

## JOURNAL OF THE HOUSE

## Fifty-third Legislative Assembly

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Bismarck, April 2, 1993

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

The prayer was offered by the Rev. Angela Monson, First Lutheran Church, Mandan.

The roll was called and all members were present except Representatives Aarsvold, Bateman, Bodine, Boehm, Byerly, Carlisle, A. Carlson, Clayburgh, Dalrymple, DeWitz, Gates, Gerntholz, Gorman, Gulleeson, Hausauer, Henegar, Howard, Huether, Kaldor, Kroeber, Kunkel, Laughlin, Monson, Ness, Nichols, Payne, Poolman, Porter, Price, Pyle, St. Aubyn, Wald, Wentz, Wilkie.

A quorum was declared by the Speaker.

## MOTION

REP. MARTINSON MOVED that the House reconsider its action whereby HB 1512 was rereferred to the Appropriations Committee, which motion prevailed.

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1004, HB 1018, HB 1511.

## SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1004

Page 1, line 11, replace "1,852,362" with "2,001,623"

Page 1, line 12, replace "36,464" with "38,769"

Page 1, line 13, replace "489,456" with "418,036"

Page 1, line 14, replace "15,493" with "22,549"

Page 1, line 15, replace "2,393,775" with "2,480,977"

Page 1, line 16, replace "1,100,115" with "1,059,823"

Page 1, line 17, replace "1,293,660" with "1,421,154"

Renumber accordingly

## STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 360 - PROTECTION AND ADVOCACY PROJECT

SENATE - This amendment makes the following changes:

Salaries and wages are adjusted as follows:

	GENERAL FUND	OTHER FUNDS	TOTAL
Restore salary increase to Governor Sinner's level	\$ 41,395		\$ 41,395
Add .5 FTE developmental disabilities secretary		\$ 22,060	22,060
Restore 1 FTE mental health advocate and .5 FTE administrative secretary		85,806	85,806

Total	\$ 41,395	\$ 107,866	\$ 149,261
Information services is increased to restore a portion of the House reduction (The House cut a total of \$4,052, of which \$1,864 is from the general fund.)	\$ 1,060	\$ 1,245	\$ 2,305
Operating expenses are adjusted as follows:			
Remove costs for indirect cost allocation	\$ (6,824)	\$ (5,812)	\$ (12,636)
Adjust Merit System fees (Allows \$1,237 of other funds to be paid for this purpose. House had included a total of \$3,792, of which \$2,048 was from the general fund.)	(2,048)	(507)	(2,555)
Other operating expense changes	<u>(76,229)</u>	<u>20,000</u>	<u>(56,229)</u>
Total	\$ (85,101)	\$ (13,681)	\$ (71,420)
Equipment is increased related to positions restored	\$ _____	\$ 7,056	\$ 7,056
Funding source change - adjust to maximum available federal funds	\$ 170,140	\$ (170,140)	\$ 0
Total changes to Engrossed House Bill No. 1004	\$ 127,494	\$ (40,292)	\$ 87,202
Senate version House Bill No. 1004	\$1,421,154	\$1,059,823	\$2,480,977

#### SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1018

Page 1, line 2, after "agencies" insert "; to provide an appropriation for additional compensation to state employees; to provide a contingent appropriation for additional compensation to state employees; and to provide an effective date"

Page 1, line 13, replace "298,680" with "291,026"

Page 1, line 14, replace "594,723" with "624,641"

Page 1, line 18, replace "2,616,659" with "2,638,923"

Page 2, line 1, replace "396,300" with "385,156"

Page 2, line 2, replace "579,550" with "623,256"

Page 2, line 5, replace "2,335,268" with "2,367,830"

Page 2, after line 5, insert:

"Grand total general fund appropriation H.B. 1018 \$10,304,728"

Page 2, line 6, replace "4,951,927" with "11,622,921"

Page 2, after line 6, insert:

"Grand total all funds appropriation H.B. 1018 \$21,927,649"

**SECTION 2. APPROPRIATION.** The sums hereinafter listed, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income to the agencies and institutions of state government named

for the purpose of providing additional compensation to employees for the various agencies and institutions for the period beginning July 1, 1993, and ending June 30, 1995:

