

JOURNAL OF THE HOUSE

Fifty-third Legislative Assembly

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Bismarck, April 1, 1993

The House convened at 9:00 a.m., with Speaker R. Berg presiding.

The prayer was offered by the Rev. Walt Geiszler, Good Shepherd United Methodist Church, Mandan.

The roll was called and all members were present except Representatives Austin, Coats, Dobrinski, Grosz, and Mutzenberger.

A quorum was declared by the Speaker.

CORRECTION AND REVISION OF THE JOURNAL

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

Page 1533, line 42, replace "David" with "Douglas"

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

FIRST READING OF SENATE CONCURRENT RESOLUTION

SCR 4074: A concurrent resolution congratulating the North Dakota State University Bison women's basketball team for winning the 1993 NCAA Division II national championship.

Was read the first time.

MOTION

REP. FREIER MOVED that the rules be suspended, that SCR 4074 not be printed, not be referred to committee, be read in its entirety, not be printed in the Journal, and placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4074: A concurrent resolution congratulating the North Dakota State University Bison women's basketball team for winning the 1993 NCAA Division II national championship.

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

SCR 4074 was declared adopted on a voice vote.

MOTION

REP. MARTINSON MOVED that any conference committee reports that come in be placed on the Seventh order, which motion prevailed.

MOTION

REP. FREIER MOVED that that portion of House Rule 507 pertaining to when bills must be reported out of committee in the second House be suspended until the sixty-fifth legislative day, which motion prevailed.

THE HOUSE RECOGNIZED THE PRESENCE OF:

Former Senator Frank Wenstrom.

ANNOUNCEMENT BY THE SPEAKER

SPEAKER R. BERG ANNOUNCED that the House stand in recess until 12:30 p.m.

HOUSE ENGROSSING AND ENROLLING REPORT

The following bill was engrossed: HB 1512.

SIGNING OF BILLS AND RESOLUTIONS

The Speaker signed the following enrolled bills: HB 1062, HB 1193, HB 1437.

MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

MADAM PRESIDENT: The House has passed unchanged: SCR 4074.

MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

MADAM PRESIDENT: The Speaker has signed and your signature is respectfully requested on: HB 1062, HB 1193, HB 1437.

MESSAGE TO THE HOUSE FROM THE SENATE (CAROL SIEGERT, SECRETARY)

MR. SPEAKER: The President has appointed as a conference committee to act with a like committee from the House on:

HB 1011: Sens. Tallackson; Lindaas; Naaden
 HB 1013: Sens. Kelly; Yockim; Goetz
 HB 1026: Sens. Scherber; Tomac; Evanson
 HB 1120: Sens. Scherber; DeMers; Evanson
 HB 1179: Sens. Graba; Mathern; Holmberg
 HB 1416: Sens. Marks; W. Stenehjem; Andrist

MESSAGE TO THE HOUSE FROM THE SENATE (CAROL SIEGERT, SECRETARY)

MR. SPEAKER: The Senate does not concur in the House amendments to SB 2367 and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2367: Sens. Maxson; W. Stenehjem; Traynor

SIGNING OF BILLS AND RESOLUTIONS

The Speaker signed the following enrolled bills: HB 1023, HB 1032, HB 1091, HB 1097, HB 1103, HB 1134, HB 1138, HB 1139, HB 1142, HB 1163, HB 1165, HB 1184, HB 1203, HB 1211, HB 1234, HB 1247, HB 1286, HB 1306, HB 1313, HB 1335, HB 1337, HB 1347, HB 1357, HB 1376, HB 1394.

SIGNING OF BILLS AND RESOLUTIONS

The Speaker signed the following enrolled bills: HB 1024, HB 1085, HB 1113, HB 1114, HB 1161, HB 1162, HB 1164, HB 1166, HB 1167, HB 1169, HB 1170, HB 1218, HB 1270, HB 1278, HB 1283, HB 1296, HB 1310, HB 1353, HB 1362, HB 1367, HB 1379, HB 1407, HB 1409, HB 1412, HB 1415, HB 1427, HB 1455, HB 1456, HB 1457, HB 1483, HB 1492, HB 1501.

SIGNING OF BILLS AND RESOLUTIONS

The Speaker signed the following enrolled bills and resolutions: HB 1075, HB 1397, HB 1406, HB 1408, HB 1410, HB 1444, HB 1453, HB 1472, HB 1489, HB 1506, HB 1507, HB 1508, HB 1509, HB 1510, HCR 3014, HCR 3018, HCR 3019, HCR 3025, HCR 3026, HCR 3035, HCR 3039, HCR 3041, HCR 3043, HCR 3050.

REPORT OF STANDING COMMITTEE

HB 1514: Natural Resources Committee (Rep. A. Olson, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (13 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1514 was placed on the Sixth order on the calendar.

Page 6, line 27, replace "July" with "August"

Re-number accordingly

REPORT OF CONFERENCE COMMITTEE

HB 1438, as engrossed: Your conference committee (Sens. Scherber, Kelsh,

Freborg and Reps. Gates, Poolman, Ness) recommends that the SENATE RECEDE from the Senate amendments on HJ pages 1190-1191, adopt amendments as follows, and place HB 1438 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1190-1191 of the House Journal and pages 934-935 of the Senate Journal and that Engrossed House Bill No. 1438 be amended as follows:

Page 1, line 6, after "a" insert "North Dakota"

Page 1, line 19, after the period insert "Notice of intent to enroll in the admitting district obligates the student to attend the admitting district during the following school year, unless the school boards of the resident and the admitting districts agree in writing to allow the student to transfer back to the resident district, or the student's parents or guardians change residence to another district."

