonresident individual who is stationed as a member of the armed services of the United States in this state, the vehicle is exempt from tax imposed under this chapter and registration in this state must be issued upon application and payment of appropriate registration fees."

Renumber accordingly

HB 1261: A BILL for an Act to create and enact a new section to chapter 39-04 and a new subsection to section 57-40.3-07 of the North Dakota Century Code, relating to registration of a motor vehicle.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 49 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

Engrossed HB 1261, as amended, passed and the title was agreed to.

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CONSIDERATION OF AMENDMENTS

HB 1267, as engrossed: SEN. C. NELSON (Judiciary Committee) MOVED that the amendments on SJ page 908 be adopted and then be placed on the Fourteenth order with **DO PASS,** which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1267: A BILL for an Act to create and enact two new sections to chapter 15.1-19 of the North Dakota Century Code, relating to records of a school law enforcement unit and retention of records; and to amend and reenact sections 27-20-51 and 27-20-52 of the North Dakota Century Code, relating to court and law enforcement records of a juvenile.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 49 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

Engrossed HB 1267, as amended, passed and the title was agreed to.

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CONSIDERATION OF AMENDMENTS

HB 1276, as engrossed: SEN. TRAYNOR (Natural Resources Committee) MOVED that the amendments on SJ page 908 be adopted and then be placed on the Fourteenth order with **DO NOT PASS,** which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1276: A BILL for an Act to amend and reenact subsection 2 of section 47-05-02.1 of the North Dakota Century Code, relating to conservation easements.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 10 YEAS, 39 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; Christmann; Erbele; Klein; Kroeplin; Solberg; Tomac; Trenbeath; Wanzek

NAYS: Bercier; Christenson; Cook; Dever; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Krauter; Krebsbach; Kringstad; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Stenehjem; Tallackson; Thane; Tollefson; Traynor; Urlacher; Wardner; Watne

Engrossed HB 1276, as amended, lost.

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CONSIDERATION OF AMENDMENTS

HB 1350, as reengrossed: SEN. LYSON (Judiciary Committee) MOVED that the amendments on SJ page 908 be adopted and then be placed on the Fourteenth order with **DO PASS,** which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1350: A BILL for an Act to create and enact a new section to chapter 12-47 of the North Dakota Century Code, relating to the transporting of certain prisoners.

ROLL CALL

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

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

NAYS: Dever

Reengrossed HB 1350, as amended, passed and the title was agreed to.

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CONSIDERATION OF AMENDMENTS

HB 1358, as engrossed: SEN. WATNE (Judiciary Committee) MOVED that the amendments on SJ page 909 be adopted and then be placed on the Fourteenth order with **DO PASS,** which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1358: A BILL for an Act to amend and reenact section 27-20-02, subsection 1 of section 27-20-06, sections 27-20-08, 27-20-10, and 27-20-17, subsection 2 of section 27-20-20.1, sections 27-20-22, 27-20-25, and 27-20-31, subsection 4 of section 27-20-32.2, subsections 2 and 4 of section 27-20-36, and subsection 3 of section 27-20-47, relating to definitions, filing petitions, duties of juvenile supervisors, informal adjustments, continued shelter care, termination of parental rights, and disposition of a delinquent child under the Uniform Juvenile Court Act.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 49 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

Engrossed HB 1358, as amended, passed and the title was agreed to.

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CONSIDERATION OF AMENDMENTS

HB 1385, as engrossed: SEN. KILZER (Human Services Committee) MOVED that the amendments on SJ pages 909-910 be adopted and then be placed on the Fourteenth order with **DO PASS,** which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1385: A BILL for an Act to amend and reenact section 50-06-06.13 of the North Dakota Century Code, relating to treatment services for children with serious emotional disorders.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 49 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

Engrossed HB 1385, as amended, passed and the title was agreed to.

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CONSIDERATION OF AMENDMENTS

HB 1401, as engrossed: SEN. BERCIER (Judiciary Committee) MOVED that the amendments on SJ page 910 be adopted and then be placed on the Fourteenth order with **DO PASS,** which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1401: A BILL for an Act to create and enact a new section to chapter 12-44.1 of the North Dakota Century Code, relating to inmate accounts, payment of inmate financial obligations, and payment for medical and health care costs.

ROLL CALL

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

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

NAYS: Trenbeath

Engrossed HB 1401, as amended, passed and the title was agreed to.

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CONSIDERATION OF AMENDMENTS

HB 1407, as reengrossed: SEN. ESPEGARD (Industry, Business and Labor Committee) MOVED that the amendments on SJ page 910 be adopted and then be placed on the Fourteenth order with **DO PASS,** which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1407: A BILL for an Act to provide for a cost-benefit analysis of mandated health insurance coverage of services; to provide for a study; and to provide an appropriation.

MOTION

SEN. CHRISTMANN MOVED that Reengrossed HB 1407 be rereferred to the **Appropriations Committee,** which motion prevailed. Pursuant to Sen. Christmann's motion, HB 1407 was rereferred.

CONSIDERATION OF AMENDMENTS

HB 1416, as engrossed: SEN. WATNE (Judiciary Committee) MOVED that the amendments on SJ pages 910-911 be adopted and then be placed on the Fourteenth order with **DO PASS,** which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1416: A BILL for an Act to amend and reenact subsection 2 of section 53-06.1-11 of the North Dakota Century Code, relating to allowable expenses for games of chance; to provide an effective date; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 49 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

Engrossed HB 1416, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

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CONSIDERATION OF AMENDMENTS

HB 1455, as engrossed: SEN. TRENBEATH (Judiciary Committee) MOVED that the amendments on SJ page 911 be adopted and then be placed on the Fourteenth order with **DO PASS,** which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1455: A BILL for an Act to amend and reenact subsection 1 of section 28-32-14 and sections 28-32-17, 28-32-19, and 54-57-03 of the North Dakota Century Code, relating to finality of decisions of administrative law judges in adjudicative proceedings of administrative agencies.

ROLL CALL

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

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

NAYS: Kilzer

Engrossed HB 1455, as amended, passed and the title was agreed to.

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CONSIDERATION OF AMENDMENTS

HCR 3061: SEN. COOK (Education Committee) MOVED that the amendments on SJ page 912 be adopted and then be placed on the Fourteenth order with **DO PASS,** which motion prevailed.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3061: A concurrent resolution directing the Legislative Council to study the delivery of elementary and secondary education during the ensuing 5, 10, and 20 years, with emphasis on a review of the current school district structure, reorganization options, the potential for creating alternate administrative units, and the equitable distribution of state aid to school districts and to obtain the information necessary for this study through a variety of means, including testimony from school district superintendents and business managers.

The question being on the final adoption of the amended resolution, which has been read.

HCR 3061, as amended, was declared adopted, and the title was agreed to on a voice vote.

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SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4048: A concurrent resolution urging the issuance of a postage stamp to honor the Purple Heart medal and those who have received the Purple Heart medal.

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO PASS.

SCR 4048 was declared adopted, and the title was agreed to on a voice vote.

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SECOND READING OF HOUSE BILL

HB 1218: A BILL for an Act to amend and reenact subsection 4 of section 39-08-01 of the North Dakota Century Code, relating to driving under the influence of intoxicating liquor or any other drug or substance; 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 49 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

HB 1218, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

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SECOND READING OF HOUSE BILL

HB 1043: A BILL for an Act to provide for payment of certain student loans for students in specified industries; and to provide an appropriation.