AGENCY OR INSTITUTION	GENERAL FUND	SPECIAL FUNDS	TOTAL
Governor	\$ 14,374		\$ 14,374
Lieutenant governor	2,092		2,092
Secretary of state	27,508		27,508
Office of management and budget			
Facility management	77,075		77,075
Central operations	39,812	\$4,921	44,733
Information services division		107,297	107,297
State auditor	26,457	14,246	40,703
Central duplicating services		31,982	31,982
State treasurer	6,182		6,182
Attorney general	91,801	18,680	110,481
Tax department	150,875		150,875
Office of administrative hearings	3,420		3,420
Legislative council	24,200		24,200
Supreme court	22,697		22,697
Judicial qualifications commission	2,598		2,598
District court	74,781		74,781
Retirement and investment office		15,203	15,203
Public employees retirement board		19,853	19,853
Public instruction	69,454	46,302	115,756
Board of higher education	2,967		2,967
Land department		16,449	16,449
Bismarck state college	80,760		80,760
UND-Lake Region	33,986		33,986
UND-Williston	31,427		31,427
University of North Dakota	723,267		723,267
Medical center rehabilitation hospital		200,544	200,544
University of North Dakota medical center	105,077	70,344	175,421
State toxicologist	6,391		6,391
North Dakota state university	444,457		444,457
North Dakota state college of science	206,548		206,548
Dickinson state university	99,893		99,893
Mayville state university	74,554		74,554
Minot state university	190,284		190,284
Valley City state university	98,792		98,792
NDSU-Bottineau branch	41,129		41,129
North Dakota forest service	22,131		22,131
State library	28,853		28,853
School for the deaf	47,526		47,526
School for the blind	34,219		34,219
Vocational education	11,726	11,725	23,451
State department of health and consolidated laboratories	122,305	149,485	271,790
Veterans' home	48,787	48,787	97,574
Indian affairs commission	2,449		2,449
Veterans' affairs	6,575		6,575
Children's services coordinating committee	2,051		2,051
Department of human services			
Executive office	2,007	223	2,230
Managerial support	50,323	27,097	77,420
Economic assistance	32,410	10,803	43,213

Medical assistance	14,957	27,777	42,734
Vocational rehabilitation	16,507	24,762	41,269
Office of field services	44,791	4,977	49,768
Regional human service centers	581,478	145,369	726,847
State hospital	498,740	166,246	664,986
Developmental center	196,436	458,349	654,785
Development disabilities council and Governor's council on human resources		4,011	4,011
Protection and advocacy project	31,690		31,690
Insurance commissioner		30,187	30,187
Industrial commission	30,163	3,351	33,514
Labor commissioner	6,714		6,714
Public service commission	20,123	9,470	29,593
Aeronautics commission	460	4,136	4,596
Department of banking and financial institutions	13,865		13,865
Securities commissioner		5,425	5,425
Bank of North Dakota		169,362	169,362
Housing finance agency		42,878	42,878
Job service		415,477	415,477
Workers compensation bureau		155,042	155,042
Highway patrol		166,560	166,560
Radio communications	30,597		30,597
Emergency management	3,854	15,417	19,271
Department of corrections			
Central office	2,266	400	2,666
Juvenile services	24,629	2,736	27,365
Industrial school	74,184	13,091	87,275
State penitentiary	186,497	32,911	219,408
Penitentiary industries		19,672	19,672
Parole and probation	45,568		45,568
Adjutant general	27,664	64,549	92,213
Economic development and finance department	15,117		15,117
Department of agriculture	31,343	7,836	39,179
Milk stabilization board		5,287	5,287
Oilseed council		846	846
Agriculture products utilization commission	573	574	1,147
Seed department		36,275	36,275
Board of animal health	1,980		1,980
State wheat commission		3,910	3,910
Transportation institute	1,407	4,004	5,411
Extension service	146,208	18,071	164,279
Northern crops institute	3,256	1,330	4,586
Main research center	151,108	64,761	215,869
Dickinson research center	11,201		11,201
Central grassland research center	4,725		4,725
Hettinger research center	7,501		7,501
Langdon research center	5,864		5,864
North central research center	5,634		5,634
Williston research center	7,119		7,119
Carrington research center	9,101	3,198	12,299
Agronomy seed farm		2,369	2,369
Land reclamation research center		13,764	13,764
Historical society	51,066		51,066
Council on the arts	5,418		5,418
Soil conservation committee	8,563		8,563
Centennial trees commission		502	502
Game and fish department		105,607	105,607

Department of parks and tourism	44,589		44,589
Water commission	59,345		59,345
Department of transportation			
Transportation operation		1,008,755	1,008,755
Fleet services		29,084	29,084
Motor vehicle		60,597	60,597
Total	\$5,606,521	\$4,142,866	\$9,749,387

### SECTION 3. STATE EMPLOYEE SALARY INCREASES - EFFECTIVE DATE.

The amounts appropriated in section 2 of this Act are to be available to state agencies and institutions beginning on July 1, 1993, to be paid beginning on August 1, 1993, or later, to provide moneys in addition to amounts included in agency appropriations for employee compensation increases of seventy-five dollars per month. All state employees including temporary employees, not on a probation status are entitled to receive increases. Temporary and part-time employees must be provided a pro rata increase in accordance with the number of hours worked. Pay grade maximums may not be used to limit the amount of this increase.

### SECTION 4. CONTINGENT APPROPRIATION.

The sums hereinafter listed, or so much thereof as may be necessary, are hereby appropriated, subject to the availability of state general fund revenues as provided for in section 5 of this Act, out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income to the agencies and institutions of state government named for the purpose of providing additional compensation to employees for the various agencies and institutions for the period beginning August 1, 1994, and ending June 30, 1995:

AGENCY OR INSTITUTION	GENERAL FUND	SPECIAL FUNDS	TOTAL
Governor	\$ 11,062		\$ 11,062
Lieutenant governor	1,012		1,012
Secretary of state	11,035		11,035
Office of management and budget			
Facility management	22,377		22,377
Central operations	36,151	\$4,468	40,619
Information services division		85,880	85,880
State auditor	24,412	13,145	37,557
Central duplicating services		9,961	9,961
State treasurer	3,079		3,079
Attorney general	78,538	16,340	94,878
Tax department	83,584		83,584
Office of administrative hearings	4,352		4,352
Legislative council	25,067		25,067
Supreme court	31,442		31,442
Judicial qualifications commission	2,755		2,755
District court	110,154		110,154
Retirement and investment office		11,710	11,710
Public employees retirement board		10,611	10,611
Public instruction	41,537	27,692	69,229
Board of higher education	16,399		16,399
Land department		12,180	12,180
Bismarck state college	108,919		108,919
UND-Lake Region	29,936		29,936
UND-Williston	35,316		35,316
University of North Dakota	769,906		769,906
Medical center rehabilitation hospital		117,067	117,067

University of North Dakota medical center	189,162	126,635	315,797
State toxicologist	4,642		4,642
North Dakota state university	616,276		616,276
North Dakota state college of science	163,628		163,628
Dickinson state university	92,131		92,131
Mayville state university	57,143		57,143
Minot state university	211,151		211,151
Valley City state university	75,740		75,740
NDSU-Bottineau branch	27,029		27,029
North Dakota forest service	10,801		10,801
State library	12,891		12,891
School for the deaf	27,685		27,685
School for the blind	18,859		18,859
Vocational education	10,237	10,237	20,474
State department of health and consolidated laboratories	83,160	101,640	184,800
Veterans' home	15,720	15,720	31,440
Indian affairs commission	1,341		1,341
Veterans' affairs	3,392		3,392
Children's services	1,030		1,030
coordinating committee			
Department of human services			
Executive office	3,500	389	3,889
Managerial support	31,179	16,788	47,967
Economic assistance	23,798	7,932	31,730
Medical assistance	7,285	13,529	20,814
Vocational rehabilitation	9,190	13,783	22,973
Office of field services	35,934	3,993	39,927
Regional human service centers	330,237	82,559	412,796
State hospital	257,638	85,880	343,518
Developmental center	71,954	167,893	239,847
Development disabilities council and Governor's council on human resources		2,598	2,598
Protection and advocacy project	15,530		15,530
Insurance commissioner		27,076	27,076
Industrial commission	35,873	3,986	39,859
Labor commissioner	3,822		3,822
Public service commission	23,661	11,135	34,796
Aeronautics commission	381	3,429	3,810
Department of banking and financial institutions	17,322		17,322
Securities commissioner		4,417	4,417
Bank of North Dakota	94,683		94,683
Housing finance agency		22,232	22,232
Job service		264,387	264,387
Workers compensation bureau		68,817	68,817
Highway patrol		124,242	124,242
Radio communications	15,539		15,539
Emergency management	2,373	9,494	11,867
Department of corrections			
Central office	3,550	626	4,176
Juvenile services	13,105	1,456	14,561
Industrial school	38,172	6,736	44,908
State penitentiary	87,556	15,451	103,007
Penitentiary industries		15,634	15,634
Parole and probation	25,930		25,930
Adjutant general	13,639	31,823	45,462
Economic development and finance department	35,357		35,357
Department of agriculture	19,548	4,887	24,435

Milk stabilization board		3,097	3,097
Oilseed council		599	599
Agriculture products utilization commission	229	230	459
Seed department		18,360	18,360
Board of animal health	4,031		4,031
State wheat commission		5,555	5,555
Transportation institute	2,354	6,701	9,055
Extension service	158,246	19,559	177,805
Northern crops institute	3,892	1,590	5,482
Main research center	187,156	80,210	267,366
Dickinson research center	7,817		7,817
Central grassland research center	2,764		2,764
Hettinger research center	3,949		3,949
Langdon research center	4,213		4,213
North central research center	3,325		3,325
Williston research center	4,717		4,717
Carrington research center	6,826	2,399	9,225
Agronomy seed farm		1,867	1,867
Land reclamation research center		11,391	11,391
Historical society	27,842		27,842
Council on the arts	2,937		2,937
Soil conservation committee	3,370		3,370
Centennial trees commission		757	757
Game and fish department		76,319	76,319
Department of parks and tourism	26,875		26,875
Water commission	56,540		56,540
Department of transportation			
Transportation operation		544,466	544,466
Fleet services		11,889	11,889
Motor vehicle		19,172	19,172
Total	\$4,698,207	\$2,473,302	\$7,171,509

**SECTION 5. CONTINGENT APPROPRIATION.** The amounts appropriated in section 4 of this Act are only to be available on August 1, 1994, after determination by the director of the office of management and budget that estimated general fund revenues for the fiscal year ended June 30, 1994, exceed the amount estimated at the close of the fifty-third legislative assembly by \$4,700,000. If general fund revenues exceed estimates, but are less than \$4,700,000 more than estimates, salary increases must be provided proportionately.