Page 2, line 2, after the period insert "A child placed at a group or residential care facility or a residential treatment center in accordance with section 15-40.2-08 is not eligible for open enrollment under this section."

Page 2, line 7, replace "ten" with "twenty"

Page 2, line 29, after "is" insert "approved"

Page 3, line 1, remove "grant the"

Page 3, remove lines 2 and 3

Page 3, line 4, remove "the district of residence shall"

Page 3, line 7, replace "per-pupil" with "per student"

Page 3, replace lines 10 through 16 with:

"SECTION 5. Open enrollment - Transportation. The district of residence of a student participating in open enrollment under this Act has no obligation to provide transportation. However, the district of residence may enter into a transportation arrangement with the admitting district as provided in section 15-34.2-02."

Page 3, line 17, replace "Guidelines" with "Standards"

Page 3, line 18, replace "guidelines" with "standards"

Page 3, line 19, replace "guidelines" with "standards"

Page 3, line 21, replace "guidelines" with "standards"

Page 3, line 23, after the period insert "The school board of the admitting district may determine that the district may not accept applications for open enrollment under this Act. A school district participating in an open enrollment program may not give or offer to give a student remuneration, or directly or indirectly exert influence upon the student or the student's family, in order to encourage participation in the open enrollment program for the purpose of having the student participate in varsity athletic activities. However, any student who participated in varsity athletic activities during the 1992-93 school year, at a school in a district other than the student's district of residence or at a school outside the boundary within which the student would normally attend school may continue to participate in varsity athletics at that school for the duration of the student's high school career."

Renumber accordingly

Engrossed HB 1438 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

HB 1393, as engrossed: Your conference committee (Sens. Graba, Lindgren, B. Stenehjem and Reps. Rydell, Price, Kerzman) recommends that the **SENATE RECEDE** from the Senate amendments on HJ page 1314 and place HB 1393 on the Seventh order.

Engrossed HB 1393 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

HB 1079, as engrossed: Your conference committee (Sens. Tomac, W. Stenehjem, Krebsbach and Reps. Maragos, Wanzek, Ring) recommends that the **HOUSE ACCEDE** to the Senate amendments on HJ pages 1265-1266 and place HB 1079 on the Seventh order.

Engrossed HB 1079 was placed on the Seventh order of business on the calendar.

MOTION

THE HOUSE RECONVENED pursuant to recess taken, with Speaker R. Berg presiding.

SIXTH ORDER OF BUSINESS

HB 1514: REP. A. OLSON (Natural Resources Committee) MOVED that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1514: A BILL for an Act to create and enact two new sections to chapter 20.1-02 of the North Dakota Century Code, relating to the creation of the motorboat programs and safety account; to amend and reenact section 20.1-03-12 of the North Dakota Century Code, relating to motorboat license fees; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 81 YEAS, 15 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Allmaras; Austin; Belter; Bernstein; Brodshaug; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Cleary; Coats; Dalrymple; Dorso; Drovdal; Freier; Froseth; Gates; Gerntholz; Glassheim; Goffe; Gorder; Gorman; Grosz; Grumbo; Guleson; Hagle; Hanson; Hausauer; Henegar; Hokana; Holm; Howard; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martin; Martinson; Monson; Mutzenberger; Ness; Nicholas; Oban; Olson, A.; Payne; Poolman; Porter; Price; Pyle; Rennerfeldt; Rydell; Schindler; Sitz; Skarphol; Soukup; St. Aubyn; Stenehjem; Stenson; Svedjan; Sveen; Thorpe; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wentz

NAYS: Bateman; Berg, J.; Boehm; Boucher; DeWitz; Dobrinski; Jacobs; Nelson; Nichols; Olsen, D.; Ring; Shide; Timm; Wilkie; Speaker R. Berg

ABSENT AND NOT VOTING: Bodine; Huether

HB 1514 passed and the title was agreed to.

MESSAGE TO THE HOUSE FROM THE SENATE (CAROL SIEGERT, SECRETARY)

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2539.

MESSAGE TO THE HOUSE FROM THE SENATE (CAROL SIEGERT, SECRETARY)

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1012, HB 1014, HB 1016, HB 1064, HB 1065.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1012

Page 1, line 2, after "department" insert "; to create and enact a new subsection to section 20.1-03-12 of the North Dakota Century Code, relating to fees for game and fish licenses and permits; and to amend and reenact section 4 of Senate Bill No. 2398, as approved by the fifty-third legislative assembly, relating to the effective date of the transfer of funds from the highway tax distribution fund to the motorboat programs and safety fund"

Page 1, line 11, replace "9,291,659" with "9,496,312"

Page 1, line 12, replace "361,654" with "352,941"

Page 1, line 13, replace "5,179,429" with "5,452,225"

Page 2, line 4, replace "21,067,476" with "20,936,212"

Page 2, line 26, after the third comma insert "up to \$1,000,000 of" and after the second "the" insert "amount that the state game and fish operating fund balance exceeds \$6,000,000 on July 1, 1993, plus the amount that the game and fish operating fund balance exceeds \$5,500,000 on July 1, 1994, plus any"

Page 2, line 27, after "revenues" insert "are projected to"

Page 2, line 28, remove "but not to exceed \$600,000,"

Page 3, line 1, remove "The 1993-95 estimated revenues are"

Page 3, replace line 2 with:

"SECTION 6. A new subsection to section 20.1-03-12 of the North Dakota Century Code is created and enacted as follows:

For an annual nonresident license to sell minnows or other live bait at wholesale, two hundred dollars.