MOTION

SEN. G. NELSON MOVED the previous question, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 20 YEAS, 29 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Bercier; Christenson; Every; Flakoll; Heitkamp; Kelsh; Klein; Krauter; Kroeplin; Lindaas; Mathern, D.; Mathern, T.; Nelson, C.; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Tallackson; Tomac

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

Reengrossed HB 1043 lost.

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SECOND READING OF HOUSE BILL

HB 1201: A BILL for an Act to create and enact section 57-40.3-02.1 of the North Dakota Century Code, relating to motor vehicle excise tax imposed on motor vehicle leases; and to amend and reenact subsection 5 of section 57-40.3-01, subsection 6 of section 57-40.3-04, and section 57-40.3-12 of the North Dakota Century Code, relating to the definition of purchase price, exemptions from motor vehicle excise taxes, and administration of motor vehicle use taxes.

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 49 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

HB 1201 passed and the title was agreed to.

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SECOND READING OF HOUSE BILL

HB 1285: A BILL for an Act to create and enact a new section to chapter 39-04 of the North Dakota Century Code, relating to liability insurance for motor vehicles.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 0 YEAS, 49 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

Engrossed HB 1285 lost.

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SECOND READING OF HOUSE BILL

HB 1296: A BILL for an Act to amend and reenact section 23-07.5-04 of the North Dakota Century Code, relating to the human immunodeficiency virus record maintenance.

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 49 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

HB 1296 passed and the title was agreed to.

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SECOND READING OF HOUSE BILL

HB 1304: A BILL for an Act to create and enact a new chapter to title 43 of the North Dakota Century Code, relating to the practice of interpreting for the deaf and hard-of-hearing.

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 48 YEAS, 1 NAY, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger;

Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

NAYS: Andrist

Engrossed HB 1304 passed and the title was agreed to.

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SECOND READING OF HOUSE BILL

HB 1306: A BILL for an Act to amend and reenact section 53-06.1-10 and subsection 5 of section 53-06.1-11 of the North Dakota Century Code, relating to the limit on wagers in the game twenty-one and rent limits under the games of chance laws.

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 27 YEAS, 22 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Bercier; Cook; Dever; Espegard; Every; Flakoll; Grindberg; Heitkamp; Kelsh; Klein; Krebsbach; Kroeplin; Lyson; Mathern, D.; Nelson, C.; Nichols; Polovitz; Stenehjem; Tallackson; Thane; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

NAYS: Andrist; Bowman; Christenson; Christmann; Erbele; Fischer; Freborg; Holmberg; Kilzer; Krauter; Kringstad; Lee; Lindaas; Mathern, T.; Mutch; Nelson, G.; Nething; O'Connell; Robinson; Schobinger; Solberg; Tollefson

Engrossed HB 1306 passed and the title was agreed to.

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MOTION

SEN. CHRISTMANN MOVED that the Senate stand in recess until 2:56 p.m., which motion prevailed.

THE SENATE RECONVENED pursuant to recess taken, with President Pro Tem Krebsbach presiding.

SECOND READING OF HOUSE BILL

HB 1354: A BILL for an Act to amend and reenact sections 16.1-07-09 and 16.1-15-19 and subsections 5 and 6 of section 16.1-16-01 of the North Dakota Century Code, relating to the counting of absentee ballots.

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 49 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

HB 1354 passed and the title was agreed to.

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SECOND READING OF HOUSE BILL

HB 1370: A BILL for an Act to amend and reenact section 16.1-08.1-04 of the North Dakota Century Code, relating to supplemental campaign contribution statements.

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 49 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein;

Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

Engrossed HB 1370 passed and the title was agreed to.

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SECOND READING OF HOUSE BILL

HB 1380: A BILL for an Act to amend and reenact subsection 4 of section 25-01.3-02 of the North Dakota Century Code, relating to the membership of the committee on protection and advocacy.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 21 YEAS, 28 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Bercier; Christenson; Cook; Dever; Every; Heitkamp; Holmberg; Kelsh; Krauter; Kroeplin; Lindaas; Mathern, D.; Mathern, T.; Nelson, C.; Nichols; O'Connell; Polovitz; Robinson; Tallackson; Thane; Tomac

NAYS: Andrist; Bowman; Christmann; Erbele; Espegard; Fischer; Flakoll; Freborg; Grindberg; Kilzer; Klein; Krebsbach; Kringstad; Lee; Lyson; Mutch; Nelson, G.; Nething; Schobinger; Solberg; Stenehjem; Tollefson; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

Engrossed HB 1380 lost.

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SECOND READING OF HOUSE BILL

HB 1390: A BILL for an Act to provide a legislative council study of biodiesel fuel and its integration into the agricultural economy of this state.

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 49 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

Engrossed HB 1390 passed and the title was agreed to.

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SECOND READING OF HOUSE BILL

HB 1408: A BILL for an Act to provide for adoption of the midwest interstate passenger rail compact; and to provide an expiration date.

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 49 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

HB 1408 passed and the title was agreed to.

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SECOND READING OF HOUSE BILL

HB 1419: A BILL for an Act to provide for a legislative council study of workers' compensation insurance study; and to provide for an appropriation.

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 24 YEAS, 25 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Bowman; Christmann; Cook; Dever; Espegard; Every; Fischer; Freborg; Grindberg; Holmberg; Kilzer; Klein; Krebsbach; Kringstad; Mutch; Nelson, G.; Nething; Schobinger; Solberg; Stenehjem; Thane; Traynor; Trenbeath; Wanzek

NAYS: Andrist; Bercier; Christenson; Erbele; Flakoll; Heitkamp; Kelsh; Krauter; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Nelson, C.; Nichols; O'Connell; Polovitz; Robinson; Tallackson; Tollefson; Tomac; Urlacher; Wardner; Watne

Engrossed HB 1419 lost.

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SECOND READING OF HOUSE BILL

HB 1474: A BILL for an Act to amend and reenact section 54-03-27 of the North Dakota Century Code, relating to a leave of absence from employment for service in the legislative assembly.

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 49 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

Engrossed HB 1474 passed and the title was agreed to.

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SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3032: A concurrent resolution urging the director of the Department of Transportation place into the state highway system the route from the South Dakota border through Venturia, Ashley, and Lehr to Interstate 94; the route from Cross Ranch State Park to State Highway 200A; and the route from U.S. Highway 2 near York to State Highway 17.

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO NOT PASS.

Engrossed HCR 3032 was declared lost on a voice vote.

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SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3043: A concurrent resolution directing the Legislative Council to study the fiscal note process.

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO PASS.

Engrossed HCR 3043 was declared adopted, and the title was agreed to on a voice vote.

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SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3044: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of establishing a putative fathers' adoption registry.

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO PASS.

HCR 3044 was declared adopted, and the title was agreed to on a voice vote.

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SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3045: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of establishing an at-home infant child care program.

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO PASS.

HCR 3045 was declared adopted, and the title was agreed to on a voice vote.

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SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3049: A concurrent resolution directing the Legislative Council to study the effect of obesity on health care costs and methods to expand awareness of the problem of obesity and improve treatment modalities.

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO PASS.

Engrossed HCR 3049 was declared lost on a voice vote.

