

JOURNAL OF THE HOUSE

Fifty-fourth Legislative Assembly

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Bismarck, March 27, 1995

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

The prayer was offered by the Rev. George Bodziachowski, St. Augustine Church, Fessenden.

The roll was called and all members were present except Representatives Austin, Carlson, DeWitz, Gorder, Hagle, D. Henegar, Nicholas, Retzer, and Schimke.

A quorum was declared by the Speaker.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DALRYMPLE MOVED that the House do not concur in the Senate amendments to Engrossed HB 1016 as printed on HJ page 1356 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 1016: Reps. Byerly, DeWitz, Huether.

SECOND READING OF SENATE BILL

SB 2350: A BILL for an Act to authorize the director of the department of human services to convey certain state-owned land to the city of Jamestown, North Dakota.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 89 YEAS, 0 NAYS, 0 EXCUSED, 9 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Bateman; Belter; Berg; Bernstein; Boehm; Boucher; Brown; Byerly; Carlisle; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; DeKrey; Delmore; Delzer; Dobrinski; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorman; Grosz; Grumbo; Gulleson; Gunter; Hanson; Hausauer; Henegar, K.; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Klein; Kliniske; Koppelman; Kretschmar; Kroeber; Kunkel; Laughlin; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Mutzenberger; Nichols; Nottestad; Oban; Olson; Payne; Poolman; Price; Rennerfeldt; Rydell; Sabby; Sandvig; Schmidt; Shide; Sitz; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Walker; Wardner; Wentz; Wilkie; Speaker Martin

ABSENT AND NOT VOTING: Austin; Carlson; DeWitz; Gorder; Hagle; Henegar, D.; Nicholas; Retzer; Schimke

Engrossed SB 2350 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. BERG MOVED that the House do concur in the Senate amendments to Engrossed HB 1051 as printed on HJ page 1273, which motion prevailed.

Engrossed HB 1051, as amended, was placed on the Eleventh order of business on today's calendar.

SECOND READING OF HOUSE BILL

HB 1051: A BILL for an Act relating to product liability actions against manufacturers of general aviation light aircraft.

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, 0 NAYS, 0 EXCUSED, 9 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Bateman; Belter; Berg; Bernstein; Boehm; Boucher; Brown; Byerly; Carlisle; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; DeKrey; Delmore; Delzer; Dobrinski; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorman; Grosz; Grumbo; Gulleon; Gunter; Hanson; Hausauer; Henegar, K.; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Klein; Kliniske; Koppelman; Kretschmar; Kroeber; Kunkel; Laughlin; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Mutzenberger; Nichols; Nottestad; Oban; Olson; Payne; Poolman; Price; Rennerfeldt; Rydell; Sabby; Sandvig; Schmidt; Shide; Sitz; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Walker; Wardner; Wentz; Wilkie; Speaker Martin

ABSENT AND NOT VOTING: Austin; Carlson; DeWitz; Gorder; Hagle; Henegar, D.; Nicholas; Retzer; Schimke

Engrossed HB 1051, as amended, passed and the title was agreed to.

MOTION

REP. DORSO MOVED that HB 1149 be placed at the bottom of the Twelfth order, which motion prevailed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. BERG MOVED that the House do concur in the Senate amendments to HB 1243 as printed on HJ pages 1275-1276, which motion prevailed.

HB 1243, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1243: A BILL for an Act relating to aftermarket risk contracts and insurance requirements for purchasers of aircraft and aircraft components manufactured in this state.

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, 1 NAY, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Bateman; Belter; Berg; Bernstein; Boehm; Boucher; Brown; Byerly; Carlisle; Christenson; Christopherson; Clark; Clayburgh; Dalrymple; DeKrey; Delmore; Delzer; Dobrinski; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorman; Grosz; Grumbo; Gulleon; Gunter; Hanson; Hausauer; Henegar, K.; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Klein; Kliniske; Koppelman; Kretschmar; Kroeber; Kunkel; Laughlin; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Mutzenberger; Nicholas; Nichols; Nottestad; Oban; Olson; Payne; Poolman; Price; Rennerfeldt; Rydell; Sabby; Sandvig; Schmidt; Shide; Sitz; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Walker; Wardner; Wentz; Wilkie; Speaker Martin

NAYS: Coats

ABSENT AND NOT VOTING: Austin; Carlson; DeWitz; Gorder; Hagle; Henegar, D.; Retzer; Schimke

HB 1243, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. BERG MOVED that the House do concur in the Senate amendments to Engrossed HB 1252 as printed on HJ page 1222, which motion prevailed.

Engrossed HB 1252, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1252: A BILL for an Act to amend and reenact subsection 9 of section 65-01-02 of the North Dakota Century Code, relating to the definition of compensable injury for workers' compensation purposes.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 72 YEAS, 18 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

YEAS: Bateman; Belter; Berg; Bernstein; Boehm; Brown; Byerly; Carlisle; Christopherson; Clark; Clayburgh; Dalrymple; DeKrey; Delzer; Dobrinski; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Gorman; Grosz; Grumbo; Gunter; Hausauer; Henegar, K.; Holm; Howard; Huether; Johnson; Kelsch; Kempenich; Klein; Kliniske; Koppelman; Kretschmar; Kunkel; Laughlin; Lloyd; Maragos; Martinson; Mickelson; Monson; Nicholas; Nichols; Nottestad; Olson; Payne; Poolman; Price; Rennerfeldt; Rydell; Sabby; Shide; Sitz; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Walker; Wardner; Wentz; Wilkie; Speaker Martin

NAYS: Aarsvold; Boucher; Christenson; Coats; Delmore; Glassheim; Gulleason; Hanson; Jacobs; Kaldor; Keiser; Kerzman; Kroeber; Mahoney; Mutzenberger; Oban; Sandvig; Schmidt

ABSENT AND NOT VOTING: Austin; Carlson; DeWitz; Gorder; Hagle; Henegar, D.; Retzer; Schimke

Engrossed HB 1252, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DALRYMPLE MOVED that the House do concur in the Senate amendments to Engrossed HB 1318 as printed on HJ page 1222, which motion prevailed.

Engrossed HB 1318, as amended, was placed on the Eleventh order of business on today's calendar.

SECOND READING OF HOUSE BILL

HB 1318: A BILL for an Act to provide for a comprehensive trauma and emergency medical system; and to provide an appropriation.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 91 YEAS, 0 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Bateman; Belter; Berg; Bernstein; Boehm; Boucher; Brown; Byerly; Carlisle; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; DeKrey; Delmore; Delzer; Dobrinski; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorman; Grosz; Grumbo; Gulleson; Gunter; Hanson; Hausauer; Henegar, K.; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Klein; Kliniske; Koppelman; Kretschmar; Kroeber; Kunkel; Laughlin; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Mutzenberger; Nicholas; Nichols; Nottestad; Oban; Olson; Payne; Poolman; Price; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schmidt; Shide; Sitz; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Walker; Wardner; Wentz; Wilkie; Speaker Martin

ABSENT AND NOT VOTING: Austin; Carlson; DeWitz; Gorder; Hagle; Henegar, D.; Schimke

Engrossed HB 1318, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. TIMM MOVED that the House do concur in the Senate amendments to Engrossed HB 1337 as printed on HJ pages 1277-1278, which motion prevailed.