SECTION 7. AMENDMENT. If Senate Bill No. 2398 as approved by the fifty-third legislative assembly becomes effective, section 4 of Senate Bill No. 2398 is amended and reenacted as follows:

SECTION 4. EFFECTIVE DATE. Section 1 of this Act becomes effective on July 1, 1993, section 2 of this Act becomes effective on ~~June 30~~ August 1, 1995, and section 3 of this Act becomes effective on January 1, 1996."

ReNUMBER accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 720 - GAME AND FISH

SENATE - The salaries and wages line item is increased by \$204,653 to provide salary increases of three percent per year as recommended by Governor Sinner.

The information services line item is decreased by \$8,713 relating to information services rate reductions.

The operating expenses line item is increased by \$272,796 for indirect cost allocation payments to the Office of Management and Budget.

This amendment increases the maximum of the contingent appropriation by \$400,000, from \$600,000 to \$1,000,000. The amendments provide that the contingent appropriation is based on the amount the game and fish operating fund balance exceeds \$6 million on July 1, 1993, or \$5.5 million on July 1, 1994. The contingent appropriation, as provided by the House is also based on revenues exceeding estimates by \$150,000.

The amendment removes the provision that estimated revenues are to include revenue increases provided by the 1993 Legislative Assembly.

Also, the authority for the three FTEs deleted by the House is reinstated without funding. The three FTEs can be filled if additional funding becomes available.

A section is added that creates a new subsection to North Dakota Century Code Section 20.1-03-12 providing for an annual \$200 nonresident license to sell minnows or other live bait.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1014

Page 1, line 3, replace "a statement" with "statements"

Page 1, line 13, replace "4,156,459" with "4,583,875"

Page 1, line 14, replace "91,800" with "100,955"

Page 1, line 15, replace "5,524,497" with "5,549,841"

Page 1, line 16, replace "186,060" with "236,060"

Page 1, line 17, replace "1,259,454" with "1,359,454"

Page 1, remove line 19

Page 1, line 20, replace "1,710,000" with "1,494,182"

Page 2, line 1, replace "14,344,103" with "14,700,200"

Page 2, line 2, replace "4,155,353" with "4,227,605"

Page 2, line 3, replace "10,188,750" with "10,472,595"

Page 2, line 19, replace "the governor organize an interagency working group" with "a parks and historic sites improvements committee, consisting of the lieutenant governor as chairperson, one member of the senate appropriations committee and one member of the house of representatives appropriations committee each appointed by the legislative council, the director of the parks and outdoor recreation division, the director of the tourism division, and the president of the state historical board or the president's designee, determine the parks and historic sites improvement projects to be conducted for the biennium beginning July 1, 1993, and ending June 30, 1995."

Page 2, remove lines 20 through 23

Page 2, line 26, replace "\$1,510,000" with "\$1,194,182" and replace "\$200,000" with "\$300,000"

Page 2, line 28, replace "interagency" with "parks and historic sites improvements committee"

Page 2, line 29, remove "working group"

Page 3, after line 4, insert:

"SECTION 7. LEGISLATIVE INTENT. It is the intent of the legislative assembly that the parks and tourism department, based on numbers of visitors and other factors, may close one of its visitor information centers after the 1994 tourism season."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 750 - PARKS AND TOURISM DEPARTMENT

SENATE - This amendment makes the following changes:

- The salaries and wages line item is increased by \$71,882 from the general fund to reflect Governor Sinner's salary increase recommendation for state employees.
- The salaries and wages line item is also increased by \$70,000 from the general fund and the Williston and Bowman visitors' center line item of \$40,000 from the general fund is removed. The \$70,000 is provided for operating the Williston, Bowman, and Oriska visitor information centers during the 1993-95 biennium. A section is added providing that the department, after the 1994 tourism season, based on numbers of visitors and other factors, may close one of the visitor information centers.
- The information services line item is increased by \$9,155 from the general fund to restore a portion of the funding reduced by the House. The funding level provided reflects a reduction of \$1,045 from the executive recommendation relating to information services rate reductions.
- The operating expenses line item is reduced by \$89,672, \$61,924 of which is from the general fund, to remove funding for indirect cost allocation payments to the Office of Management and Budget.
- The parks and historic sites improvements line item of \$1,710,000, \$1,510,000 of which is from the general fund, is reduced by the items listed below which are transferred to other line items as follows:

Salaries and wages (parks temporary salaries)	\$285,534
Operating expenses (rent)	115,016
Equipment	50,000
Capitol improvements (extraordinary repairs)	<u>100,000</u>
Total general fund	\$550,550

The remaining \$1,159,450 in the parks and historic sites improvements line item is increased by \$334,732, \$234,732 of which is from the general fund and \$100,000 of federal funds. This line item total of \$1,494,182, \$1,194,182 of which is from the general fund, is provided for the following:

Historical Society enhancements of:

Salaries and wages (historic sites temporary salaries)	\$ 180,500
Operating expenses	50,000
Equipment	<u>65,000</u>
Total general fund	\$ 295,500
Other parks and historic sites improvements	<u>\$1,198,682¹</u>
Total parks and historic sites improvements line item	\$1,494,182

¹ It is the intent of the Legislative Assembly that projects consistent with completed historic sites, master plans at Fort Buford, Fort Totten, Pembina State Museum, the Chateau de Mores, and acquisition of the Boy Scout camp near Lake Metigoshe State Park be given high priority for expenditure of funds relating to this funding provided.