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SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3050: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of realigning the divisions within the Department of Human Services or moving some divisions or functions to the Department of Health or other state agencies.

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO PASS.

Engrossed HCR 3050 was declared adopted, and the title was agreed to on a voice vote.

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SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3051: A concurrent resolution directing the Legislative Council to study the impact a constitutional guarantee of the right to individual privacy would have on state laws.

REQUEST

SEN. ANDRIST REQUESTED a recorded roll call vote on HCR 3051, which request was granted.

ROLL CALL

The question being on the final adoption of the resolution, which has been read, and is PLACED ON THE CALENDAR WITHOUT RECOMMENDATION, the roll was called and there were 5 YEAS, 43 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Bercier; Christenson; Dever; Polovitz; Stenehjem

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

ABSENT AND NOT VOTING: Nelson, C.

HCR 3051 was declared lost on a voice vote.

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SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3058: A concurrent resolution directing the Legislative Council to study current and 5-, 10-, 25-, and 50-year projections of the delivery of health care services in the state, including the capacity, distribution, and accessibility of the system of providing health services; the changing dynamics of delivery and funding of health services; possible health care services strategies to better serve residents; the role of health care services in future development in this state; and the effects of having inadequate reimbursement in this state, including the impact of inadequate reimbursement on the continued availability, viability, and financial stability of health care.

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO PASS.

Engrossed HCR 3058 was declared adopted, and the title was agreed to on a voice vote.

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SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3069: A concurrent resolution directing the Legislative Council to study methods to better protect the health of children in the state.

REQUEST

SEN. NETHING REQUESTED a verification vote on HCR 3069, which request was granted.

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO PASS.

Engrossed HCR 3069 was declared lost on a verification vote.

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SECOND READING OF HOUSE BILL

HB 1173: A BILL for an Act to amend and reenact section 39-08-01.3 of the North Dakota Century Code, relating to driving under the influence of intoxicating liquor repeat offenders.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 1 YEA, 47 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist

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

ABSENT AND NOT VOTING: Nelson, C.

Engrossed HB 1173 lost.

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SECOND READING OF HOUSE BILL

HB 1244: A BILL for an Act to amend and reenact sections 18-10-01, 18-10-02, and 18-10-03, subsection 1 of section 18-10-04, sections 18-10-05, 18-10-11, and 57-15-26.3 of the North Dakota Century Code, relating to qualified electors in a rural fire protection district.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 3 YEAS, 45 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Bercier; Mathern, T.; Tomac

NAYS: Andrist; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mutch; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

ABSENT AND NOT VOTING: Nelson, C.

HB 1244 lost.

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MOTION

SEN. CHRISTMANN MOVED that HB 1305, which is on the Fourteenth order, be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1410: A BILL for an Act to provide for a study of extraterritorial zoning.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 18 YEAS, 30 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Bercier; Bowman; Christenson; Every; Heitkamp; Kelsh; Krauter; Kroeplin; Lindaas; Mathern, D.; Mathern, T.; Nichols; O'Connell; Robinson; Tallackson; Thane; Tomac; Urlacher

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

ABSENT AND NOT VOTING: Nelson, C.

Engrossed HB 1410 lost.

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SECOND READING OF HOUSE CONCURRENT RESOLUTIONS ON CONSENT CALENDAR

HCR 3001: A concurrent resolution urging Congress to provide for a consistent system of grain grading based upon point-of-origin grain grading.

HCR 3002: A concurrent resolution directing the Legislative Council to study the completed revision of those provisions of Title 15 of the North Dakota Century Code which relate to elementary and secondary education for the purpose of reconciling any inconsistencies or irregularities.

HCR 3033: A concurrent resolution urging Congress to acknowledge the difference between marijuana and industrial hemp; to acknowledge that allowing and encouraging farmers to produce industrial hemp will improve the balance of trade by promoting domestic sources of industrial hemp; and to assist United States producers by clearly authorizing the commercial production of industrial hemp and by being the leading advocate for the industrial hemp industry.

HCR 3056: A concurrent resolution directing the Legislative Council to study the state of and future demands on the transportation infrastructure in this state.

MOTION

SEN. G. NELSON MOVED the previous question, which motion prevailed.

HCR 3065: A concurrent resolution directing the Legislative Council to study the negative impact due to diminishing rail access and service, the cost to industry, business, and communities of shifting rail services to state and local highway systems, and the feasibility and desirability of funding enhanced rail facilities including an intermodal rail facility in this state.

HCR 3068: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of creating a tiered early childhood facility licensure system that requires licensure of facilities not required to be licensed under the current system.

HCR 3017: A concurrent resolution directing the Legislative Council to study the method of providing legal representation for indigent criminal defendants and the feasibility and desirability of establishing a public defender system.

HCR 3026: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of wind energy development in North Dakota.

HCR 3036: A concurrent resolution designating the state crime laboratory building as the "Aaron Rash Crime Lab".

HCR 3054: A concurrent resolution directing the Legislative Council to study the impact on domestic relations law of using the term "parental responsibility" in lieu of "custody" and "parenting time" in lieu of "visitation".

HCR 3067: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of establishing a behavior modification academy for certain adult and juvenile offenders.

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

HCR 3001, HCR 3002, HCR 3017, Engrossed HCR3026, HCR 3033, HCR 3036, HCR 3054, HCR 3056, HCR 3065, HCR 3067, and HCR 3068 were declared adopted on a voice vote, and the titles were agreed to.

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MOTION

SEN. CHRISTMANN MOVED that HB 1058, HB 1182, HB 1363, and HB 1398 be moved to the top of the calendar, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

SEN. FREBORG MOVED that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on Engrossed HB 1058, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on Engrossed HB 1058: Sens. Cook, Wanzek, Christenson.

APPOINTMENT OF CONFERENCE COMMITTEE

SEN. FREBORG MOVED that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on Reengrossed HB 1182, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on Reengrossed HB 1182: Sens. Flakoll, Wanzek, O'Connell.

APPOINTMENT OF CONFERENCE COMMITTEE

SEN. TRAYNOR MOVED that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on Engrossed HB 1363, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on Engrossed HB 1363: Sens. Lyson, Trenbeath, C. Nelson.

APPOINTMENT OF CONFERENCE COMMITTEE

SEN. TRAYNOR MOVED that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on Engrossed HB 1398, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on Engrossed HB 1398: Sens. Trenbeath, Dever, C. Nelson.

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

MR. PRESIDENT: The Speaker has signed: SCR 4009, SCR 4011, SCR 4013, SCR 4015, SCR 4017, SCR 4023, SCR 4026, SCR 4038, SCR 4043, SCR 4046.

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)
MR. PRESIDENT: The Speaker has signed: SCR 4016, SCR 4025.

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)
MR. PRESIDENT: The Speaker has signed and your signature is respectfully requested on: HB 1100, HB 1106, HB 1125, HB 1151, HB 1174, HB 1181, HB 1203, HB 1242, HB 1262, HB 1274, HCR 3030, HCR 3037.

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 1197.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has amended, subsequently passed, and the emergency clause failed: HB 1269.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has amended and subsequently passed: HB 1105, HB 1233, HB 1234, HB 1270, HB 1465.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has amended and subsequently failed to pass: HB 1157.