Engrossed HB 1337, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1337: A BILL for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code, relating to gains for individual income tax purposes derived from sale of stock of certain corporations that have relocated to this state; 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 91 YEAS, 0 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Bateman; Belter; Berg; Bernstein; Boehm; Boucher; Brown; Byerly; Carlisle; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; DeKrey; Delmore; Delzer; Dobrinski; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorman; Grosz; Grumbo; Gulleson; Gunter; Hanson; Hausauer; Henegar, K.; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Klein; Kliniske; Koppelman; Kretschmar; Kroeber; Kunkel; Laughlin; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Mutzenberger; Nicholas; Nichols; Nottestad; Oban; Olson; Payne; Poolman; Price; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schmidt; Shide; Sitz; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Walker; Wardner; Wentz; Wilkie; Speaker Martin

ABSENT AND NOT VOTING: Austin; Carlson; DeWitz; Gorder; Hagle; Henegar, D.; Schimke

Engrossed HB 1337, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KRETSCHMAR MOVED that the House do concur in the Senate amendments to Engrossed HB 1355 as printed on HJ page 1222, which motion prevailed.

Engrossed HB 1355, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1355: A BILL for an Act to amend and reenact subsection 3 of section 53-06.1-03, section 53-06.1-06, and subsection 3 of section 53-06.1-11 of the North Dakota Century Code, relating to licensure of eligible organizations and allowable expenses for games of chance.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 84 YEAS, 7 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Bateman; Belter; Berg; Bernstein; Boehm; Boucher; Brown; Byerly; Carlisle; Christopherson; Clark; Clayburgh; Coats; Dalrymple; Delmore; Delzer; Dobrinski; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorman; Grosz; Grumbo; Gulleson; Gunter; Hausauer; Henegar, K.; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Klein; Kliniske; Koppelman; Kretschmar; Kunkel; Laughlin; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Mutzenberger; Nicholas; Nichols; Nottestad; Oban; Payne; Poolman; Price; Rennerfeldt; Rydell; Sabby; Sandvig; Schmidt; Sitz; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Walker; Wardner; Wentz; Wilkie; Speaker Martin

NAYS: Christenson; DeKrey; Hanson; Kroeber; Olson; Retzer; Shide

ABSENT AND NOT VOTING: Austin; Carlson; DeWitz; Gorder; Hagle; Henegar, D.; Schimke

Engrossed HB 1355, as amended, passed and the title was agreed to.

MOTION

REP. DORSO MOVED that SB 2014, Engrossed SB 2499, and Engrossed SB 2506, which are on the Sixth order, be laid over one legislative day, which motion prevailed.

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

MR. SPEAKER: The Senate does not concur in the House amendments to SB 2181, SB 2425, SB 2520, and SCR 4046 and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2181: Sens. Grindberg; Krebsbach; Scherber
SB 2425: Sens. Thane; Urlacher; DeMers
SB 2520: Sens. Krebsbach; Sand; Langley
SCR 4046: Sens. B. Stenehjem; Lee; DeMers

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

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

HB 1089: Sens. Traynor; W. Stenehjem; C. Nelson
HB 1151: Sens. W. Stenehjem; Traynor; C. Nelson
HB 1155: Sens. Sand; Krebsbach; Scherber
HB 1163: Sens. B. Stenehjem; Mutch; Kelsh
HB 1210: Sens. Traynor; Kringstad; Yockim
HB 1250: Sens. Mutch; Krebsbach; Langley
HB 1309: Sens. Bowman; B. Stenehjem; Mathern

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

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

HB 1329: Sens. Andrist; Sand; Krauter

HB 1367: Sens. Watne; Urlacher; DeMers

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

MR. SPEAKER: The Senate has passed unchanged: HB 1011, HB 1090, HB 1305, HB 1322.

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

MR. SPEAKER: The Senate has amended and subsequently failed to pass: HB 1461.

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1006, HB 1007, HB 1015, HB 1022, HB 1154, HB 1256, HB 1432, HB 1493.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1006

Page 1, line 2, replace "requiring" with "to provide for a study of the licensing of home health care providers"

Page 1, remove line 3

Page 1, line 4, remove "health service for the cost of providing services on Indian reservations"

Page 1, line 13, replace "22,564,886" with "23,298,664"

Page 1, line 17, replace "15,539,722" with "15,489,722"

Page 1, line 18, replace "400,000" with "175,000"

Page 1, line 20, replace "70,863,753" with "71,322,531"

Page 2, line 1, replace "56,073,016" with "56,084,566"

Page 2, line 2, replace "14,790,737" with "15,237,965"

Page 2, line 4, replace "\$400,000" with "\$175,000"

Page 2, replace lines 25 through 28 with:

"SECTION 6. LEGISLATIVE COUNCIL INTERIM STUDY OF HOME HEALTH CARE LICENSING. The legislative council shall consider studying the licensing of home health care providers during the 1995-96 interim. If conducted, the study must include a determination of the appropriate agency or entity to be responsible for the licensing of home health care providers."

ReNUMBER accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 301 - DEPARTMENT OF HEALTH AND CONSOLIDATED LABORATORIES

SENATE - This amendment makes the following changes:

	HOUSE VERSION	RESTORE 3 FTE HEALTH CARE REFORM	RESTORE 1 FTE MEDICAL EXAMINER	RESTORE 1 FTE LAB ANALYSIS - SB 2358	RESTORE 2 FTE FIRE INSPECTIONS	OTHER SENATE CHANGES	SENATE VERSION
Salaries and wages	\$22,564,886	\$231,513	\$289,096	\$92,583	\$120,586		\$23,298,664
Operating expenses	31,384,002						31,384,002
Equipment	847,000						847,000
Capital improvements	28,143						28,143
Grants	15,539,722					\$ (50,000)	15,489,722
Abandoned motor vehicle	400,000					(225,000)	175,000
Physician loan program	100,000						100,000
Health care program	_____	_____	_____	_____	_____	_____	_____
Total	\$70,863,753	\$231,513	\$289,096	\$92,583	\$120,586	\$(275,000)	\$71,322,531
Less estimated income	<u>56,073,016</u>	<u>23,381</u>	<u>0</u>	<u>92,583</u>	<u>120,586</u>	<u>(225,000)</u>	<u>56,084,566</u>
General fund	\$14,790,737	\$208,132	\$289,096	\$ 0	\$ 0	\$(50,000)	\$15,237,965
FTE	298	3	1	1	2	1	306

The other Senate changes are:

- Reduce grants by \$50,000 from the general fund relating to health promotion and education.
- Reduce the spending from the abandoned motor vehicle fund from \$400,000 to \$175,000.
- Authorizes 1 FTE related to House Bill No. 1318, the establishment of a trauma system; funding is included in House Bill No. 1318.