**SECTION 6. STATE EMPLOYEE SALARY INCREASES - EFFECTIVE DATE.** If the provisions of section 5 of this Act are met, the amounts appropriated in section 4 of this Act are to be available beginning on August 1, 1994, to be paid beginning on September 1, 1994, or later, for employee compensation increases of two percent. All state employees, including temporary employees, not on a probation status are entitled to receive increases. Temporary and part-time employees must be provided a pro rata increase in accordance with the number of hours worked. Pay grade maximums may not be used to limit the amount of this increase."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

DEPARTMENT 190 - RETIREMENT AND INVESTMENT OFFICE

SENATE - The information services line item is decreased by \$7,654 relating to information services rate reductions.

The operating expenses line item is increased by \$29,918 for indirect cost allocation payments to the Office of Management and Budget.

DEPARTMENT 192 - PUBLIC EMPLOYEES RETIREMENT SYSTEM

SENATE - The operating expenses line item is increased by \$43,706 for indirect cost allocation payments to the Office of Management and Budget.

The information services line item is decreased by \$11,144 relating to information services rate reductions.

This amendment adds a section appropriating the funding necessary in addition to the salary increase moneys contained in the various appropriations bills to provide state employees a \$75 per month salary increase in lieu of the proposed two percent increase contained in each bill.

This amendment also adds a section with a contingent appropriation to provide the funding necessary to provide state employees a two percent salary increase. The contingent appropriation requires general fund revenues as of June 30, 1994, to exceed the legislative forecast by an amount sufficient to pay for the general fund portion of the two percent salary increase.

**SENATE AMENDMENTS TO HOUSE BILL NO. 1511**

Page 1, line 20, remove "A nonprofit health service corporation that is participating in"

Page 1, remove line 21

Page 2, remove lines 1 and 2

Page 2, line 3, remove "f."

Page 2, line 4, remove the overstrike over "f." and remove "g."

Renumber accordingly

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

MR. SPEAKER: The Senate has failed to pass: HB 1364.

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

MR. SPEAKER: The Senate has passed unchanged: HB 1469.

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

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SCR 4072, SCR 4073.

**ANNOUNCEMENT BY THE SPEAKER**

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

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

MR. SPEAKER: The President has signed: 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 HOUSE FROM THE SENATE (CAROL SIEGERT, SECRETARY)**

MR. SPEAKER: The President has signed: HB 1062, HB 1193, HB 1437.

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

MR. SPEAKER: The President has signed and your signature is respectfully requested on: SB 2375, SB 2397, SB 2415, SB 2425, SB 2470, SB 2472, SB 2476, SB 2479, SB 2488, SB 2519, SB 2527, SB 2534.

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

MR. SPEAKER: The President has signed and your signature is respectfully requested on: SB 2245.

**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 1007: Sens. Robinson; Redlin; Lips  
HB 1028: Sens. Robinson; Yockim; Thane  
HB 1064: Sens. Mathern; Graba; Bowman  
HB 1391: Sens. Graba; Dotzenrod; Lindgren

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

MR. SPEAKER: The Senate has concurred in the House amendments and subsequently passed: SB 2216, SB 2245, SB 2505.

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

**HOUSE ENROSSING AND ENROLLING REPORT**

The following bill is to be enrolled: HB 1469.

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

MADAM PRESIDENT: The House has reconsidered the action whereby HB 1126 failed to pass, reconsidered the action whereby the conference committee report on HB 1126 was adopted, and rereferred HB 1126 to conference committee.

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

MR. SPEAKER: The Senate has not adopted the conference committee report on SB 2287.

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

MR. SPEAKER: The Senate has reconsidered the action whereby SB 2088 passed, reconsidered the action whereby the conference committee report on SB 2088 was adopted, and rereferred SB 2088 to conference committee.

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

MR. SPEAKER: The Senate has adopted the conference committee report on HB 1267.

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

MR. SPEAKER: The Senate has overridden the Governor's veto on SB 2398. The vote was 37 YEAS, 8 NAYS, 4 ABSENT AND NOT VOTING, and your favorable consideration is requested.

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

MR. SPEAKER: The Senate has adopted the conference committee report on SB 2289.

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

MR. SPEAKER: The Senate has adopted the conference committee report and subsequently passed: HB 1089.

**CONSIDERATION OF MESSAGE FROM THE SENATE**

REP. DALRYMPLE MOVED that the House do not concur in the Senate amendments to HB 1012 as printed on HJ pages 1555-1556 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 1012: Reps. Wald, Bateman, Nichols.

## MOTION

REP. DALRYMPLE MOVED that the House do not concur in the Senate amendments to HB 1014, HB 1016, and HB 1065 and that the following conference committees be appointed to meet with like committees from the Senate, which motion prevailed.

## APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1014: Reps. Kunkel, Gorman, Kaldor.

## APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1016: Reps. Dalrymple, Kunkel, Huether.

## APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1065: Reps. Kunkel, Bateman, Huether.

## REPORT OF CONFERENCE COMMITTEE

REP. PORTER MOVED that the conference committee report on HB 1300 as printed on HJ page 1568 be adopted, which motion prevailed.

HB 1300, as amended, was placed on the Eleventh order of business on the calendar.

## SECOND READING OF HOUSE BILL

HB 1300: A BILL for an Act to amend and reenact section 15-05-10 of the North Dakota Century Code, relating to royalties from board of university and school lands oil and other mineral leases.

## ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 95 YEAS, 0 NAYS, 0 EXCUSED, 3 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; Gertholz; 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; Stenson; Svedjan; Sveen; Thorpe; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wentz; Wilkie; Speaker R. Berg

ABSENT AND NOT VOTING: Bodine; Huether; Stenehjerm

HB 1300 passed and the title was agreed to.

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## REPORT OF CONFERENCE COMMITTEE

REP. DROVDAL MOVED that the conference committee report on HB 1349 as printed on HJ page 1568 be adopted, which motion prevailed.

HB 1349, as amended, was placed on the Eleventh order of business on the calendar.

## SECOND READING OF HOUSE BILL

HB 1349: A BILL for an Act to amend and reenact section 29-04-03.1 of the North Dakota Century Code, relating to the limitation of time within

which a prosecution for a sexual abuse crime involving a minor victim must be commenced.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 95 YEAS, 0 NAYS, 0 EXCUSED, 3 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; Glassheim; Goffe; Gorde; 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; Stenson; Svedjan; Sveen; Thorpe; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wentz; Wilkie; Speaker R. Berg

**ABSENT AND NOT VOTING:** Bodine; Huether; Stenehjerm

HB 1349 passed and the title was agreed to.

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#### REPORT OF CONFERENCE COMMITTEE

**REP. SHIDE MOVED** that the conference committee report on SB 2074 as printed on HJ page 1568 be adopted, which motion prevailed.

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

#### SECOND READING OF SENATE BILL

**SB 2074:** A BILL for an Act to create and enact a new section to chapter 43-10 of the North Dakota Century Code, relating to continuing education requirements for funeral service practitioners; and to amend and reenact sections 43-10-13, 43-10-15, 43-10-21, and 43-10-22 of the North Dakota Century Code, relating to licensure fees for funeral service practitioners and funeral establishments and the definition of funeral establishments.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 95 YEAS, 0 NAYS, 0 EXCUSED, 3 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; Glassheim; Goffe; Gorde; 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; Stenson; Svedjan; Sveen; Thorpe; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wentz; Wilkie; Speaker R. Berg

**ABSENT AND NOT VOTING:** Bodine; Huether; Stenehjerm

SB 2074 passed and the title was agreed to.

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**REPORT OF CONFERENCE COMMITTEE**

REP. KEISER MOVED that the conference committee report on Engrossed SB 2082 as printed on HJ page 1568 be adopted, which motion prevailed.

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

**SECOND READING OF SENATE BILL**

SB 2082: A BILL for an Act to create and enact two new sections to chapter 43-18 and a new subsection to section 43-18-18 of the North Dakota Century Code, relating to reporting and inspection of plumbing work and grounds for revocation of license; and to amend and reenact sections 43-18-08, 43-18-10, 43-18-11, and 43-18-21 of the North Dakota Century Code, relating to supervision and inspection of plumbing installations, locations where plumbing licenses are required, number of apprentices working under supervision of a plumber, and apprenticeship fees.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, the roll was called and there were 93 YEAS, 2 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: 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; 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; Monsor; 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; Stenson; Svedjan; Sveen; Thorpe; Timm; Tollefson; Torgerson; Wanzek; Wardner; Wentz; Wilkie; Speaker R. Berg

NAYS: Aarsvold; Wald

ABSENT AND NOT VOTING: Bodine; Huether; Stenehjem

Engrossed SB 2082 passed and the title was agreed to.

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**REPORT OF CONFERENCE COMMITTEE**

REP. BOEHM MOVED that the conference committee report on SB 2131 as printed on HJ page 1569 be adopted, which motion prevailed.

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

**SECOND READING OF SENATE BILL**

SB 2131: A BILL for an Act to amend and reenact subsection 1 of section 39-04-10.4 and section 39-04-36 of the North Dakota Century Code, relating to registration of antique motor vehicles and transfer of license plates.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, the roll was called and there were 29 YEAS, 66 NAYS, 0 EXCUSED, 3 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; Glassheim; 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; Obar; Olsen, D.; Olson, A.; Payne; Poolman; Porter; Price; Pyle; Rennerfeldt; Ring; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenson; Svedjan; Sveen; Thorpe; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wentz; Wilkie; Speaker R. Berg

ABSENT AND NOT VOTING: Bodine; Huether; Stenehjem

SB 2131 was declared lost.

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#### REPORT OF CONFERENCE COMMITTEE

REP. SKARPHOL MOVED that the conference committee report on Engrossed SB 2285 as printed on HJ page 1569 be adopted, which motion prevailed.

Engrossed SB 2285, as amended, was placed on the Fourteenth order of business on the calendar.

#### SECOND READING OF SENATE BILL

SB 2285: A BILL for an Act to provide for the medical testing of a sex offense defendant for sexually transmitted diseases and the human immunodeficiency virus; to create and enact a new subdivision to subsection 1 of section 23-07.5-05 of the North Dakota Century Code, relating to disclosure of test results; 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 95 YEAS, 0 NAYS, 0 EXCUSED, 3 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; Glassheim; 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; Obar; Olsen, D.; Olson, A.; Payne; Poolman; Porter; Price; Pyle; Rennerfeldt; Ring; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenson; Svedjan; Sveen; Thorpe; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wentz; Wilkie; Speaker R. Berg

ABSENT AND NOT VOTING: Bodine; Huether; Stenehjem

Engrossed SB 2285 passed and the title was agreed to.