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)
MR. PRESIDENT: The House has concurred in the Senate amendments and subsequently passed: HB 1106, HB 1125, HCR 3030, and HCR 3037.

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)
MR. PRESIDENT: The House has passed unchanged: SCR 4029, SCR 4031.

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)
MR. PRESIDENT: The House has amended and subsequently passed: SB 2058, SB 2095, SB 2135, SB 2144, SB 2167, SB 2177, SB 2204, SB 2224, SB 2300, SB 2307, SB 2347.

HOUSE AMENDMENTS TO SENATE BILL NO. 2058

Page 1, line 24, remove "~~, together with affidavits of mailing,~~"

Page 2, line 2, after "~~the~~" insert "~~. The~~" and remove the overstrike over "~~third notice must be sent~~"

Page 2, line 3, after "~~address~~" insert "~~with a copy of an affidavit of mailing~~"

Page 3, line 20, remove "~~, together with affidavits of mailing~~"

Page 3, line 22, after the first "~~the~~" insert "~~. The~~" and remove the overstrike over "~~third notice must be sent~~"

Page 3, line 23, after "~~address~~" insert "~~with a copy of an affidavit of mailing~~"

Renumber accordingly

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2095

Page 1, line 8, remove "~~lower of the previous one year or the~~"

Page 1, line 9, after "income" insert "~~or loss~~" and remove "~~or the lower~~"

Page 1, line 10, remove "~~of the previous one year or three years of adjusted gross income,~~"

Page 1, line 11, after "~~return~~" insert "~~for each of the three years~~"

Renumber accordingly

HOUSE AMENDMENTS TO SENATE BILL NO. 2135

Page 2, line 11, after the period insert "~~If the offender has not paid the full amount of supervision fees and costs before completion or termination of probation, the court may issue an order, after opportunity for hearing, to determine the amount of supervision fees and costs that are unpaid. The order may be filed, transcribed, and enforced by the department of corrections and rehabilitation in the same manner as civil judgments rendered by a district court of this state.~~"

Renumber accordingly

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2144

Page 14, line 24, remove "insurance producers" and overstrike "**- Residence requirements**" and insert immediately thereafter "insurance producers"

Page 14, line 25, overstrike "residents of this state and must"

Page 14, line 26, overstrike "be"

Page 16, line 30, overstrike "resident"

Page 17, line 20, overstrike "resident"

Page 18, line 27, overstrike "negotiated with and"

Page 27, line 25, replace "Employees" with "An employee" and replace "respond" with "responds"

Page 27, line 26, remove "those"

Page 27, line 27, replace "employees are" with "employee is"

Page 27, line 28, after "services" insert "and provided that employee does not sell, solicit, or negotiate insurance"

Page 32, after line 20, insert:

"6. A nonresident insurance producer shall pay a biennial continuation fee of twenty-five dollars."

Page 44, line 26, after "licensee" insert "knowingly" and replace "an administrative or" with "a"

Page 44, line 28, after "licensee" insert "knowingly" and replace "any" with "a"

Page 44, line 29, remove "administrative or"

Page 45, line 17, replace "of the initial pretrial hearing date" with "after a criminal conviction"

Page 45, line 18, replace "prosecution" with "conviction"

Page 45, line 20, replace "resulting from" with "issued by" and replace "hearing" with "court"

Page 45, line 26, replace "26.1-26-20.1" with "26.1-26-20"

Page 46, line 2, remove "However, a nonresident insurance producer shall pay a"

Page 46, remove lines 3 and 4

Page 50, line 25, overstrike "Resident insurance" and after "~~agents~~" insert "Insurance"

Renumber accordingly

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2167

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact sections 4-35-05, 4-35-06, 4-35-08, 4-35-09, 4-35-13, 4-35-15, and 4-35-19 and subsection 4 of section 4-35.1-01 of the North Dakota Century Code, relating to pesticide applicators.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 4-35-05 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

4-35-05. Definitions. As used in this chapter:

1. "Animal" means all vertebrate and invertebrate species, including~~, but not limited to, man~~ humans and other mammals, birds, fish, and shellfish.

2. "Antidote" means a practical treatment in case of poisoning and includes first aid treatment.

~~2.1.~~ 3. "Applicator" means any person who applies a pesticide to land.

~~3.~~ 4. "Beneficial insects" means those insects~~which~~ that, during their life cycle, are effective pollinators of plants, are parasites, or predators of pests.

~~4. a.~~ 5. "Certified applicator" means any individual who is certified under this chapter as authorized to use any~~restricted use~~ pesticide covered by the applicator's certification.

~~b. "Private applicator" means a certified applicator who uses or supervises the use of any pesticide which is classified for restricted use for purposes of producing any agricultural commodity on property owned or rented by the applicator or the applicator's employer or, if applied without compensation other than trading of personal services between producers of agricultural commodities, on the property of another person.~~

~~c.~~

6. "Commercial applicator" means a certified applicator~~, whether or not the applicator is a private applicator with respect to some uses,~~ who uses any pesticide~~which is classified for restricted use~~, for any purpose or on any property, other than as provided for by~~subdivision b~~ a private applicator.

7. "Custom applicator means a certified applicator who uses any pesticide, for any purpose, or on any property, other than as provided for by a private applicator.

~~5.~~ 8. "Dealer" means any person who sells a pesticide to an end user.

~~6.~~ 9. "Defoliant" means any substance or mixture of substances intended to cause the leaves or foliage to drop from a plant, with or without causing abscission.

~~7.~~ 10. "Desiccant" means any substance or mixture of substances intended to artificially accelerate the drying of plant tissue.

~~8.~~ 11. "Device" means any instrument or contrivance, other than a firearm, which is intended for trapping, destroying, repelling, or mitigating any pest or any other form of plant or animal life, other than ~~man~~ human and other than bacteria, virus, or other micro-organism on or in living~~man~~humans or other living animals, but not including equipment used for the application of pesticides when sold separately therefrom.

~~9.~~ 12. "Distribute" means to offer for sale, hold for sale, sell, barter, or supply pesticides in this state.

~~10.~~ 13. "Environment" includes water, air, land, and all plants and ~~man~~ humans and other animals living therein, and the interrelationships which exist among these.

~~11.~~ 14. "Equipment" means any type of ground, water, or aerial equipment or contrivance using motorized, mechanical, or pressurized power and used to apply any pesticide on land and anything that may be growing, habitating, or stored on or in such land~~, but shall~~. The term does not include any pressurized hand-sized household apparatus used to apply any pesticide, or any equipment or contrivance of which the person who is applying the pesticide is the source of power or energy in making such pesticide application.

~~12.~~ 15. "Fungus" means any non-chlorophyll-bearing thallophytes, i.e., any non-chlorophyll-bearing plant of a lower order than mosses and liverworts as, for example, rust, smut, mildew, mold, yeast, and bacteria, except those on or in living ~~man~~ humans or other living animals, and except those on or in processed food, beverages, or pharmaceuticals.

~~13.~~ 16. "Insect" means any of the numerous small invertebrate animals generally having the body more or less obviously segmented, for the most part belonging to the class of insecta, comprising six-legged, usually winged forms, and to other allied classes of arthropods whose members are wingless and usually have more than six legs.

~~14.~~ 17. "Label" means the written, printed, or graphic matter on, or attached to, the pesticide or device or any of its containers or wrappers.