This amendment:

- Removes the section requiring the department to bill Indian Health Service for the cost of services provided on Indian reservations.
- Adds a section providing for a study of the licensing of home health care providers.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1007

Page 1, line 13, replace "250,000" with "200,000"

Page 1, remove lines 14 and 15

Page 1, line 16, replace "227,983" with "427,983"

ReNUMBER accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 316 - INDIAN AFFAIRS COMMISSION

SENATE - This amendment makes the following changes:

	HOUSE VERSION	REDUCE GRANTS AND CHANGE FUNDING SOURCE	TOTAL CHANGES	SENATE VERSION
Salaries and wages	\$195,099			\$195,099
Operating expenses	31,884			31,884
Equipment	1,000			1,000
Grants	<u>250,000</u>	<u>\$ (50,000)</u>	<u>\$ (50,000)</u>	<u>200,000</u>
Total all funds	\$477,983	\$ (50,000)	\$ (50,000)	\$427,983
Less estimated income	<u>250,000</u>	<u>(250,000)</u>	<u>(250,000)</u>	<u>0</u>
Total general fund	\$227,983	\$ 200,000	\$ 200,000	\$427,983
FTE	2.5		0	2.5

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1015

Page 1, line 12, replace "2,347,125" with "2,424,653"

Page 1, line 13, replace "4,992,627" with "4,995,467"

Page 1, remove line 14

Page 1, line 15, replace "7,397,120" with "7,420,120"

Page 1, line 16, replace "\$4,992,627" with "\$4,995,467"

ReNUMBER accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 226 - LAND DEPARTMENT

SENATE - This amendment adds \$23,000 special funds authority to the salaries and wages line item for temporary secretarial staff. This amendment also transfers the salary and benefit adjustment line item of \$57,368 to the asset management and Energy Development Impact Office program line items in proportion to the salaries and wages included in each program. The changes are summarized as follows:

ANALYSIS OF SENATE CHANGES TO HOUSE VERSION

(By object code-based line item)

	1995-97 EXECUTIVE RECOMMENDATION	REMOVAL OF VACANT FTE POSITIONS	HOUSE VERSION	INCREASE SALARIES AND WAGES FOR TEMPORARY STAFF	SENATE VERSION
Salaries and wages	\$1,643,264	\$(46,080)	\$1,597,184	\$23,000	\$1,620,184
Operating expenses	576,920		576,920		576,920
Equipment	62,090		62,090		62,090
Grants	5,110,926		5,110,926		5,110,926
Contingency	<u>50,000</u>		<u>50,000</u>		<u>50,000</u>
Total	\$7,443,200	\$(46,080)	\$7,397,120	\$23,000	\$7,420,120
General fund					
Special funds	<u>\$7,443,200</u>	<u>\$(46,080)</u>	<u>\$7,397,120</u>	<u>\$23,000</u>	<u>\$7,420,120</u>
Total	\$7,443,200	\$(46,080)	\$7,397,120	\$23,000	\$7,420,120
FTE	20	(1)	19		19

	1995-97 EXECUTIVE RECOMMENDATION	REMOVAL OF VACANT FTE POSITIONS	HOUSE VERSION	INCREASE SALARIES AND WAGES FOR TEMPORARY STAFF	ALLOCATE SALARY ADJUSTMENT	SENATE VERSION
Asset management	\$2,385,832	\$(38,707)	\$2,347,125	\$23,000	\$ 54,528	\$2,424,653
Energy Development Impact Office	5,000,000	(7,373)	4,992,627		2,840	4,995,467
Salary and benefit adjustment	<u>57,368</u>	<u> </u>	<u>57,368</u>	<u> </u>	<u>(57,368)</u>	<u> </u>
Total	\$7,443,200	\$(46,080)	\$7,397,120	\$23,000	\$ 0	\$7,420,120
General fund						
Special funds	<u>\$7,443,200</u>	<u>\$(46,080)</u>	<u>\$7,397,120</u>	<u>\$23,000</u>	<u> </u>	<u>\$7,420,120</u>
Total	\$7,443,200	\$(46,080)	\$7,397,120	\$23,000	\$ 0	\$7,420,120
FTE	20	(1)	19			19

(By program-based line item)

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1022

Page 1, line 2, after "education" insert "; to provide a statement of legislative intent; and to allow the transfer of appropriation authority to the salaries and wages line item"

Page 1, line 14, replace "20,105,750" with "20,055,750"

Page 1, line 19, replace "24,007,941" with "23,957,941"

Page 1, line 21, replace "10,812,550" with "10,762,550"

Page 1, after line 21, insert:

"SECTION 2. INTENT. It is the intent of the fifty-fourth legislative assembly that the state board for vocational and technical education, job service North Dakota, the North Dakota university system, the workers compensation bureau, the department of economic development and finance, the governor's work force development council, and any other appropriate state agencies or institutions continue to cooperate on the development and implementation of jobs training programs in an effort to maximize the delivery of services while minimizing any duplication of services between the agencies during the 1995-97 biennium.

SECTION 3. TRANSFER. The state board for vocational and technical education may transfer general fund and special funds appropriation authority of \$130,981 from the various line items contained in House Bill No. 1022 as passed by the fifty-fourth legislative assembly to the salaries and wages line item for the position of deputy director, only upon approval by the budget section of the legislative council."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:**DEPARTMENT 270 - STATE BOARD FOR VOCATIONAL AND TECHNICAL EDUCATION**

SENATE - This amendment reduces general fund authority for undesignated grants to school districts for vocational education programs by \$50,000 and provides legislative intent that the following agencies continue to cooperate on all jobs training programs in an effort to continue to maximize the delivery of services while minimizing any duplication of services between the agencies:

1. Job Service North Dakota.
2. Vocational and Technical Education.
3. North Dakota University System.
4. Workers Compensation Bureau.
5. Department of Economic Development and Finance.
6. Governor's Work Force Development Council.
7. Other appropriate agencies.

This amendment also allows the Board for Vocational and Technical Education to transfer appropriation authority of \$130,981, subject to Budget Section approval, from other line items to the salaries and wages line item for the deputy director position.

This amendment is summarized as follows:

	HOUSE VERSION	GRANTS REDUCTION	SENATE VERSION
Salaries and wages	\$ 2,378,039		\$ 2,378,039
Operating expenses	471,066		471,066
Equipment	18,680		18,680
Grants	20,105,750	\$(50,000)	20,055,750
COVE	325,500		325,500
Adult farm management	226,600		226,600
Postsecondary education vocational grants	380,000		380,000
Small business management	<u>102,306</u>		<u>102,306</u>
Total	\$24,007,941	\$(50,000)	\$23,957,941
General fund	\$10,812,550	\$(50,000)	\$10,762,550
Special funds	<u>13,195,391</u>		<u>13,195,391</u>
Total	\$24,007,941	\$(50,000)	\$23,957,941
FTE	32.5		32.5

SENATE AMENDMENTS TO HOUSE BILL NO. 1154

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact subsection 5 of section 15-29-08, subsection 1 of section 15-35-01.1, subsection 6 of section 15-60-01, subsection 1 of section 15-60-10, section 15-60-11, subsection 7 of section 21-03-07, subsection 1 of section 57-15-16, and subsection 1 of section 57-15-17 of the North Dakota Century Code, relating to authority of school boards, approval of school construction projects, approval of school construction loans by the board of university and school lands, and financing of school construction.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 5 of section 15-29-08 of the North Dakota Century Code is amended and reenacted as follows:

5. To purchase, lease, sell, and exchange schoolhouses and rooms, school buildings and facilities and lots, or sites for schoolhouses, teacherages, and dormitories, and to lease such facilities for a period not to exceed one year school buildings and facilities. However, nothing in this subsection shall prevent a school board from leasing any vocational education facility constructed with financing acquired, in whole or in part, pursuant to chapter 40-57 for a period of up to twenty years. A school board may enter into a contract or lease for a term of up to twenty years, for the use of a building or facility, whereby the school district has a right or option to purchase the building or facility. For the purpose of the contract or lease, the school board may use moneys available in the general fund or the building fund which are not otherwise obligated.