Rather than an interagency working group, a committee consisting of the Lieutenant Governor, one Senate Appropriations Committee member, one House Appropriations Committee member, the director of state parks, the director of state tourism, and a representative of the State Historical Board, is established to determine which parks and historic sites improvement projects the funds appropriated in the parks and historic sites improvements line item should be used for.

In total, this amendment increases funding for the Parks and Tourism Department by \$356,097, \$283,845 of which is from the general fund and \$72,252 of special funds.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1016

Page 1, line 3, remove "to amend and reenact section 4-14.1-02 of the North Dakota"

Page 1, line 4, remove "Century Code, relating to uses of the agricultural fuel tax fund;"

Page 1, line 8, after "appropriated" insert "out of any moneys in the general fund in the state treasury, not otherwise appropriated, and"

Page 1, line 13, replace "82,486" with "94,706"

Page 1, line 14, replace "2,000" with "3,946"

Page 1, line 15, replace "76,164" with "116,625"

Page 1, replace line 17 with:

"Grants	2,125,634
Grants to state agencies	300,000
Value-added impact study	100,000
North American marketing program	200,000"

Page 1, line 19, replace "special" with "all", remove "appropriation", and replace "5,505,395" with "6,594,261"

Page 1, after line 19, insert:

"Less estimated income	<u>5,505,203</u>
Total general fund appropriation	\$1,089,058"

Page 2, line 6, replace "\$1,348,395" with "\$1,348,203"

Page 3, remove lines 17 through 29

Page 4, remove lines 1 through 29

Page 5, remove lines 1 through 3

Reumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 612 - AGRICULTURAL PRODUCTS UTILIZATION COMMISSION

SENATE - This amendment makes the following changes:

The salaries and wages line item is increased by \$12,220. General fund support is increased by \$46,551 and special funds are reduced by \$34,331. The increase is provided for:

Temporary salaries	\$11,600
Governor Sinner's salary increase recommendation	<u>1,220</u>
Total	\$12,220

The information services line item is increased by \$1,946 from the general fund. The funding level provided reflects a reduction of \$54 from the executive recommendation relating to information services rate reductions.

The operating expenses line item is increased by \$40,461. General fund support is increased by \$54,927 and special funds are reduced by \$14,466. The increase is to provide administrative costs relating to general fund grant programs.

The research, utilization, and marketing grants line item of \$1,691,395 of special funds is removed and funding for the following grant programs is added:

GRANT PROGRAM	GENERAL FUND	SPECIAL FUNDS	TOTAL
Basic and applied research		\$ 400,000	\$ 400,000
Utilization and marketing		540,000	540,000
Cooperative marketing	\$469,039		469,039
Farm diversification	216,595		216,595
North American marketing	200,000		200,000
Value-added impact study	100,000		100,000
Continuation of grants approved during the 1991-93 biennium		300,000	300,000
Federal funds which may be available for grants	<u> </u>	<u>500,000</u>	<u>500,000</u>
Total	\$985,634	\$1,740,000	\$2,725,634

The section allowing funds appropriated for grants to be spent for both the 1993-95 and 1995-97 biennium is removed. It is the intent of the Legislative Assembly that the commission request appropriation authority from the 1995 Legislative Assembly for expenditures during the 1995-97 biennium relating to grants approved during the 1993-95 biennium.

The statutory changes relating to the agricultural fuel tax fund are removed which would have limited administrative costs of the commission and which would have removed the specific allocation of moneys in the fund for the various grant programs.

In total, this amendment increases funding for the Agricultural Products Utilization Commission by \$1,088,866. General fund support is increased by \$1,089,058 and special funds are reduced by \$192.

SENATE AMENDMENTS TO REENGROSSED HOUSE BILL NO. 1064

Page 1, line 1, after "enact" insert "a new section to chapter 43-17, a new section to chapter 43-28, and"

Page 1, line 2, after "tax" insert "and fees"

Page 1, line 3, replace "and" with "to provide an appropriation;" and after "date" insert "; and to provide an expiration date"

Page 1, after line 4, insert:

"SECTION 1. A new section to chapter 43-17 of the North Dakota Century Code is created and enacted as follows:

Annual fee - Paid to state treasurer.

1. Each licensed and registered physician who practices medicine in this state shall pay an annual fee of seven hundred dollars in addition to any fee otherwise charged under this chapter. The fee must be paid to the board on or before the date set by the board for payment of the registration fee. No person may engage in the practice of medicine, after the date set by the board for payment of the registration fee, without first paying the fee established under this section.
2. On or before the tenth day of each month, the board shall pay into the general fund of the state treasury the total amount collected in the immediately preceding month pursuant to subsection 1.

SECTION 2. A new section to chapter 43-28 of the North Dakota Century Code is created and enacted as follows:

Annual fee - Paid to state treasurer.

1. Each dentist, licensed and issued a certificate of registration under this chapter who practices dentistry in this state, shall pay an annual fee of three hundred dollars in addition to any fee otherwise charged under this chapter. The fee must be paid to the board before January first of each year. No person may engage in the practice of dentistry, after December 31, 1993, without first paying the fee established under this section.
2. On or before the tenth day of each month, the board shall pay into the general fund of the state treasury the total amount collected in the immediately preceding month pursuant to subsection 1."

Page 1, line 9, after "means" insert "nursing facility, hospital, or"

Page 1, after line 10, insert:

- "3. "Hospital" means any medical hospital required to be licensed under chapter 23-16."

Page 1, line 11, replace "3." with "4."

Page 1, line 12, replace "and also means a" with a period

Page 1, remove lines 13 through 15

Page 1, line 16, replace "4." with "5."