~~15.~~ 18. "Labeling" means the label and all other written, printed, or graphic matter:

a. Accompanying the pesticide or device; and

b. To which reference is made on the label or in literature accompanying or referring to the pesticide, except when accurate nonmisleading references are made to current official publications of the board; the United States environmental protection agency; the United States departments of agriculture and interior; the United States department of health and human services; state agricultural colleges; and other similar federal or state institutions or agencies authorized by law to conduct research in the field of pesticides.

~~16.~~ 19. "Land" means all land and water areas, including airspace, and all plants, animals, structures, buildings, contrivances, and machinery, appurtenant thereto or situated thereon, fixed or mobile, including any used for transportation.

~~17.~~ 20. "Mixture" means a diluted pesticide combination.

~~18.~~ 21. "Nematode" means invertebrate animals of the phylum nemathelminthes, and class nematoda, i.e., unsegmented round worms with elongated, fusiform, or saclike bodies covered with cuticle, and inhabiting soil, water, plants, or plant parts, may also be called nemas or eelworms.

~~19.~~ 22. "Person" means any individual, partnership, association, fiduciary, corporation, limited liability company, or any organized group of persons, whether or not incorporated.

~~20.~~ 23. "Pest" means:

a. Any insect, snail, slug, rodent, nematode, fungus, weed; or

b. Any other form of terrestrial or aquatic plant or animal life or virus, bacteria, or other micro-organism, except viruses, bacteria, or other micro-organisms on or in living ~~man~~humans or other living animals which are annoying or otherwise injurious or harmful to agriculture, health, and the environment.

~~21.~~ 24. "Pesticide" means:

a. Any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any pest; and

b. Any substance or mixture of substances intended for use as a plant regulator, defoliant, or desiccant.

~~22.~~ 25. "Pesticide dealer" means any person who distributes restricted use pesticides.

~~23.~~ 26. "Plant regulator" means any substance or mixture of substances intended, through physiological action, to accelerate or retard the rate of growth or rate of maturation, or to otherwise alter the behavior of plants or the produce thereof, but does not include substances to the extent that they are intended as plant nutrients, trace elements, nutritional chemicals, plant inoculants, and soil amendments.

27. "Private applicator" means a certified applicator who uses or supervises the use of any pesticide that is classified for restricted use, to produce any agricultural commodity on property owned or rented by the applicator or the applicator's employer or, if applied without compensation other than trading

of personal services between producers of agricultural commodities, on the property of another person.

~~24.~~ 28. "Protect health and the environment" means protection against any unreasonable adverse effects on public health and the environment.

~~25.~~ 29. "Public operator" means a certified applicator who applies restricted use pesticides as an employee of a state agency, municipal corporation, public utility, or other governmental agency.

~~26.~~ 30. "Restricted use pesticide" means any pesticide formulation which is classified for restricted use by the board.

~~27.~~ 31. "Rinsate" means a diluted mixture of pesticide obtained from triple rinsing pesticide containers or from rinsing the inside and outside of spray equipment.

~~28.~~ 32. "Snails or slugs" ~~include~~includes all harmful mollusks.

~~29.~~ 33. "Tank mix" means any pesticidal formulation used alone or in combination with another pesticide and mixed with a liquid carrier prior to application.

~~30.~~ 34. "Unreasonable adverse effects on the environment" means any unreasonable risk to ~~man~~humans or the environment, taking into account the economic, social, and environmental costs and benefits of the use of any pesticide.

~~31.~~ 35. "Weed" means any plant which grows where not wanted.

~~32.~~ 36. "Wildlife" means all living things that are neither human, domesticated, nor, as defined in this chapter, pests, including~~, but not limited to,~~ mammals, birds, and aquatic life.

SECTION 2. AMENDMENT. Section 4-35-06 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

4-35-06. Pesticide control board to administer chapter and adopt regulations.

1. a. The pesticide control board shall administer~~the provisions of~~ this chapter and ~~has authority to issue regulations in conformance with provisions of~~may adopt rules under chapter 28-32 to carry out ~~the provisions of~~ this chapter. ~~Such regulations~~ The rules may prescribe methods to be used in the application of pesticides. ~~Where the board finds that such regulations are necessary to carry out the purpose and intent of this chapter, such regulations~~ The rules may relate to the time, place, manner, methods, materials, and amounts and concentrations, in connection with the application of the pesticide, and may restrict or prohibit use of pesticides in designated areas during specified periods of time and shall encompass all reasonable factors which the board deems necessary to prevent damage or injury by drift or misapplication to:

   ~~a.~~ (1) Plants, including forage plants, on adjacent or nearby lands.

   ~~b.~~ (2) Wildlife in the adjoining or nearby areas.

   ~~c.~~ (3) Fish and other aquatic life in waters in proximity to the area to be treated.

   ~~d.~~ (4) Persons, animals, or beneficial insects.

   b. In ~~issuing such regulations~~ adopting rules, the board shall give consideration to pertinent research findings and recommendations of other agencies of this state, the federal government, or other reliable sources.

2. For the purpose of uniformity, the board may adopt~~, pursuant to chapter 28-32,~~ restricted use classifications as determined by the federal environmental protection agency. The board may also by ~~regulation~~ rule

determine state restricted use pesticides for the state or designated areas within the state.

3. The board, in adopting rules under this chapter, shall prescribe standards and requirements for the certification of applicators of ~~restricted use~~ pesticides. These standardsand requirements must relate to the use and handling of pesticides. In determining these standards and requirements, the board shall take into consideration standards and requirements prescribed by the environmental protection agency.

4. ~~Regulations~~ Rules adopted under this chapter may not permit any pesticide use which is prohibited by the Federal Insecticide, Fungicide, and Rodenticide Act or regulations or orders issued thereunder.

5. In order to comply with section 4 of the Federal Insecticide, Fungicide, and Rodenticide Act, the board ~~is authorized to~~may make such reports to the United States environmental protection agency in such form and containing such information as that agency may from time to time require.

6. ~~The board is authorized to make appropriate regulations, in accordance with chapter 28-32, for carrying out the provisions of this chapter, including, but not limited to, regulations providing~~Rules adopted under this chapter may provide for:

   a. The collection, examination, and reporting of samples of pesticides.

   b. The safe handling, transportation, storage, display, distribution, and disposal of pesticides and their containers.

~~7.~~ c. ~~The board may by regulation identify~~The identification of "pests" ~~under the guidelines of the definition of the term "pest" contained within~~, as defined in this chapter when ~~it~~the board finds particular organisms to be annoying or otherwise injurious or harmful to agriculture, health, and the environment.

SECTION 3. AMENDMENT. Section 4-35-08 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

4-35-08. Classification of certificates. The board may classify commercial certificates to be issued under this chapter.~~Such~~ The classifications may include pest control operators, wood treaters, ornamental or agricultural pesticide applicators, or right-of-way pesticide applicators. Separate classifications may be specified as to ground, aerial, or manual methods used by any applicator to apply ~~restricted use~~ pesticides or to the use of~~restricted use~~ pesticides to control insects and plant diseases, rodents, or weeds. Each classification of certification may be subject to separate testing procedures and training requirements; provided that a person may be required to pay an additional fee if~~such~~ the person desires to be certified in one or more of the classifications provided for by the board under ~~the authority of~~ this section.