SECTION 2. AMENDMENT. Subsection 1 of section 15-35-01.1 of the North Dakota Century Code is amended and reenacted as follows:

1. Notwithstanding the powers and duties of school boards of public school districts otherwise provided by law, all construction, purchase, repair, improvement, renovation, or modernization of any school building or facility within a school district, including those used or intended to be used under any contract by which the school district has any right or option to purchase the building or facility, estimated by the school boards to cost in excess of twenty-five more than

two hundred fifty thousand dollars, or ten percent of the school district's total expenditures the preceding year, whichever is less, may not be commenced unless approved by the superintendent of public instruction. No such The approval of the superintendent of public instruction is not required if the project is estimated to cost twenty-five thousand dollars or less. The construction, purchase, repair, improvement, renovation, or modernization of any school building or facility may not be approved unless the school district proposing the project demonstrates the need and the educational utility of the project under rules adopted by the superintendent of public instruction pursuant to chapter 28-32 after receiving input from the state board of public school education. In the event of disagreement between the superintendent of public instruction and the school board applying for approval of a construction project under this section, the school board may appeal the application to the state board of public school education and the decision of the state board approving or disapproving the application is final.

SECTION 3. AMENDMENT. Subsection 6 of section 15-60-01 of the North Dakota Century Code is amended and reenacted as follows:

6. "Project" means any structure building or facility that a school district is authorized to construct ~~or, purchase, repair, improve, renovate, or modernize~~ under section 15-35-01.1 and ~~which is estimated to cost in excess of fifty thousand dollars.~~

SECTION 4. AMENDMENT. Subsection 1 of section 15-60-10 of the North Dakota Century Code is amended and reenacted as follows:

1. The board may make loans for ~~purposes described in this chapter~~ projects to school districts from moneys deposited in the coal development trust fund established pursuant to section 21 of article X of the Constitution of North Dakota and subsection 1 of section 57-62-02. The board shall consider an application for a loan in the order of its approval by the superintendent under subsection 2 of section 15-35-01.1. The outstanding principal balance of loans made from the fund under this chapter may not exceed twenty-five million dollars.

SECTION 5. AMENDMENT. Section 15-60-11 of the North Dakota Century Code is amended and reenacted as follows:

15-60-11. School board may issue evidences of indebtedness.

1. The school board of a school district may issue and sell evidences of indebtedness pursuant to chapter 21-03 to finance ~~the construction or improvement of~~ a project approved under this chapter. The principal amount of the loan and the evidences of indebtedness to repay the loan may not exceed the lesser of thirty percent of the taxable valuation of the school district or five million dollars. Evidences of indebtedness issued ~~pursuant to~~ under this chapter ~~subsection~~ constitute a general obligation of the school district.
2. The school board of a school district may, by resolution adopted by a two-thirds vote, dedicate the tax levies as authorized by section 57-15-16 to pay the loan approved under this chapter. The initial resolution authorizing the tax levy dedication must be published twice in the official newspaper of the school district, and any owner of taxable

property within the school district may, within sixty days after the first publication, file with the business manager of the school district a protest against the adoption of the resolution. Protests must be in writing and must describe the property that is the subject of the protest. If the school board finds the protests to have been signed by the owners of taxable property having an assessed valuation equal to five percent or more of the assessed valuation of all taxable property within the school district, as theretofore last finally equalized, it may either abandon the matter or seek approval of the tax levy dedication at a regular or special election. If more than fifty percent of the qualified electors casting votes approve the school board's proposed dedication of the building fund tax levy, the school board may proceed in accordance with the resolution.

SECTION 6. AMENDMENT. Subsection 7 of section 21-03-07 of the 1993 Supplement to the North Dakota Century Code is amended and reenacted as follows:

7. The governing body of any public school district may also, by resolution adopted by a two-thirds vote, dedicate the tax levies as authorized by section 15-51-11, 15-51-13, or 57-15-16 and may authorize and issue general obligation bonds to be paid by these dedicated levies for the purpose of providing funds for the purchase, construction, reconstruction, or repair of public school buildings or for the construction or improvement of a project pursuant to chapter 15-60. The initial resolution authorizing the tax levy dedication and issuance of general obligation bonds must be published twice in the official newspaper of the school district, and any owner of taxable property within the school district may, within sixty days after the first publication, file with the business manager of the school district a protest against the adoption of the resolution. Protests must be in writing and must describe the property that is the subject of the protest. If the governing body finds the protests to have been signed by the owners of taxable property having an assessed valuation equal to five percent or more of the assessed valuation of all taxable property within the school district, as theretofore last finally equalized, ~~all further proceedings under the initial resolution are barred~~ it may either abandon the matter or seek approval of the tax levy dedication and issuance of general obligation bonds at a regular or special election. If more than fifty percent of the qualified electors casting votes approve the governing body's proposed tax levy dedication and issuance of general obligation bonds, the governing body may proceed in accordance with the resolution.

SECTION 7. AMENDMENT. Subsection 1 of section 57-15-16 of the North Dakota Century Code is amended and reenacted as follows:

1. The governing body of any school district shall levy taxes annually for a school building fund, not in excess of twenty mills, which levy is in addition to and not restricted by the levy limitations prescribed by law, when authorized to do so by sixty percent of the qualified electors voting upon the question at a regular or special election in any school district. The governing body of the school district may create the building fund by appropriating and setting up in its budget for an amount not in excess of twenty percent of the current annual appropriation for all other purposes combined, exclusive of appropriations to pay interest and principal of the bonded debt, and not in excess of the

limitations prescribed by law. ~~If a portion or all of the proceeds of the levy have been allocated by contract to the payment of rentals upon contracts with the state board of public school education as administrator of the state school construction fund, the levy must be made annually by the governing body of the school district until the full amount of all such obligations is fully paid. The governing body of any school district may, by resolution adopted by a two-thirds vote, dedicate the tax levies as authorized by this section for the purpose of a contract or lease entered into pursuant to subsection 5 of section 15-29-08 for the use of a building or facility whereby the school district has the right or option to purchase the building or facility. The initial resolution authorizing the tax levy dedication must be published twice in the official newspaper of the school district, and any owner of taxable property within the school district may, within sixty days after the first publication, file with the business manager of the school district a protest against the adoption of the resolution. Protests must be in writing and must describe the property that is the subject of the protest. If the governing body finds the protests to have been signed by the owners of taxable property having an assessed valuation equal to five percent or more of the assessed valuation of all taxable property within the school district, as theretofore last finally equalized, it may either abandon the matter or seek approval of the tax levy dedication at a regular or special election. If more than fifty percent of the qualified electors casting votes approve the governing body's proposed dedication of the building fund tax levy, the governing body may enter into the contract or lease. Any portion of a levy for a school building fund which has not been allocated by contract with the state board of public school education or lease entered into pursuant to subsection 5 of section 15-29-08 must be allocated by the governing body pursuant to section 57-15-17. Upon the completion of all payments to the state school construction fund under the contract or lease, or upon payment and cancellation or defeasance of the bonds, the levy may be discontinued at the discretion of the governing body of the school district, or upon petition of twenty percent of the qualified electors who voted in the last school election, the question of discontinuance of the levy must be submitted to the qualified electors of the school district at any regular or special election and, upon a favorable vote of sixty percent of the qualified electors voting, the levy must be discontinued. Any school district, executing a contract or lease with the state board of public school education or issuing general obligation bonds, which contract or lease or bond issue requires the maintenance of the levy provided in this section, shall immediately file a certified copy of the contract, lease, or bond issue with the county auditor or auditors of the county or counties in which the school district is located. The county auditor or auditors shall register the contract, lease, or bond issue in the bond register in substantially the manner provided in section 21-03-23. Upon the filing of the contract, lease, or bond issue with the county auditor or auditors, the school district may not discontinue the levy and the levy must automatically be included in the tax levy of the school district from year to year by the county auditor or auditors until a sufficient sum of money has been collected to pay to the state treasurer for the retirement of all obligations of the school district with the state board of public school education under the contract or lease, or to pay to the~~

custodian of the bond sinking fund all amounts due or to become due on the bonds.