Page 2, after line 19, insert:

- "6. "Nursing facility" has the same meaning given that term in 42 U.S.C. 1396r(a)."

Page 2, line 20, remove "- Basis of tax" and after "every" insert "intermediate care"

Page 2, line 21, after the first "facility" insert "for the mentally retarded, nursing facility, and hospital" and remove "Each facility shall pay a tax computed"

Page 2, replace lines 22 and 23 with:

"Basis of tax. The tax imposed by this chapter must be computed as follows:

1. The tax on each intermediate care facility for the mentally retarded is computed at the rate of six percent of the net operating revenue generated by the intermediate care facility for the mentally retarded during each calendar month.
2. The tax on each nursing facility is computed at the rate of six percent of the net operating revenue generated by the nursing facility during each calendar month.
3. The tax on each hospital is computed at the rate of one percent of the net operating revenue generated by the hospital during each calendar month."

Page 6, after line 28, insert:

"SECTION 4. LEGISLATIVE INTENT - IMPLEMENTATION EXPENDITURES. The appropriation for medical assistance in House Bill No. 1002 includes, in the estimated income line item, \$113,251,798 of special funds derived from federal funds and other income, and \$39,038,335 in the total general fund appropriation line item derived from taxes and fees paid under this Act, for the purpose of defraying the expenses of the medical assistance program provided under chapter 50-24.1, for the biennium beginning July 1, 1993, and ending June 30, 1995.

It is the intent of the legislative assembly that \$21,128,486 of the total funds appropriated to the department of human services, including the sum of \$5,592,115 derived from moneys in the general fund, be expended for the purpose of increasing the payments made to nursing facilities and intermediate care facilities for the mentally retarded in amounts sufficient to meet the rates set for services furnished in such facilities, for the purpose of providing an aggregate increase of five percent in the rates paid for physicians' services and dentists' services, and for the purpose of providing an aggregate increase of seven percent in the rates paid to hospitals, all with respect to services furnished to recipients of medical assistance benefits provided under chapter 50-24.1, for the biennium beginning July 1, 1993, and ending June 30, 1995. It is the intent of the legislative assembly that these increases not cause any payment amounts to exceed upper limits based on customary charges, as set forth in 42 CFR 447.271 or upper limits based upon reasonable estimations of what would have been paid for services under medicare payment principles, as set forth in 42 CFR 447.272. If there is any conflict between the intent that there be an increase of seven percent in the rates paid to hospitals and the intent that federal regulations governing upper limits be conformed to, the latter shall prevail.

SECTION 5. APPROPRIATION. There is hereby appropriated out of any moneys in the general fund of the state treasury, not otherwise appropriated, the sum of \$68,000, or so much of the sum as may be necessary, to the state tax commissioner for the purpose of administering the new chapter to title 57 created by this Act."

Page 7, line 1, after "all" insert "annual license fees under chapters 43-17 and 43-28 and for all"

Page 7, after line 2, insert:

"SECTION 7. EXPIRATION DATE. This Act is effective through June 30, 1995, and after that date is ineffective except insofar as is necessary to collect any tax due with respect to any period before

July 1, 1995, or to impose or enforce any penalty for any act or failure to act which occurred before July 1, 1995."

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1065

Page 1, line 16, replace "71,391" with "72,994"

Page 1, line 20, replace "2,003,641" with "2,005,244"

Page 2, line 18, replace "716,475" with "731,479"

Page 2, line 23, replace "3,672,315" with "3,687,319"

Page 2, line 26, replace "361,509" with "369,788"

Page 3, line 1, replace "503,441" with "511,720"

Page 3, line 2, replace "8,664,397" with "8,689,283"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 607 - MILK STABILIZATION BOARD

SENATE - This amendment increases the salaries and wages line item by \$8,279 of special funds to reflect Governor Sinner's salary increase recommendation for state employees.

DEPARTMENT 608 - OILSEED COUNCIL

SENATE - This amendment increases the salaries and wages line item by \$1,603 of special funds to reflect Governor Sinner's salary increase recommendation for state employees.

DEPARTMENT 625 - WHEAT COMMISSION

SENATE - This amendment increases the salaries and wages line item by \$15,004 of special funds to reflect Governor Sinner's salary increase recommendation for state employees.

MESSAGE TO THE HOUSE FROM THE SENATE (CAROL SIEGERT, SECRETARY)

MR. SPEAKER: The Senate has adopted the conference committee report on SB 2074, SB 2082, SB 2131, SB 2293.

MESSAGE TO THE HOUSE FROM THE SENATE (CAROL SIEGERT, SECRETARY)

MR. SPEAKER: The Senate has adopted the conference committee report and subsequently passed: SB 2285, SB 2453.

SECOND READING OF HOUSE BILL

HB 1515: A BILL for an Act to repeal section 15 of chapter 404 of the 1987 Session Laws of North Dakota, relating to the expiration date of legislation concerning tort liability; and to declare an emergency.

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 79 YEAS, 16 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Austin; Bateman; Belter; Bernstein; Boehm; Brodshaug; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Cleary; Dalrymple; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Gates; Gerntholz; Glassheim; Goffe; Gorder; Gorman; Grosz; Grumbo; Hagle; Hanson; Hausauer; Henegar; Hokana; Howard; Jacobs; Johnson; Keiser;

Kelsch; Kempenich; Klein; Kretschmar; Kunkel; Laughlin; Mahoney; Maragos; Martin; Martinson; Monson; Mutzenberger; Nicholas; Nichols; Oban; Olsen, D.; Olson, A.; Payne; Poolman; Porter; Price; Rennerfeldt; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenson; Svedjan; Sveen; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wentz; Wilkie; Speaker R. Berg

MAYS: Aarsvold; Allmaras; Berg, J.; Boucher; Coats; Gulleson; Holm; Kaldor; Kerzman; Kilichowski; Kroeber; Nelson; Ness; Pyle; Ring; Thorpe

ABSENT AND NOT VOTING: Bodine; Huether; Stenehjerm

HB 1515 passed, the title was agreed to, and the emergency clause was declared carried.