SECTION 4. AMENDMENT. Section 4-35-09 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

4-35-09. Commercial or custom **applicator's certification.**

1. ~~No person who would be a~~ A commercial applicator~~if certified~~ or a custom applicator maynot purchase or use a ~~restricted use~~ pesticide without first complying with the certification standards and requirements of this chapter, or other restrictions as may be determined by the board.

2. An individual may be certified as a commercial applicatoror as a custom applicator within a classification if the individual successfully completes an examination for the classification as prescribed by the board and administered by the North Dakota state university extension service or the service's designee. An application for certification must be on a form prescribed by the board and accompanied by a reasonable examination fee set by the board.

3. If the North Dakota state university extension service, or its designee, finds the applicant qualified to apply pesticides in the classifications ~~he~~for which the applicant has applied ~~for~~, after examination as the board requires, and

the applicant meets all other requirements of this chapter, the North Dakota state university extension service shall issue a commercial applicator's certificateor a custom applicator's certificate limited to the classifications in which the applicant is qualified~~in~~.

4. If certification is not to be issued as applied for, the North Dakota state university extension service, or its designee, shall inform the applicant in writing of the reasons for not issuing the certification. Individuals certified pursuant to this section are deemed certified commercial applicators or certified custom applicators, for the use of ~~restricted use~~ pesticides.

SECTION 5. AMENDMENT. Section 4-35-13 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

4-35-13. Application of act to governmental entities. All ~~federal agencies, state agencies, municipal corporations, and any other~~ governmental agencies~~, or~~ and public utilities~~,~~ are subject to this chapter and rules adopted~~thereunder concerning the application of restricted use pesticides~~ under this chapter.

SECTION 6. AMENDMENT. Section 4-35-15 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

4-35-15. Unlawful acts - Grounds for denial, suspension, or revocation of a certification. The commissioner~~may~~, after providing an opportunity for a hearing,may deny, suspend, revoke, or modify any provision of any certification issued under this chapter, if the commissioner finds that the applicant or the holder of ~~a~~ the certification has committed any ~~of the acts enumerated~~act listed in this section. Each of the following acts is a violation of this chapter, whether committed by an applicant,by the holder of the certification, or by any other person applying or using pesticides, if the person:

1. Made false or fraudulent claims through any media, misrepresenting the effect of materials or methods to be utilized, or advertised a pesticide without reference to its classification.

2. Made a pesticide recommendation, application, or use inconsistent with the labeling or other restrictions prescribed by the board.

3. Applied materials known by that person to be ineffective or improper.

4. Operated faulty or unsafe equipment.

5. Operated in a faulty, careless, or negligent manner.

6. Neglected, or, after notice, refused to comply with~~the provisions of~~ this chapter, the rules adopted~~hereunder~~ under this chapter, or ~~of~~ any lawful order of the commissioner.

7. Refused or neglected to keep and maintain the records required by this chapter, or to make reports when and as required.

8. Made false or fraudulent records, invoices, or reports.

9. Operated unlicensed equipment in violation of section 4-35-17.

10. Used fraud or misrepresentation in making an application for, or for renewal of, certification.

11. Refused or neglected to comply with any limitations or restrictions on or in a duly issued certification.

12. Aided or abetted a certified or an uncertified person to evade the provisions of this chapter, conspired with such a certified or an uncertified person to evade the provisions of this chapter, or allowed the person's certification to be used by another person.

13. Knowingly made false statements during or after an inspection or an investigation.

14. Impersonated ~~any~~ a federal, state, county, or city inspector or official.

15. Distributed any restricted use pesticide to any person who is required by law or rule to be certified to use or purchase~~such~~ the restricted use pesticide unless ~~such~~the person or ~~his~~ agent to whom distribution is made is certified to use or purchase that kind of restricted use pesticide.

16. Bought, used, or supervised the use of any~~restricted use~~ pesticide without first complying with the certification requirements of this chapter, unless otherwise exempted~~therefrom~~.

17. Applied any economic poison ~~which~~ that is not registered pursuant to ~~the provisions of~~ chapter 19-18.

SECTION 7. AMENDMENT. Section 4-35-19 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

4-35-19. Exemptions.

1. ~~The certification requirements of this chapter do not apply to any person applying pesticides that are not classified for restricted use.~~

~~2.~~ The provisions of this chapter relating to certification requirements do not apply to a competent person applying restricted use pesticides under the direct supervision of a private applicator, unless the pesticide~~labeling~~ label requires that a certified applicator personally~~applies~~ apply the particular pesticide. A pesticide is~~considered~~ deemed to be applied under the direct supervision of a private applicator if it is applied by a competent person acting under the ~~instructions~~instruction and control of a private applicator who is available if and when needed, even though ~~such~~ the private applicator is not physically present at the time and place that the pesticide is applied.

~~3.~~ 2. ~~Persons~~ The certification requirements of this chapter do not apply to any person conducting laboratory-type research using restricted use pesticides ~~and doctors~~ or to a doctor of medicine~~and doctors~~ or a doctor of veterinary medicine applying~~pesticides as drugs~~ a pesticide as a drug or as medication during the course of ~~their~~ normal practice.

SECTION 8. AMENDMENT. Subsection 4 of section 4-35.1-01 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

4. "Pesticide" means that term ~~as~~ defined ~~by subsection 21 of~~ in section 4-35-05."

Renumber accordingly

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2177

Page 1, line 2, replace "the Ten Commandments" with "religious objects or documents in public school buildings"

Page 1, line 6, replace "**Ten Commandments**" with "**Religious objects or documents**", replace "An" with "A religious", and replace "containing the words of the" with "of cultural, legal, or historical significance which has influenced the legal and governmental systems of the United States and this state"

Page 1, line 7, remove "Ten Commandments", remove "public school classroom or", and remove the comma

Page 1, line 8, remove "or at any public school event," and after "other" insert "objects or"

Page 1, line 10, replace "an" with "a religious" and replace "containing the words of the Ten" with "under this section"

Page 1, line 11, remove "Commandments"

Page 1, line 13, after the first "the" insert "religious" and after the period insert "A school board shall develop a policy for the proper display of any religious objects or documents."

Renumber accordingly

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2204

Page 1, line 1, after "Act" insert "to create and enact a new section to chapter 4-09 of the North Dakota Century Code, relating to the establishment of a seed classification system;"

Page 1, line 2, after "seeds" insert "; and to provide an expiration date"

Page 1, after line 10, insert:

"**SECTION 2.** A new section to chapter 4-09 of the North Dakota Century Code is created and enacted as follows:

Seed classification system - Weed tolerances.The seed commission shall establish a seed classification system for annual crops and perennial crops which references tolerances for each restricted noxious weed species."

Page 2, line 14, replace "forty" with "twenty-five"

Page 3, after line 2, insert:

"**SECTION 4. EXPIRATION DATE.** This Act is effective through July 31, 2003, and after that date is ineffective."

Renumber accordingly

HOUSE AMENDMENTS TO SENATE BILL NO. 2224

Page 1, line 2, after "areas" insert "; to provide for a report to the legislative assembly; and to provide an effective date"

Page 1, after line 9, insert:

"**SECTION 2. NO-MOW AREAS - REPORT TO LEGISLATIVE ASSEMBLY.** The director of the department of transportation shall work with the appropriate state and federal agencies to evaluate reasonable and appropriate environmental mitigation options and alternatives. The director shall submit a plan to the fifty-eighth legislative assembly to eliminate areas designated as no-mow or managed-mow areas from the right of way adjacent to highways under the department's jurisdiction.