SECTION 8. AMENDMENT. Subsection 1 of section 57-15-17 of the North Dakota Century Code is amended and reenacted as follows:

1. a. All revenue accruing from appropriations or tax levies for a school building fund together with such amounts as may be realized for building purposes from all other sources, must be placed in a separate fund known as a school building fund, and must be deposited, held, or invested in the same manner as the sinking funds of such school district or in the purchase of shares or securities of federal or state-chartered savings and loan associations within the limits of federal insurance.
- b. The funds may only be used for the following purposes:
 - (1) The erection of new school buildings or facilities, or additions to old school buildings or facilities, or the making of major repairs to existing buildings or facilities, or improvements to school land and site. For purposes of this paragraph, facilities may include parking lots, athletic complexes, or any other real property owned by the school district.
 - (2) ~~The payment of rentals upon contracts with the state board of public school education payments under a contract or lease as provided in subsection 1 of section 57-15-16.~~
 - (3) The payment of rentals upon contracts with municipalities for vocational education facilities financed pursuant to chapter 40-57.
 - (4) Within the limitations of school plans as provided in subsection 2 of section 57-15-16.
 - (5) The payment of principal, premium, if any, and interest on bonds issued pursuant to subsection 7 of section 21-03-07.
 - (6) The payment of premiums for fire and allied lines, liability, and multiple peril insurance on any building and its use, occupancy, fixtures, and contents.
 - (7) The making of loan payments for school construction as authorized by chapter 15-60.
- c. The custodian of the funds may pay out the funds only upon order of the school board, signed by the president and the business manager of the school district. The order must recite upon its face the purpose for which payment is made."

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1256

Page 5, line 4, overstrike "means and"

Page 5, line 8, overstrike the second "the" and after "surgical" insert an underscored comma

Page 5, line 10, after "structures" insert ", including oral maxillofacial surgery and any adjunctive procedures to the oral maxillofacial surgery"

Renumber accordingly

SENATE AMENDMENTS TO REENGROSSED HOUSE BILL NO. 1432

In lieu of the amendments to Reengrossed House Bill No. 1432 as printed on pages 927 and 928 of the Senate Journal, Reengrossed House Bill No. 1432 is amended as follows:

Page 1, line 1, after "16.1-11" insert "and a new subdivision to subsection 1 of section 28-32-01"

Page 1, line 3, replace "primary" with "contest and exceptions from the definition of administrative agency"

Page 1, line 4, after the third comma insert "16.1-11-34,"

Page 1, line 5, replace "primary" with "contest"

Page 1, line 6, after the semicolon insert "to provide for application;"

Page 1, line 10, overstrike "primary" and insert immediately thereafter "contest"

Page 1, line 12, overstrike "primary" and after "~~primary~~" insert "contest"

Page 1, line 13, after "year" insert ". The presidential preference contest may be used only to instruct delegates to a national political convention and may not further the electoral process for any other purpose. No other election or vote on a measure of any kind may be held in conjunction with the presidential preference contest"

Page 1, line 17, overstrike "primary" and insert immediately thereafter "contest"

Page 1, line 19, overstrike "primary" and after "~~election~~" insert "contest"

Page 2, line 2, replace "primary" with "contest"

Page 2, line 5, replace "primary election" with "contest"

Page 2, line 7, replace "primary" with "contest"

Page 2, line 10, replace "primary" with "contest"

Page 2, line 11, replace "election" with "contest"

Page 2, line 16, replace "primary" with "contest"

Page 2, line 17, replace "following provisions apply to a presidential" with "secretary of state shall adopt rules relating to the presidential preference contest, including rules providing for the reduction of poll workers, the reduction of poll hours, the reduction of precincts, the arrangement of the names of candidates on the official ballot, the publication of the sample ballot, and open voting within cities or counties."

Page 2, remove lines 18 through 29

Page 3, remove lines 1 and 2

Page 3, line 5, overstrike "primary" and after "~~election~~" insert "contest"

Page 3, line 10, replace "primary" with "contest"

Page 3, line 12, overstrike "primary" and insert immediately thereafter "contest"

Page 3, line 15, overstrike "primary" and insert immediately thereafter "contest"

Page 3, line 20, overstrike "primary election" and insert immediately thereafter "contest"

Page 3, line 27, overstrike "primary" and insert immediately thereafter "contest"

Page 3, line 28, overstrike "primary" and insert immediately thereafter "contest"

Page 4, line 6, replace "primary" with "contest"

Page 4, line 7, overstrike "primary" and insert immediately thereafter "contest"

Page 4, line 12, overstrike "primary" and insert immediately thereafter "contest"

Page 4, line 18, replace "primary" with "contest"

Page 4, after line 21, insert:

"SECTION 8. AMENDMENT. Section 16.1-11-34 of the North Dakota Century Code is amended and reenacted as follows:

16.1-11-34. Counting and canvassing of votes in presidential preference primary contest. The votes cast in presidential preference ~~primaries~~ contests must be counted and canvassed as other votes, and after preparation of statements by the state canvassing board, the secretary of state shall certify the number of votes cast for each party candidate to the state chairman of each political party conducting a presidential preference ~~primary contest~~."

Page 4, line 26, overstrike "primary election" and insert immediately thereafter "contest".

Page 4, line 29, overstrike "election" and insert immediately thereafter "contest"

Page 5, line 2, overstrike "election" and insert immediately thereafter "contest"

Page 5, after line 4, insert:

"SECTION 10. A new subdivision to subsection 1 of section 28-32-01 of the 1993 Supplement to the North Dakota Century Code is created and enacted as follows:

The secretary of state with respect to rules adopted for the presidential preference contest under section 4 of this Act."

Page 5, line 9, replace "primary election" with "contest"

Page 5, after line 10, insert:

"SECTION 12. APPLICATION. This Act is not a statewide election for the purpose of a vote on a referred or initiated measure as

provided in section 5 of article III of the Constitution of North Dakota. Any action by the North Dakota supreme court to the contrary renders this Act void."

Renumber accordingly

SENATE AMENDMENTS TO REENGROSSED HOUSE BILL NO. 1432

Page 1, line 1, after "16.1-11" insert "and a new subdivision to subsection 1 of section 28-32-01"

Page 1, line 3, after "primary" insert "and exceptions from the definition of administrative agency"

Page 1, line 13, after the period insert "No other election may be held in conjunction with the presidential preference primary."