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#### REPORT OF CONFERENCE COMMITTEE

REP. WARDNER MOVED that the conference committee report on Engrossed SB 2293 as printed on HJ page 1569 be adopted, which motion prevailed.

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

## SECOND READING OF SENATE BILL

SB 2293: A BILL for an Act to amend and reenact sections 23-29-07.4, 57-38-09.1, subsection 5 of section 57-38-30.3, sections 57-38-60, 57-38-61, subsections 1, 2, 5, and 8 of section 57-38.4-01, and subsection 1 of section 57-38.4-02 of the North Dakota Century Code, relating to reporting requirements for collection of the solid waste management surcharge, filing requirements for tax-exempt organizations, the definition of federal income tax liability for the simplified optional method of computing tax, the filing requirements for income withholding returns and wage information returns, penalties for failure to file wage information returns, federalizing the due date for employers' annual returns, applying the provisions for failing to complete returns or supply information to income withholding tax, definitions for water's edge elections, and requirements for using the water's edge method; to provide a penalty; to provide an effective date; and to declare an emergency.

## ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 84 YEAS, 11 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

**NAYS:** Bateman; Boehm; Carlson, A.; Dorso; Drovda; Grosz; Keiser; Kempenich; Poolman; Rydell; Wald

**ABSENT AND NOT VOTING:** Bodine; Huether; Stenehjem

Engrossed SB 2293 passed, the title was agreed to, and the emergency clause was declared carried.

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## REPORT OF CONFERENCE COMMITTEE

REP. BROWN MOVED that the conference committee report on SB 2453 as printed on HJ page 1569 be adopted, which motion prevailed.

## MOTION

REP. FREIER MOVED that Enrolled SB 2398 be reconsidered pursuant to Article V, Section 9 of the Constitution of the State of North Dakota, for the purpose of overriding the Governor's veto and that Enrolled SB 2398 be placed on the Fourteenth order, which motion prevailed.

## RECONSIDERATION OF VETOED MEASURE

SB 2398: 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 fund; 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 bill, as enrolled over the

Governor's veto, which has been read, the roll was called and there were 41 YEAS, 53 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Allmaras; Berg, J.; Boucher; Brodshaug; Brown; Carlisle; Carlson, A.; Cleary; Coats; Glassheim; Goffe; Gorder; Grumbo; Gulleon; Hagle; Hanson; Henegar; Hokana; Johnson; Keiser; Kelsch; Kilichowski; Kroeber; Kunkel; Laughlin; Mahoney; Martin; Mutzenberger; Nelson; Ness; Nichols; Oban; Poolman; Pyle; Schindler; Sitz; Stenson; Svedjan; Thorpe; Wilkie

**NAYS:** Austin; Bateman; Belter; Bernstein; Boehm; Byerly; Carlson, C.; Christopherson; Clayburgh; Dalrymple; DeWitz; Dobrinski; Dorso; Drovda; Freier; Froseth; Gates; Gerntholz; Gorman; Grosz; Hausauer; Holm; Howard; Jacobs; Kaldor; Kempenich; Kerzman; Klein; Kretschmar; Maragos; Martinson; Monson; Olson, D.; Olson, A.; Payne; Porter; Price; Rennerfeldt; Ring; Rydell; Shide; Skarphol; Soukup; St. Aubyn; Sveen; Timm; Tollefson; Torgerson; Wald; Wanzek; Wardner; Wentz; Speaker R. Berg

**ABSENT AND NOT VOTING:** Bodine; Huether; Nicholas; Stenehjerm

The House sustained the Governor's veto on SB 2398.

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#### MOTION

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

**REP. MARTINSON MOVED** that the House message all legislative action taken this afternoon to the Senate, which motion prevailed.

#### POINT OF PERSONAL PRIVILEGE

**REP. CLAYBURGH:** Mr. Speaker: I rise on a point of personal privilege and request that my remarks be printed in the Journal.

North Dakota Special Olympics is very proud to have been represented at the 1993 World Winter Games in Austria by Rosie Morgan of Minot, who won two Silver Medals in Alpine Skiing; Julie Cherrey of Williston, who won a Bronze Medal in speed skating; and Nicole Tollefson of Devils Lake, who placed fifth in figure skating.

Rosie, Julie, and Nicole are three of nearly 1,600 athletes with mental retardation from 65 countries to gather in Salzburg and Schladming, Austria, to compete in the 1993 World Winter Games.

Special Olympics holds World Games every two years, alternating between winter and summer games. These are the first World Games held outside the United States.

On behalf of the North Dakota House of Representatives, a hearty congratulations goes out to these three fine athletes!

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

**MR. SPEAKER:** The Senate has adopted the conference committee report and subsequently passed, and the emergency clause carried: SB 2320.

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

**MR. SPEAKER:** The Senate has adopted the conference committee report and subsequently passed: SB 2362, SB 2328.

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

**MADAM PRESIDENT:** The House has adopted the conference committee report, subsequently passed, and the emergency clause carried on SB 2293.