MOTION

REP. FREIER MOVED that the House reconsider its action whereby Engrossed HB 1126 failed to pass, which motion prevailed.

MOTION

REP. TIMM MOVED that the House reconsider its action whereby the conference committee report was accepted and Engrossed HB 1126 was placed on the Seventh order of business on the calendar, which motion prevailed.

Engrossed HB 1126 was rereferred to the conference committee.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DALRYMPLE MOVED that the House do not concur in the Senate amendments to Engrossed HB 1008 as printed on HJ page 1534 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1008: Reps. Gerntholz, Clayburgh, Kroeber.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. BELTER MOVED that the House do not concur in the Senate amendments to HB 1399 as printed on HJ pages 1534-1535 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1399: Reps. Belter, Dorso, Dobrinski.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on SB 2367: Reps. Dorso, Tollefson, Thorpe.

REPORT OF CONFERENCE COMMITTEE

REP. FREIER MOVED that the conference committee report on Engrossed HB 1188 as printed on HJ page 1549 be adopted, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

REP. KELSCH MOVED that the conference committee report on Engrossed HB 1238 as printed on HJ page 1549 be adopted, which motion prevailed.

Engrossed HB 1238, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1238: A BILL for an Act to create and enact a new chapter to title 12.1

of the North Dakota Century Code, relating to the issuance of a disorderly conduct restraining order; to amend and reenact section 12.1-31-01 of the North Dakota Century Code, relating to disorderly conduct; and to provide a penalty.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 96 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Allmaras; Austin; Bateman; Belter; Berg, J.; Bernstein; Boehm; Boucher; Brodshaug; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Cleary; Coats; Dalrymple; DeWitz; Dobrinski; Dorso; Drovda; Freier; Froseth; Gates; Gerntholz; Glassheim; Goffe; Gorder; Gorman; Grosz; Grumbo; Gulleon; Hagle; Hanson; Hausauer; Henegar; Hokana; Holm; Howard; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martin; Martinson; Monson; Mutzenberger; Nelson; Ness; Nicholas; Nichols; Oban; Olsen, D.; Olson, A.; Payne; Poolman; Porter; Price; Pyle; Rennerfeldt; Ring; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenehjem; Stenson; Svedjan; Sveen; Thorpe; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wentz; Wilkie; Speaker R. Berg

ABSENT AND NOT VOTING: Bodine; Huether

Engrossed HB 1238 passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

REP. KELSCH MOVED that the conference committee report on HB 1239 as printed on HJ page 1549 be adopted, which motion prevailed.

HB 1239, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1239: A BILL for an Act to create and enact a new subsection to section 14-07.1-10 of the North Dakota Century Code, relating to the release of an individual after an arrest for a crime involving domestic violence.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 96 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Allmaras; Austin; Bateman; Belter; Berg, J.; Bernstein; Boehm; Boucher; Brodshaug; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Cleary; Coats; Dalrymple; DeWitz; Dobrinski; Dorso; Drovda; Freier; Froseth; Gates; Gerntholz; Glassheim; Goffe; Gorder; Gorman; Grosz; Grumbo; Gulleon; Hagle; Hanson; Hausauer; Henegar; Hokana; Holm; Howard; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martin; Martinson; Monson; Mutzenberger; Nelson; Ness; Nicholas; Nichols; Oban; Olsen, D.; Olson, A.; Payne; Poolman; Porter; Price; Pyle; Rennerfeldt; Ring; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenehjem; Stenson; Svedjan; Sveen; Thorpe; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wentz; Wilkie; Speaker R. Berg

ABSENT AND NOT VOTING: Bodine; Huether

HB 1239 passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

REP. GORDER MOVED that the conference committee report on HB 1490 as printed on HJ pages 1549-1550 be adopted, which motion prevailed.

HB 1490, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1490: A BILL for an Act to create and enact a new section to chapter 25-04 of the North Dakota Century Code, relating to services provided by the developmental center at Grafton; and to amend and reenact sections 25-04-02, 25-04-04, and subsection 1 of section 25-04-16 of the North Dakota Century Code, relating to services provided by the developmental center at Grafton.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 96 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Allmaras; Austin; Bateman; Belter; Berg, J.; Bernstein; Boehm; Boucher; Brodshaug; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Cleary; Coats; Dalrymple; DeWitz; Dobrinski; Dorso; Drovda; Freier; Froseth; Gates; Gerntholz; Glasheim; Goffe; Gorder; Gorman; Grosz; Grumbo; Gulleson; Hagle; Hanson; Hausauer; Henegar; Hokana; Holm; Howard; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martin; Martinson; Monson; Mutzenberger; Nelson; Ness; Nicholas; Nichols; Oban; Olsen, D.; Olson, A.; Payne; Poolman; Porter; Price; Pyle; Rennerfeldt; Ring; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenehjem; Stenson; Svedjan; Sveen; Thorpe; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wentz; Wilkie; Speaker R. Berg

ABSENT AND NOT VOTING: Bodine; Huether

HB 1490 passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

REP. GATES MOVED that the conference committee report on Engrossed HB 1438 be adopted, which motion prevailed.