Page 2, line 17, replace "following provisions apply to a presidential" with "secretary of state shall adopt rules relating to the presidential preference primary, including rules providing for the reduction of poll workers, the reduction of poll hours, the reduction of precincts, the arrangement of the names of candidates on the official ballot, the publication of the sample ballot, and open voting within cities or counties."

Page 2, remove lines 18 through 29

Page 3, remove lines 1 and 2

Page 5, after line 4, insert:

"SECTION 9. A new subdivision to subsection 1 of section 28-32-01 of the 1993 Supplement to the North Dakota Century Code is created and enacted as follows:

The secretary of state with respect to rules adopted for the presidential preference primary under section 4 of this Act."

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1493

Page 1, line 1, after "to" insert "create and enact a new section to chapter 24-02 of the North Dakota Century Code, relating to a fleet committee to represent the board of higher education's interests in state-owned motor vehicles; to"

Page 1, line 3, after "titles" insert "; and to provide an expiration date"

Page 2, after line 9, insert:

"SECTION 3. A new section to chapter 24-02 of the North Dakota Century Code is created and enacted as follows:

Board of higher education fleet committee. The director shall adopt rules that include provisions for meeting the special motor vehicle-related needs of the board of higher education and institutions under its jurisdiction and for the assignment of motor vehicles purchased with student fees and private or federal funds. The director shall seek advice in adopting these rules from the higher education fleet committee. The commissioner of higher education shall appoint the fleet committee. The members of the committee must represent the campuses and agriculture.

SECTION 4. EXPIRATION DATE. Section 3 of this Act is effective through August 1, 1999, and after that date is ineffective."

Renumber accordingly

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

MR. SPEAKER: The Senate has amended, subsequently passed, and the emergency clause carried: HB 1001, HB 1017, HB 1019.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1001

Page 1, line 2, replace "create and enact sections 23-12-10.4" with "amend and reenact section 54-03-20 of the North Dakota Century Code, relating to compensation and expense reimbursement of members of the legislative assembly"

Page 1, remove lines 3 and 4

Page 1, line 5, remove "committee rooms"

Page 1, line 6, after the semicolon insert "to provide for a legislative council study; to provide an effective date;"

Page 2, replace lines 19 through 29 with:

"SECTION 3. AMENDMENT. Section 54-03-20 of the 1993 Supplement to the North Dakota Century Code is amended and reenacted as follows:

54-03-20. Compensation and expense reimbursement of members of the legislative assembly. Each member of the legislative assembly of the state of North Dakota is entitled to receive as compensation for services the sum of ninety dollars for each calendar day during any organizational, special, or regular legislative session. Each member of the legislative assembly is entitled to receive reimbursement for lodging, which may not exceed a maximum of six hundred dollars per calendar month for lodging in state, at the rates and in the manner provided in section 44-08-04 for each calendar day during the period of any organizational, special, or regular session. Members of the legislative assembly who receive reimbursement for lodging are also entitled to reimbursement for travel for not to exceed one round trip taken during any calendar week, or portion of a week, the legislative assembly is in session, between their residences and the place of meeting of the legislative assembly, at the rate provided for state employees with the additional limitation that reimbursement for travel by common carrier may not exceed thirty-five cents per mile based upon air mileage. A member of the legislative assembly who does not receive reimbursement for lodging and whose place of residence in the legislative district that the member represents is not within the city of Bismarck is entitled to reimbursement at the rate provided for state employees for necessary travel for not to exceed one round trip taken per day between the residence and the place of meeting of the legislative assembly when it is in session and may receive reimbursement for lodging at the place of meeting of the legislative assembly as provided in section 44-08-04 for each calendar day for which round trip travel reimbursement is not claimed, provided that the total reimbursement may not exceed six hundred dollars per month. The amount to which each legislator is entitled must be paid following the organizational session in December and following each month during a regular or special session.

A day, or portion of a day, spent in traveling to or returning from an organizational, special, or regular session must be included as a calendar day during a legislative session for the purposes of this section.

In addition, each member is entitled to receive during the term for which the member was elected, as compensation for the execution of public duties during the biennium, the sum of ~~one~~ two hundred ~~eighty~~

fifty dollars a month, which is payable every six months. If a member dies or resigns from office during the member's term, the member may be paid only the allowances provided for in this section for the period for which the member was actually a member.

Attendance at any organizational, special, or regular session of the legislative assembly by any member is a conclusive presumption of entitlement as set out in this section and compensation and expense allowances must be excluded from gross income for income tax purposes to the extent permitted for federal income tax purposes under section 127 of the Economic Recovery Tax Act of 1981 [Pub. L. 97-34; 95 Stat. 202; 26 U.S.C. 162(i)]."

Page 3, remove lines 1 through 7

Page 3, after line 13, insert:

"SECTION 5. LEGISLATIVE COUNCIL STUDY OF BOARDS AND COMMISSIONS. The legislative council shall study the membership, duties, and responsibilities of all boards, councils, committees, and commissions of state government. The study should include consideration of whether any of the boards, councils, committees, and commissions have overlapping powers and duties, whether any boards, councils, committees, and commissions should be eliminated or consolidated, whether each board, council, committee, and commission presently performs the functions for which it was originally created, and whether the membership of each board, council, committee, and commission is responsive to the people of the state. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the fifty-fifth legislative assembly.

SECTION 6. EFFECTIVE DATE. Section 3 of this Act becomes effective on January 1, 1997."

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1017

Page 1, line 18, replace "4,475,550" with "4,635,147"

Page 2, line 3, replace "35,185,704" with "35,345,301"

Page 2, line 4, replace "16,326,518" with "16,486,115"

Page 2, line 8, replace "11,560,606" with "12,092,826"

Page 2, line 13, replace "23,125,613" with "23,657,833"

Page 3, line 1, replace "2,147,744" with "2,252,671"

Page 3, line 6, replace "22,642,508" with "22,747,435"

Page 3, line 8, replace "79,704,406" with "80,501,150"

Page 3, line 9, replace "104,393,592" with "105,190,336"

Page 4, line 10, replace "\$17,640" with "\$178,640"

Page 4, line 12, after the comma insert "of which \$17,640"

Page 4, line 13, after "bank" insert "and \$161,000 to the extent available is from reserves of the municipal bond bank" and after "The" insert "available"

Page 6, line 19, remove "Upon reaching a capitalization of \$100,000,000, the industrial"

Page 6, remove line 20

Reumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 405 - INDUSTRIAL COMMISSION

SENATE - This amendment makes the following changes:

	HOUSE VERSION	ADD BACK OIL AND GAS DIRECTOR'S POSITION	ADD AN UNFUNDED GEOLOGIST III POSITION	TOTAL CHANGES	SENATE VERSION
Salaries and wages	\$ 4,475,550	\$159,597		\$159,597	\$ 4,635,147
Operating expenses	1,495,513				1,495,513
Equipment	47,000				47,000
Administrative contingency	10,000				10,000
Bond payments	15,161,555				15,161,555
Lignite research grants	<u>13,996,086</u>	_____	_____	_____	<u>13,996,086</u>
Total all funds	\$35,185,704	\$159,597		\$159,597	\$35,345,301
Less estimated income	<u>16,326,518</u>	<u>159,597</u>	_____	<u>159,597</u>	<u>16,486,115</u>
Total general fund	\$18,859,186	\$ 0	\$ 0	\$ 0	\$18,859,186
FTE	52	1	1	2	54

The amendment also provides for a transfer of \$161,000 from the reserves of the Municipal Bond Bank or other sources to the Industrial Commission. The Oil and Gas Division director's salary may be paid from these funds or from funds becoming available as a result of reduced expenditures in other areas of the Industrial Commission budget.