SECTION 3. EFFECTIVE DATE. Section 1 of this Act becomes effective on January 1, 2004."

Renumber accordingly

HOUSE AMENDMENTS TO SENATE BILL NO. 2300

Page 1, line 1, replace "two" with "three"

Page 4, after line 16, insert:

"**SECTION 5.** A new section to chapter 36-21.1 of the North Dakota Century Code is created and enacted as follows:

Applicability of chapter. This chapter does not apply to estrays covered under chapter 36-22."

Renumber accordingly

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2307

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to require the department of human services and developmental disabilities services providers to make recommendations regarding a statewide reimbursement system and to report to the legislative council.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. DEPARTMENT OF HUMAN SERVICES AND DEVELOPMENTAL DISABILITIES SERVICES PROVIDERS - RECOMMENDATION - REPORT TO LEGISLATIVE COUNCIL. The department of human services, in cooperation with developmental disabilities services providers representing each of the eight human service regions, shall prepare a joint recommendation for consideration by

the fifty-eighth legislative assembly regarding a new statewide developmental disability services provider reimbursement system. During the 2001-02 interim, the department of human services shall report quarterly to the legislative council regarding the progress in preparing a joint recommendation under this section."

Renumber accordingly

HOUSE AMENDMENTS TO SENATE BILL NO. 2347

Page 2, after line 6, insert:

"1."

Page 2, after line 10, insert:

"2. If an emergency is declared by the governor, the board shall conduct any appraisal required by this section within twenty-four hours and may destroy the animal as soon thereafter as practicable. The owner may not protest the appraisal. The owner may consent in writing to an earlier destruction of the animal."

Page 2, line 14, replace "If" with "Except as provided in section 3, if"

Page 3, line 13, after "check" insert "jointly" and after "owner" insert "and any lienholders"

Page 3, line 17, replace "appropriated" with "approved by the emergency commission" and replace "by the legislative assembly and the state" with an underscored period

Page 3, remove lines 18 and 19

Page 3, line 23, replace "payment" with "the board" and replace "be made" with "authorize payment"

Renumber accordingly

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

MR. PRESIDENT: The House has amended and subsequently failed: SB 2272.

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

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

SB 2116: Reps. Kretschmar; Grande; Mahoney
SB 2384: Reps. Wrangham; Brekke; Fairfield

MOTION

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

MOTION

SEN. CHRISTMANN MOVED that the Senate be on the Fourth, Fifth, and Seventh orders of business and at the conclusion of those orders, the Senate stand adjourned until 1:00 p.m., Monday, March 26, 2001, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1032: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1032 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1216, as engrossed: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman) recommends **DO PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1216 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1251: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1251 was placed on the Sixth order on the calendar.

Page 1, line 14, after "taxation" insert "or a manager of a limited liability company who is not a member"

Page 1, line 19, remove "that is treated as a corporation for purposes of"

Page 1, line 20, remove "federal income taxation"

Page 2, line 3, after the period insert "This exclusion from employment does not apply to any limited liability company that is wholly owned by or operates as an Indian tribe, state or local government, or nonprofit organization with respect to services performed for those entities which are required by federal law to be covered under the North Dakota unemployment compensation law."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1259: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1259 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1319, as reengrossed: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed HB 1319 was placed on the Sixth order on the calendar.

Page 2, line 5, after "employment" insert ". This exclusion from employment does not apply to any limited liability company that is wholly owned by or operates as an Indian tribe, state or local government, or nonprofit organization with respect to services performed for those entities which are required by federal law to be covered under the North Dakota unemployment compensation law"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1328, as reengrossed: Agriculture Committee (Sen. Wanzek, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed HB 1328 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new section to chapter 4-35 of the North Dakota Century Code, relating to creation of a crop protection product harmonization and registration board; to amend and reenact sections 4-35-06.2 and 4-35-06.3 of the North Dakota Century Code, relating to funds received for expenses paid relating to the registration of pesticides and the minor use pesticide fund; to repeal section 11 of chapter 31 of the 1999 Session Laws, relating to the crop harmonization committee; and to provide an appropriation.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 4-35-06.2 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

4-35-06.2. ~~Commissioner of agriculture - Pesticide control~~ Crop protection product harmonization and registration **board - Recovery of funds.** The~~commissioner of agriculture~~ crop protection product harmonization and registration board may accept~~, on behalf of the pesticide control board,~~ funds received for expenses paid~~by the pesticide control board~~ relating to the registration of pesticides or donations offered to or for the benefit of the~~pesticide control~~ board. All moneys received under this section must be deposited in the minor use pesticide fund to pay expenses relating to the registration of pesticides or for the specific purpose for which they are given. The ~~pesticide control~~ board shall attempt, whenever possible, to recover funds expended relating to the registration of pesticides and shall adopt rules to administer ~~provisions of~~ this section.

SECTION 2. AMENDMENT. Section 4-35-06.3 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

4-35-06.3. Minor use pesticide fund - Continuing appropriation. The minor use pesticide fund is created as a special fund in the state treasury. All moneys in the fund are appropriated on a continuing basis to the ~~pesticide control~~crop protection product harmonization and registration board for the purpose of conducting or commissioning studies, investigations, and evaluations regarding the registration and use of pesticides for minor crops, minor uses, and other uses as determined by the board.

SECTION 3. A new section to chapter 4-35 of the North Dakota Century Code is created and enacted as follows:

Crop protection product harmonization and registration board - Duties - Grants.

1. The crop protection product harmonization and registration board consists of the governor or the governor's designee, the agriculture commissioner, the chairman of the house agriculture committee, the chairman of the senate agriculture committee, one crop protection product manufacturing industry representative appointed by the chairman of the legislative council, and two consumers of crop protection products appointed by the governor. The governor or the governor's designee shall serve as chairman of the board. The board shall:

   a. Identify and prioritize crop protection product labeling needs;

   b. Explore the extent of authority given to this state under the federal Insecticide, Fungicide, and Rodenticide Act [7 U.S.C. 136a];

   c. Identify the data necessary to enable registration of a use to occur in a timely manner;

   d. Determine what research, if any, is necessary to fulfill data requirements for activities listed in this section;

   e. Request the agriculture commissioner to pursue specific research funding options from public and private sources;

   f. Request the North Dakota state university agricultural experiment station to pursue specific research to coordinate registration efforts; and

   g. Pursue any opportunities to make more crop protection product options available to agricultural producers in this state through any means the board determines advisable.

2. The board may contract with a consultant to conduct studies or provide research or information regarding crop protection product registration and labeling needs.

3. The board may administer a grant program through which agriculture commodity groups established under this title may apply for funds to be used by the groups to address issues related to the registration of crop protection products. To be eligible for receipt of a grant, an applicant must submit an application to the board which requests a specific amount of funds, specifies the exact purposes for which the grant would be used, and provides a detailed timetable for the use of the grant funds. The board may impose any additional conditions it determines appropriate for grant recipients, including requiring periodic reports and furnishing of matching funds. The board may terminate funding of a previously approved grant at any time if the board is dissatisfied with the performance of the grant recipient.