Engrossed HB 1438, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1438: A BILL for an Act to establish a statewide open enrollment program allowing elementary and high school students to attend school in a district other than their school district of residence.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 89 YEAS, 7 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Allmaras; Austin; Bateman; Belter; Berg, J.; Bernstein; Boehm; Boucher; Brodshaug; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Cleary; Coats; Dalrymple; DeWitz; Dorso; Drovda; Freier; Froseth; Gates; Gerntholz; Goffe; Gorder; Gorman; Grosz; Grumbo; Gulleson; Hagle; Hanson; Hausauer; Henegar; Hokana; Holm; Howard; Jacobs; Johnson; Kaldor; Keiser; Kelsch;

Kempenich; Kilichowski; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martinson; Mutzenberger; Ness; Nicholas; Nichols; Oban; Olsen, D.; Olson, A.; Payne; Poolman; Porter; Price; Pyle; Rennerfeldt; Ring; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenehjem; Stenson; Svedjan; Sveen; Thorpe; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wentz; Wilkie; Speaker R. Berg

NAYS: Dobrinski; Glasheim; Kerzman; Martin; Monson; Nelson; Timm

ABSENT AND NOT VOTING: Bodine; Huether

Engrossed HB 1438 passed and the title was agreed to.

MOTION

REP. MARTINSON MOVED that HB 1393, which is on the Seventh order, be rereferred to the conference committee, which motion prevailed. Pursuant to Rep. Martinson's motion, HB 1393 was rereferred.

REPORT OF CONFERENCE COMMITTEE

REP. MARAGOS MOVED that the conference committee report on Engrossed HB 1079 be adopted, which motion prevailed.

Engrossed HB 1079, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1079: A BILL for an Act to amend and reenact subsection 8 of section 28-32-01, subsections 1 and 3 of section 28-32-05, subsection 1 of section 28-32-14, subsection 6 of section 28-32-15, and subsections 2, 4, and 6 of section 28-32-17 of the North Dakota Century Code, relating to administrative practices and procedures.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 96 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Allmaras; Austin; Bateman; Belter; Berg, J.; Bernstein; Boehm; Boucher; Brodshaug; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Cleary; Coats; Dalrymple; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Gates; Gerntholz; Glasheim; Goffe; Gorder; Gorman; Grosz; Grumbo; Gulleson; Hagle; Hanson; Hausauer; Henegar; Hokana; Holm; Howard; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martin; Martinson; Monson; Mutzenberger; Nelson; Ness; Nicholas; Nichols; Oban; Olsen, D.; Olson, A.; Payne; Poolman; Porter; Price; Pyle; Rennerfeldt; Ring; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenehjem; Stenson; Svedjan; Sveen; Thorpe; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wentz; Wilkie; Speaker R. Berg

ABSENT AND NOT VOTING: Bodine; Huether

Engrossed HB 1079 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. RYDELL MOVED that the House do not concur in the Senate amendments to Engrossed HB 1064 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on Engrossed HB 1064: Reps. Rydell, Christopherson, Kerzman.

MOTIONS

REP. MARTINSON MOVED that the House clinch all legislative action of today, which motion prevailed.

REP. MARTINSON MOVED that the House message all legislative action of today to the Senate, which motion prevailed.

MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

MADAM PRESIDENT: The Speaker has signed and your signature is respectfully requested on: HB 1023, HB 1032, HB 1091, HB 1097, HB 1103, HB 1134, HB 1138, HB 1139, HB 1142, HB 1163, HB 1165, HB 1184, HB 1203, HB 1211, HB 1234, HB 1247, HB 1286, HB 1306, HB 1313, HB 1335, HB 1337, HB 1347, HB 1357, HB 1376, HB 1394.

MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

MADAM PRESIDENT: The Speaker has signed and your signature is respectfully requested on: HB 1024, HB 1085, HB 1113, HB 1114, HB 1161, HB 1162, HB 1164, HB 1166, HB 1167, HB 1169, HB 1170, HB 1218, HB 1270, HB 1278, HB 1283, HB 1296, HB 1310, HB 1353, HB 1362, HB 1367, HB 1379, HB 1407, HB 1409, HB 1412, HB 1415, HB 1427, HB 1455, HB 1456, HB 1457, HB 1483, HB 1492, HB 1501.

MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

MADAM PRESIDENT: The Speaker has signed and your signature is respectfully requested on: HB 1075, HB 1397, HB 1406, HB 1408, HB 1410, HB 1444, HB 1453, HB 1472, HB 1489, HB 1506, HB 1507, HB 1508, HB 1509, HB 1510, HCR 3014, HCR 3018, HCR 3019, HCR 3025, HCR 3026, HCR 3035, HCR 3039, HCR 3041, HCR 3043, HCR 3050.

MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

MADAM PRESIDENT: The House does not concur in the Senate amendments to HB 1008 and HB 1399 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1008: Reps. Gerntholz; Clayburgh; Kroeber

HB 1399: Reps. Belter; Dorso; Dobrinski

MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

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

SB 2367: Reps. Dorso; Tollefson; Thorpe

MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

MADAM PRESIDENT: The House does not concur in the Senate amendments to HB 1064 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1064: Reps. Rydell; Christopherson; Kerzman

MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

MADAM PRESIDENT: The House has passed and your favorable consideration is requested on: HB 1515.

MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

MADAM PRESIDENT: The House has adopted the conference committee report and subsequently passed: HB 1079, HB 1238, HB 1239, HB 1438, HB 1490.

MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

MADAM PRESIDENT: The House has adopted the conference committee report on HB 1188.

MOTION

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

MOTION

REP. FREIER MOVED that the House be on the Fifth, Seventh, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 9:00 a.m., Friday, April 2, 1993, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

HB 1300: Your conference committee (Sens. Heinrich, Scherber, Evanson and Reps. Porter, Torgerson, Hanson) recommends that the HOUSE ACCEDE to the Senate amendments on HJ page 1041 and place HB 1300 on the Seventh order.

HB 1300 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

HB 1349: Your conference committee (Sens. Jerome, Graba, Lindgren and Reps. Drowdal, Wanzek, Grumbo) recommends that the SENATE RECEDE from the Senate amendments on HJ page 1312, adopt amendments as follows, and place HB 1349 on the Seventh order:

That the Senate recede from its amendments as printed on page 1312 of the House Journal and page 1020 of the Senate Journal and that House Bill No. 1349 be amended as follows:

Page 1, line 3, replace "; and to" with a period

Page 1, remove lines 4 and 5

Page 1, line 10, remove the overstrike over "A" and remove "There is no limitation of time within which a"

Page 1, line 11, remove "must be commenced"

Page 1, line 13, remove the overstrike over "~~must be commenced in the~~"

Page 1, line 14, remove the overstrike over "~~proper court within seven years after the commission of the offense~~" and after "offense" insert "or, if the victim failed to report the offense within this limitation period, within three years after the offense was reported to law enforcement authorities"

Page 1, remove lines 15 and 16

Re-number accordingly

HB 1349 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2074: Your conference committee (Sens. Keller, Schoenwald, Streibel and Reps. Shide, C. Carlson, Mahoney) recommends that the HOUSE RECEDE from the House amendments on HJ page 1080 and place SB 2074 on the Seventh order.

SB 2074 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2082, as engrossed: Your conference committee (Sens. Krauter, Keller, Mutch and Reps. Keiser, Jacobs, Stenson) recommends that the HOUSE RECEDE from the House amendments on HJ page 914 and place SB 2082 on the Seventh order.

Engrossed SB 2082 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2131: Your conference committee (Sens. O'Connell, Schoenwald, B. Stenehjem and Reps. Boehm, Bernstein, Allmaras) recommends that the HOUSE RECEDE from the House amendments on HJ page 494 and place SB 2131 on the Seventh order.

SB 2131 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2285, as engrossed: Your conference committee (Sens. Graba, Lindgren, Bowman and Reps. Skarphol, Wanzek, Ring) recommends that the HOUSE RECEDE from the House amendments on HJ pages 1178-1179, adopt amendments as follows, and place SB 2285 on the Seventh order:

That the House recede from its amendments as printed on pages 1065-1066 of the Senate Journal and pages 1178-1179 of the House Journal and that Engrossed Senate Bill No. 2285 be amended as follows:

Page 2, line 7, replace "as provided in section 2 of this Act" with "and that a copy of the test results be released to the defendant's or alleged juvenile offender's physician and each requesting victim's physician. The physicians for the defendant or alleged juvenile offender and requesting victim must be specifically named in the court order, and the court order must be served on the physicians before any test"

Page 2, line 21, replace "defendant or alleged juvenile" with "physicians designated in the court order, who shall then release the test results to the defendant or alleged juvenile offender and each requesting victim as designated in the court order. The court order must be served on the physicians before any test"

Page 2, remove lines 22 through 26

Page 2, line 27, remove "minor's parents or guardian"

Renumber accordingly

Engrossed SB 2285 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2293, as engrossed: Your conference committee (Sens. Dotzenrod, Tomac, Tennefos and Reps. Wardner, Belter, Dobrinski) recommends that the HOUSE RECEDE from the House amendments on HJ page 882 and place SB 2293 on the Seventh order.

Engrossed SB 2293 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2453: Your conference committee (Sens. Marks, Andrist, W. Stenehjem and Reps. Brown, Klein, Sitz) recommends that the SENATE ACCEDE to the House amendments on HJ pages 1180-1181 and place SB 2453 on the Seventh order.

SB 2453 was placed on the Seventh order of business on the calendar.

HOUSE ENGROSSING AND ENROLLING REPORT

The following bills were engrossed and enrolled: HB 1009, HB 1096, HB 1168, HB 1180, HB 1181, HB 1225, HB 1344.

The following bill was engrossed: HB 1514.

SIGNING OF BILLS AND RESOLUTIONS

The Speaker signed the following enrolled bills: HB 1400, HB 1405, HB 1417,

HB 1426, HB 1429, HB 1436, HB 1474, HB 1475, HB 1484, HB 1485, HB 1488, HB 1491, HB 1495, HB 1497.

MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

MADAM PRESIDENT: The Speaker has signed and your signature is respectfully requested on: HB 1400, HB 1405, HB 1417, HB 1426, HB 1429, HB 1436, HB 1474, HB 1475, HB 1484, HB 1485, HB 1488, HB 1491, HB 1495, HB 1497.

MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

MADAM PRESIDENT: The House has passed and your favorable consideration is requested on: HB 1514.

FIRST READING OF SENATE BILL

SB 2539: A BILL for an Act to amend and reenact subsection 1 of section 57-36-25, subsection 1 of section 57-36-26, subsection 1 of section 57-36-28, and section 57-36-32 of the North Dakota Century Code, relating to the taxation of cigarettes and tobacco products.

Was read the first time and referred to the Finance and Taxation Committee.

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

ROY GILBREATH, Chief Clerk