The Geological Survey may employ an additional geologist III, if sufficient funds become available because of Industrial Commission budget savings.

DEPARTMENT 471 - BANK OF NORTH DAKOTA

SENATE - This amendment makes the following changes:

	HOUSE VERSION	RESTORE VACANT POSITIONS	TOTAL CHANGES	SENATE VERSION
Salaries and wages	\$11,560,606	\$532,220	\$532,220	\$12,092,826
Operating expenses	9,945,307			9,945,307
Equipment	614,700			614,700
Capital improvements	205,000			205,000
Contingency	<u>800,000</u>	_____	_____	<u>800,000</u>
Total special funds	\$23,125,613	\$532,220	\$532,220	\$23,657,833

FTE 168 6 6 174

DEPARTMENT 473 - HOUSING FINANCE AGENCY

SENATE - This amendment makes the following changes:

	HOUSE VERSION	RESTORE VACANT POSITIONS	TOTAL CHANGES	SENATE VERSION
Salaries and wages	\$ 2,147,744	\$104,927	\$104,927	\$ 2,252,671
Operating expenses	602,937			602,937
Equipment	75,000			75,000
Grants	19,716,827			19,716,827
Contingency	<u>100,000</u>	<u> </u>	<u> </u>	<u>100,000</u>
Total special funds	\$22,642,508	\$104,927	\$104,927	\$22,747,435
FTE	29	2	2	31

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1019

Page 1, line 2, after "Dakota" insert "; to amend and reenact subsection 11 of section 1 and section 2 of chapter 493 of the 1993 Session Laws, relating to the new jobs training program; to repeal section 6 of chapter 493 of the 1993 Session Laws, relating to the expiration date of the new jobs training program; and to declare an emergency"

Page 1, line 10, replace "31,867,366" with "32,873,476"

Page 1, line 12, replace "345,000" with "445,000"

Page 1, line 15, replace "555,000" with "1,180,000"

Page 1, line 16, replace "50,576,534" with "52,307,644"

Page 1, line 17, replace "50,021,534" with "51,127,644"

Page 1, line 18, replace "555,000" with "1,180,000"

Page 2, line 4, replace "\$46,000,000" with "\$40,000,000"

Page 2, line 5, replace "\$46,000,000" with "\$40,000,000"

Page 2, line 10, replace "\$46,000,000" with "\$40,000,000"

Page 2, line 14, after "common" insert "reporting" and replace the comma with "and"

Page 2, line 15, after "transmission" insert "of the wage information" and remove the second "or"

Page 2, line 16, after "communications" insert ", or any other method of transmission deemed appropriate"

Page 2, after line 17, insert:

"SECTION 5. WORK FORCE 2000 ALLOCATIONS. For the year beginning July 1, 1995, a minimum of \$125,000, of the \$1,180,000 provided for work force 2000, is to be available for projects in areas in the state which are not within five miles [8.05 kilometers] of any city with a population of more than eight thousand. Any work force 2000 funds remaining after June 30, 1996, may be used for projects in any area of the state.

SECTION 6. AMENDMENT. Subsection 11 of section 1 of chapter 493 of the 1993 Session Laws is amended and reenacted as follows:

11. "Primary sector business" means an employer engaged in locating to or in this state which previously had no presence in this state, or in expanding its operations within this state, which through the employment of knowledge or labor, adds value to a product, process, or export service that results in the creation of new wealth, excluding production agriculture, if it meets the following eligibility criteria:
 - a. An employer entering into an agreement, and increasing its base employment level by ~~ten percent, or two employees, whichever is greater,~~ at least one employee, or in the case of an employer without an established base employment level in this state creating ~~a minimum of~~ at least five employees, within the time set in the agreement, is entitled to the new jobs credit from withholding.
 - b. An employer must have an economically productive and socially desirable purpose within the state.
 - c. An employer must not be closing or reducing its operation in one area of the state and relocating substantially the same operation in another area.

SECTION 7. AMENDMENT. Section 2 of chapter 493 of the 1993 Session Laws is amended and reenacted as follows:

SECTION 2. Job service North Dakota - Agreements. Program services developed and coordinated by job service North Dakota must be provided to primary sector businesses found eligible for loans or grants under this Act. Job service North Dakota may enter into an agreement to establish a project with an employer which meets the following conditions:

1. Sets a date of commencement of the project.
2. Identifies program costs, including deferred costs, which are to be paid from available sources including new jobs credit from withholding to be received or derived from new jobs resulting from the project.
3. Provides for a guarantee by the employer of payment for program costs.
4. Provides that any deferral of program cost payments may not exceed ten years from the date of commencement of the project.
5. Provides that on-the-job training costs for employees may not exceed fifty percent of the annual gross payroll costs of the new jobs in the first full year after the date of commencement of the project. For purposes of this subsection, "gross payroll" is the gross wages and salaries for the new jobs.
6. Provides the maximum amount of new jobs credit from withholding, or tuition and fee payments, allowed for a project.
7. Provides that every employee participating in the new jobs training program must be paid an income of at least equal to ~~one hundred twenty percent of the federal poverty level for a~~

family of four as determined at the date of commencement of the project seven dollars and fifty cents per hour, plus benefits, by the end of the first year of employment under the project and for the remaining life of the loan.

A project requiring a loan from the department or a community may not be approved, and an agreement may not be executed by job service North Dakota, until notification from the department or community that the employer has qualified for a loan. Upon execution of the agreement, job service North Dakota shall notify the state tax commissioner of the agreement and the identity of the employer. Job service North Dakota may adopt rules to implement this Act. Job service North Dakota shall prepare an annual report for the governor and the legislative assembly with respect to the new jobs training program.

SECTION 8. REPEAL. Section 6 of chapter 493 of the 1993 Session Laws is repealed.

SECTION 9. EMERGENCY. Section 8 of this Act is declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 480 - JOB SERVICE NORTH DAKOTA

SENATE - This amendment makes the following changes:

	HOUSE VERSION	RESTORE VACANT POSITIONS	RESTORE EQUIPMENT	RESTORE WORK FORCE 2000 ¹	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$31,867,366	\$1,006,110			\$1,006,110	\$32,873,476
Operating expenses	8,108,168					8,108,168
Equipment	345,000		\$100,000		100,000	445,000
Capital improvements	190,000					190,000
Grants	9,511,000					9,511,000
Work Force 2000	<u>555,000</u>			<u>\$625,000</u>	<u>625,000</u>	<u>1,180,000</u>
Total all funds	\$50,576,534	\$1,006,110	\$100,000	\$625,000	\$1,731,110	\$52,307,644
Less estimated income	<u>50,021,534</u>	<u>1,006,110</u>	<u>100,000</u>		<u>1,106,110</u>	<u>51,127,644</u>
Total general fund	\$ 555,000	\$ 0	\$ 0	\$625,000	\$ 625,000	\$ 1,180,000
FTE	391	29.5			29.5	420.5

¹ Job Service North Dakota may spend up to \$20,000 of the Work Force 2000 appropriation for the administration of the program.

The amendment also decreases the minimum balance guideline for the job insurance trust fund from \$46 million to \$40 million.