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

**MADAM PRESIDENT:** The House has adopted the conference committee report and subsequently passed: SB 2285.

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

**MADAM PRESIDENT:** The House has adopted the conference committee report and subsequently failed to pass: SB 2131.

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

**MADAM PRESIDENT:** The House has adopted the conference committee report on SB 2453.

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

**MADAM PRESIDENT:** The House has adopted the conference committee report and subsequently passed: SB 2074, SB 2082.

**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 1300, HB 1349.

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

**MADAM PRESIDENT:** The House does not concur in the Senate amendments to HB 1012, HB 1014, HB 1016, and HB 1065 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

**HB 1012:** Reps. Wald; Bateman; Nichols  
**HB 1014:** Reps. Kunkel; Gorman; Kaldor  
**HB 1016:** Reps. Dalrymple; Kunkel; Huether  
**HB 1065:** Reps. Kunkel; Bateman; Huether

**MOTION**

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

**MOTION**

**REP. FREIER MOVED** that the House be on the Fourth, Fifth, Seventh, Ninth, Thirteenth, and Sixteenth orders of business and at the conclusion of those orders, the House stand adjourned until 9:00 a.m., Monday, April 5, 1993, which motion prevailed.

**COMMUNICATION FROM GOVERNOR EDWARD T. SCHAFER**

April 2, 1993

This is to inform you that on April 1, 1993, I signed the following: HB 1027, HB 1039, HB 1044, HB 1054, HB 1057, HB 1061, HB 1110, HB 1116, HB 1140, HB 1172, HB 1175, HB 1182, HB 1183, HB 1216, HB 1229, HB 1237, HB 1246, HB 1264, HB 1281, HB 1297, HB 1307, HB 1323, HB 1332, HB 1336, HB 1345, HB 1356, HB 1360, HB 1373, HB 1377, HB 1380, HB 1401, and HB 1419.

**COMMUNICATION FROM GOVERNOR EDWARD T. SCHAFER**

April 2, 1993

This is to inform you that on April 2, 1993, I signed the following: HB 1217, HB 1240, HB 1262, HB 1291, HB 1424, and HB 1445.

**REPORT OF STANDING COMMITTEE**

**SB 2217, as engrossed:** Appropriations Committee (Rep. Dalrymple, Chairman) recommends **DO NOT PASS** (21 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2217 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2238, as engrossed:** Appropriations Committee (Rep. Dalrymple, Chairman) recommends **DO NOT PASS** (15 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2238 was placed on the Fourteenth order on the calendar.

**REPORT OF CONFERENCE COMMITTEE**

**SB 2289:** Your conference committee (Sens. Keller, Krauter, Nalewaja and

Reps. Poolman, Hagle, Grumbo) recommends that the HOUSE RECEDE from the House amendments on HJ page 989 and place SB 2289 on the Seventh order.

SB 2289 was placed on the Seventh order of business on the calendar.

#### REPORT OF CONFERENCE COMMITTEE

SB 2320, as engrossed: Your conference committee (Sens. Marks, Kelsh, Bowman and Reps. Nicholas, Shide, Aarsvold) recommends that the HOUSE RECEDE from the House amendments on HJ pages 1114-1115, adopt amendments as follows, and place SB 2320 on the Seventh order:

That the House recede from its amendments as printed on pages 995-996 of the Senate Journal and pages 1114-1115 of the House Journal and that Engrossed Senate Bill No. 2320 be amended as follows:

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

Page 1, line 2, replace "honeybee areas, mating" with "honeybees"

Page 1, line 3, remove "yards, and semen certification"

Page 1, line 4, remove "4-12.2-15,"

Page 1, line 5, after the fourth comma insert "and" and remove ", and 4-12.2-25"

Page 1, line 6, remove "and"

Page 1, line 10, after "equipment" insert "; and to declare an emergency"

Page 2, after line 6, insert:

"4. "Certificate of health" means a certificate issued upon the request of a beekeeper to verify normal standards of health set by the destination state."

Page 2, line 7, replace "4." with "5."

Page 2, line 12, replace "5." with "6."

Page 2, line 15, replace "6." with "7."

Page 2, line 17, replace "7." with "8."

Page 2, line 19, replace "8." with "9."

Page 2, line 21, replace "9." with "10."

Page 2, line 25, replace "10." with "11."

Page 2, after line 27, insert:

"12. "Normal standards of health" include the percentages of American foulbrood and varroasis incidents."

Page 2, line 28, replace "11." with "13."

Page 4, line 8, remove the overstrike over "; where the registrant is not the property owner, a copy"

Page 4, remove the overstrike over lines 9 through 13

Page 4, line 16, overstrike the period

Page 4, line 19, overstrike "3."

Page 4, line 21, remove "Before establishing and maintaining an apiary on"

Page 4, remove lines 22 through 29

Page 5, remove lines 1 through 4

Page 6, line 4, replace "The" with "Upon request, the"

Page 6, line 8, after the underscored period insert "If the bee inspector or a deputy inspector receives a complaint from a beekeeper, aerial sprayer, or farmer, the inspector may enter private property during reasonable hours to make an external inspection for the purpose of identifying a colony."