4. The board may use not more than fifteen percent of the funds under its supervision for administrative purposes, including the cost of contracting for administrative services and reimbursement of board member expenses. The members of the board who are members of the legislative assembly are entitled to compensation from the legislative council for attendance at board meetings at the rate provided for members of the legislative assembly for attendance at interim committee meetings and are entitled to reimbursement for expenses incurred in attending the meetings in the amounts provided by law for other state officers.

5. The board may adopt rules to implement this section.

SECTION 4. REPEAL. Section 11 of chapter 31 of the 1999 Session Laws is repealed.

SECTION 5. APPROPRIATION. There is appropriated out of any moneys in the environment and rangeland protection fund in the state treasury, not otherwise appropriated, the sum of $325,000, or so much of the sum as may be necessary, and from special funds derived from grants or donation income, the sum of $200,000, or so much of the sum as may be necessary, to the crop protection product harmonization and registration board for the purposes of addressing crop protection product registration and labeling needs and providing grants as provided in section 3 of this Act, for the biennium beginning July 1, 2001, and ending June 30, 2003."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1371, as engrossed: Education Committee (Sen. Freborg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1371 was placed on the Sixth order on the calendar.

Page 1, line 7, after "~~other~~" insert:

"1."

Page 1, line 13, after the period insert:

"2."

Page 1, line 14, remove "beginning thirty days after the date of enrollment"

Page 1, line 15, replace "a" with "the", replace the second "the" with "each", and after the underscored period insert "The person may withdraw a child of age six from the public school. However, once the child is withdrawn, the person may not reenroll the child until the following school year. This subsection does not apply if the reason for the withdrawal is the child's relocation to another school district."

Page 1, line 19, after the second period insert:

"1."

Page 1, line 21, after the period insert:

"2."

Page 1, line 22, remove "beginning thirty days after the date of enrollment"

Page 1, line 23, replace "a" with "the", replace the second "the" with "each", and after the underscored period insert "The person may withdraw a child of age six from the public school. However, once the child is withdrawn, the person may not reenroll the child until the following school year. This subsection does not apply if the reason for the withdrawal is the child's relocation to another school district.

3."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1377, as engrossed: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed HB 1377 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "from" with "; to provide for a legislative council study"

Page 1, line 3, remove "the Bank of North Dakota"

Page 1, line 7, replace "The" with "Subject to approval by the emergency commission, the" and remove "from the Bank of North Dakota"

Page 1, line 8, remove "or other sources, and the Bank may loan to the board,"

Page 1, line 10, replace "a" with "an"

Page 1, line 11, remove "seven hundred fifty dollar"

Page 1, line 12, after "repaid" insert ", including any accrued interest. The amount of the annual renewal license fee assessed under this section may not exceed one thousand dollars"

Page 1, line 14, after the period insert "The notice of a proposed rule to assess the fee in this section or revert to the previous license fee may be sent by certified mail to each individual licensed by the board in lieu of the publication requirements for the notice in chapter 28-32.

SECTION 2. LEGISLATIVE COUNCIL STUDY. The legislative council shall consider studying during the 2001-02 interim the ability of occupational and professional boards with less than one hundred licensees to process disciplinary complaints and carry out other statutory responsibilities. The study should address procedures used by boards to respond to disciplinary complaints and initiate disciplinary actions, the boards' ability to pay for the cost of disciplinary actions, and the legal services and staff services available to assist boards with the processing of disciplinary complaints and the performance of other statutory responsibilities. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the fifty-eighth legislative assembly."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1396, as engrossed: Natural Resources Committee (Sen. Fischer, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1396 was placed on the Sixth order on the calendar.

Page 1, line 3, after "61-01-26" insert "and subsection 7 of section 61-35-12"

Page 1, line 5, after "programs" insert ", reimbursement of water district employee expenses,"

Page 1, after line 24, insert:

"**SECTION 3. AMENDMENT.** Subsection 7 of section 61-35-12 of the North Dakota Century Code is amended and reenacted as follows:

7. Appoint and fix the compensation and reimbursement of expenses of such employees as the board deems necessary to conduct the business and affairs of the district and to procure the services of engineers and other technical experts, and to retain attorneys to assist, advise, and act for it in its proceedings."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1406: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1406 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1417: Agriculture Committee (Sen. Wanzek, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1417 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1425, as engrossed: Natural Resources Committee (Sen. Fischer, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1425 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "subsections" with "subsection" and remove "and 3"

Page 1, line 5, replace "Subsections" with "Subsection" and remove "and 3"

Page 1, line 6, replace "are" with "is"

Page 1, remove lines 16 through 24

Page 2, remove lines 1 through 12

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1426, as engrossed: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1426 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "and sections" with "section", replace the second "and" with ", subsection 3 of section 16.1-08.1-03.3, sections", and after "16.1-08.1-04" insert ", and 16.1-08.1-06"

Page 3, line 11, after the period insert "Even if a person required to report according to this section has not received any contributions in excess of one hundred dollars during the reporting period, the person shall file a statement as required by this chapter.

SECTION 4. AMENDMENT. Subsection 3 of section 16.1-08.1-03.3 of the 1999 Supplement to 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 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. Even if a political committee has not received any contributions or made any expenditures in excess of two hundred dollars during the reporting period, the political committee shall file a statement as required by this chapter."

Page 3, after line 24, insert:

"**SECTION 6. AMENDMENT.** Section 16.1-08.1-06 of the 1999 Supplement to 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 must be:

   a. Deemed properly filed when deposited ~~in an established post office within the prescribed time, postage affixed, and directed~~with or delivered to the secretary of state~~, but if it~~within the prescribed time. A statement that is mailed is deemed properly filed when it is postmarked and directed to the secretary of state within the prescribed time. If a statement is not receivedby the secretary of state, a duplicate of the statement must be promptly filed upon notice by the secretary of state of its nonreceipt.

   b. Preserved by the secretary of state 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 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 is closed, the statement must be filed on the next available day on which the office of the secretary of state 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.

3. Unless otherwise provided by law, any candidate, political party, committee, or person may not be charged a fee for filing any statement with the secretary of state under this chapter."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1431, as engrossed: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1431 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1435, as engrossed: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman) recommends **DO NOT PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1435 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1451, as engrossed: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION** (5 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed HB 1451 was placed on the Sixth order on the calendar.

Page 1, line 5, remove "The administrative rules committee shall establish a schedule for review of all"

Page 1, line 6, remove "administrative rules." and after the first "the" insert "administrative rules"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1456, as engrossed: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1456 was placed on the Sixth order on the calendar.

Page 1, line 10, after "showing" insert "the name and mailing address of"

Page 1, line 12, after "period" insert ", the amount of each reportable contribution in excess of two hundred dollars,"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1467, as engrossed: Agriculture Committee (Sen. Wanzek, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1467 was rereferred to the **Appropriations Committee**.

REPORT OF STANDING COMMITTEE

HCR 3019, as engrossed: Natural Resources Committee (Sen. Fischer, Chairman) recommends **DO NOT PASS** (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed HCR 3019 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3041: Agriculture Committee (Sen. Wanzek, Chairman) recommends **DO NOT PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HCR 3041 was placed on the Fourteenth order on the calendar.

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

WILLIAM R. HORTON, Secretary