Page 7, replace lines 9 through 29 with "Africanized honeybees. The department in cooperation with the North Dakota beekeeper's association shall develop a voluntary certification plan consistent with the model state Africanized honeybee management plan developed at the United States department of agriculture and national association of state departments of agriculture meeting in St. Louis, Missouri, in October 1991."

Page 9, remove lines 22 through 26

Page 9, after line 29, insert:

"SECTION 13. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

Engrossed SB 2320 was placed on the Seventh order of business on the calendar.

#### REPORT OF CONFERENCE COMMITTEE

SB 2328: Your conference committee (Sens. Schoenwald, Krauter, Krebsbach and Reps. Tollefson, C. Carlson, Mahoney) recommends that the HOUSE RECEDE from the House amendments on HJ page 1063, adopt amendments as follows, and place SB 2328 on the Seventh order:

That the House recede from its amendments as printed on page 989 of the Senate Journal and page 1063 of the House Journal and that Senate Bill No. 2328 be amended as follows:

Page 1, after line 15, insert:

"As used in this subsection, the term "reasonable interest" means the same rate of interest as paid on death proceeds left on deposit with the insurer."

Renumber accordingly

SB 2328 was placed on the Seventh order of business on the calendar.

#### REPORT OF CONFERENCE COMMITTEE

SB 2362, as engrossed: Your conference committee (Sens. Keller, Schoenwald, Krebsbach and Reps. A. Carlson, Wardner, Glassheim) recommends that the HOUSE RECEDE from the House amendments on HJ page 1063, adopt amendments as follows, and place SB 2362 on the Seventh order:

That the House recede from its amendments as printed on page 989 of the Senate Journal and page 1063 of the House Journal and that Engrossed Senate Bill No. 2362 be amended as follows:

Page 1, line 6, replace "organized for the purpose of counseling consumers with respect to" with "engaged in the business of debt adjusting as defined in section 13-06-01"

Page 1, remove line 7

Page 1, line 8, remove "creditors"

Page 2, line 23, replace "daily" with "weekly"

Page 3, line 2, replace "seventy-five" with "fifty"

Page 3, line 7, replace "remaining eighty-five percent" with "remainder"

Renumber accordingly

Engrossed SB 2362 was placed on the Seventh order of business on the calendar.

#### REPORT OF DELAYED BILLS COMMITTEE

MR. SPEAKER: Your Delayed Bills Committee (Rep. Martinson, Chairman) has examined and has cast a vote of 5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING in favor of accepting a bill for an Act to create and enact a new section to chapter 53-06.1 of the North Dakota Century Code, relating to an excise tax imposed upon the gross proceeds from games of chance; and to provide an effective date.

The bill will be HB 1516.

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

#### REPORT OF DELAYED BILLS COMMITTEE

MR. SPEAKER: Your Delayed Bills Committee (Rep. Martinson, Chairman) has examined and has cast a vote of 5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING in favor of accepting a bill for an Act to create and enact section 23-12-09.1 of the North Dakota Century Code, relating to prohibiting smoking in state-owned buildings; to amend and reenact sections 23-12-09, 23-12-10.2, and 23-12-11 of the North Dakota Century Code, relating to smoking restrictions; and to provide a penalty.

The bill will be HB 1517.

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

#### FIRST READING OF HOUSE BILLS

Rep. Kretschmar and Sens. Traynor, Krebsbach, Maxson introduced:

(Approved by the Delayed Bills Committee)

HB 1516: A BILL for an Act to create and enact a new section to chapter 53-06.1 of the North Dakota Century Code, relating to an excise tax imposed upon the gross proceeds from games of chance; and to provide an effective date.

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

Reps. Holm, Brodshaug, Svedjan introduced:

(Approved by the Delayed Bills Committee)

HB 1517: A BILL for an Act to create and enact section 23-12-09.1 of the North Dakota Century Code, relating to prohibiting smoking in state-owned buildings; to amend and reenact sections 23-12-09, 23-12-10.2, and 23-12-11 of the North Dakota Century Code, relating to smoking restrictions; and to provide a penalty.

Was read the first time and referred to the Human Services Committee.

#### FIRST READING OF SENATE CONCURRENT RESOLUTIONS

SCR 4072: A concurrent resolution urging the Garrison Diversion Conservancy

District, with the cooperation of the State Water Commission, the Governor, the Garrison Diversion Overview Committee, and each member of the North Dakota Congressional Delegation, to attempt to negotiate promptly, with the appropriate federal officials, a greater role for the state in the development, construction, operation, and maintenance of the Garrison Diversion Project.

Was read the first time and referred to the **Natural Resources Committee.**

**SCR 4073:** A concurrent resolution directing the Legislative Council to study the cost effectiveness and economic impact of permitting Roughrider Industries to manufacture and sell products that may be produced and sold by the private sector.

Was read the first time and referred to the **Industry, Business and Labor Committee.**

#### REPORT OF STANDING COMMITTEE

**SCR 4072:** Natural Resources Committee (Rep. A. Olson, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (11 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING). SCR 4072 was placed on the Tenth order on the calendar.

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

**ROY GILBREATH, Chief Clerk**