The amendment also repeals the expiration of the new jobs training program, changes the wage requirement of the new jobs training program from 120 percent of the federal poverty level, for a family of four, to \$7.50 per hour plus benefits, and reduces the increase in base employment requirement from 10 percent or two employees to at least one employee.

The amendment also adds a section providing that at least \$125,000 of the Work Force 2000 funding is to be available for rural areas during the first year of the biennium. Any funds left after the first year could go to projects in any area.

The following agencies are to continue to cooperate and work together on all jobs training programs in an effort to continue to maximize the delivery of services while minimizing any duplication of services between the agencies:

1. Job Service North Dakota.
2. State Board for Vocational and Technical Education.
3. North Dakota University System.
4. Workers Compensation Bureau.
5. Department of Economic Development and Finance.
6. Governor's Work Force Development Council.
7. Other appropriate agencies.

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

MR. SPEAKER: The Senate does not concur in the House amendments to SB 2016, SB 2209, SB 2211, SB 2231, SB 2288, SB 2355, and SB 2391 and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2016: Sens. Naaden; Solberg; Robinson
SB 2209: Sens. Schobinger; Wanzek; O'Connell
SB 2211: Sens. Wanzek; Freborg; O'Connell
SB 2231: Sens. W. Stenehjem; Watne; C. Nelson
SB 2288: Sens. Streibel; Naaden; Mushik
SB 2355: Sens. Grindberg; Schobinger; Heinrich
SB 2391: Sens. Tennefos; Kringstad; Tomac

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

MR. SPEAKER: The Senate does not concur in the House amendments to SB 2505 and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2505: Sens. Bowman; Wanzek; Kinnoin

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

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

HB 1009: Sens. Naaden; Nalewaja; Tallackson
HB 1041: Sens. Grindberg; Wanzek; Kelsh

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

MR. SPEAKER: The Senate has concurred in the House amendments and subsequently passed: SB 2004, SB 2020, SB 2021, SB 2028, SB 2090, SB 2104, SB 2134, SB 2155, SB 2176, SB 2212, SB 2270, SB 2306, SB 2309, SB 2342.

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

MR. SPEAKER: The Senate has concurred in the House amendments and subsequently passed: SB 2343, SB 2351, SB 2352, SB 2353, SB 2383, SB 2388, SB 2399, SB 2402.

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

MR. SPEAKER: The President has signed: HB 1012, HB 1020, HB 1052, HB 1055, HB 1145, HB 1177, HB 1217, HCR 3047.

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

MR. SPEAKER: The President has signed: HB 1346, HB 1368, HB 1388, HB 1469, HB 1474, HB 1496, HCR 3002.

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

MADAM PRESIDENT: The House has concurred in the Senate amendments and subsequently passed: HB 1051, HB 1243, HB 1252, HB 1318, HB 1337, HB 1355.

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

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

HB 1016: Reps. Byerly; DeWitz; Huether

SIGNING OF BILLS AND RESOLUTIONS

The Speaker signed the following enrolled bills and resolutions: SB 2533, SB 2535, SCR 4001, SCR 4002, SCR 4018, SCR 4023, SCR 4043, SCR 4059.

MOTION

REP. FREIER MOVED that the House stand in recess until 11:00 a.m., which motion prevailed.

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

MOTION

REP. DORSO MOVED that Engrossed SB 2202 be placed at the bottom of the Sixth order, which motion prevailed.

SIXTH ORDER OF BUSINESS

SB 2359, as engrossed: REP. BERG (Industry, Business and Labor Committee) MOVED that the amendments on HJ pages 1365-1367 be adopted and then be placed on the Fourteenth order with DO PASS, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2359: A BILL for an Act to create a one-call excavation notice system; to repeal sections 11-18-16, 11-18-17, 11-18-18, 11-18-19, and 11-18-20 of the North Dakota Century Code, relating to buried transmission facilities; to provide a penalty; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 73 YEAS, 22 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Austin; Bateman; Belter; Berg; Bernstein; Boehm; Brown; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; Delmore; Dorso; Drovdal; Freier; Froseth; Gerntholz; Glassheim; Gorman; Grumbo; Gullerson; Hausauer; Henegar, K.; Holm; Huether; Jacobs; Johnson; Keiser; Kelsch; Kempenich; Klein; Kliniske; Koppelman; Kretschmar; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Mutzenberger; Nicholas; Nottestad; Oban; Olson; Payne; Poolman; Price; Rennerfeldt; Rydell; Sabby; Sandvig; Schimke; Schmidt; Shide; Skarphol; Soukup; Stenehjem; Svedjan; Thoreson; Timm; Tollefson; Wald; Walker; Wardner; Wentz; Speaker Martin

NAYS: Aarsvold; Boucher; DeKrey; Delzer; DeWitz; Dobrinski; Galvin; Gorder; Grosz; Hanson; Howard; Kaldor; Kerzman; Kroeber; Laughlin; Nichols; Retzer; Sitz; Sveen; Thompson; Torgerson; Wilkie

ABSENT AND NOT VOTING: Gunter; Hagle; Henegar, D.

Reengrossed SB 2359, as amended, passed and the title was agreed to.

MOTION

REP. DORSO MOVED that SB 2192 be placed at the top of the Sixth order, which motion prevailed.

SIXTH ORDER OF BUSINESS

SB 2192, as engrossed: REP. SVEDJAN (Human Services Committee) MOVED that the amendments on HJ pages 1362-1363 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

MOTION

REP. FREIER MOVED that the House waive the reading of the title to Reengrossed SB 2192, as amended, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2192: A BILL for an Act to amend and reenact sections 32-03.1-06, 43-12.1-01, 43-12.1-02, 43-12.1-03, 43-12.1-04, 43-12.1-05, 43-12.1-06, 43-12.1-08, 43-12.1-09, 43-12.1-10, 43-12.1-11, 43-12.1-12, 43-12.1-13, 43-12.1-14, 43-12.1-15, and 43-17-02 of the North Dakota Century Code, relating to the practice of nursing; to repeal sections 43-12-26.1, 43-12-27, 43-12.1-08.1, 43-12.1-13.1, 43-12.1-13.2, and 43-12.1-14.1 of the North Dakota Century Code, relating to definitions applicable to and duties of the board of nursing, the practice of nursing, and the disciplining of persons assisting nurses; to provide for a joint rulemaking committee; and to provide an expiration date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of **DO PASS**, the roll was called and there were 91 YEAS, 4 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Bateman; Belter; Berg; Bernstein; Boehm; Boucher; Brown; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; DeKrey; Delmore; Delzer; DeWitz; Dorso; Drovdal; Freier; Froseth; Galvin; Gertholz; Glassheim; Gorder; Gorman; Grosz; Grumbo; Guleson; Gunter; Hanson; Hausauer; Henegar, K.; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Klein; Kliniske; Koppelman; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martinson; Mickelson; Monson; Mutzenberger; Nicholas; Nottestad; Oban; Payne; Poolman; Price; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schimke; Schmidt; Shide; Sitz; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Walker; Wardner; Wentz; Wilkie; Speaker Martin

NAYS: Dobrinski; Lloyd; Nichols; Skarphol

ABSENT AND NOT VOTING: Hagle; Henegar, D.; Olson

Reengrossed SB 2192, as amended, passed and the title was agreed to.

MOTION

REP. DORSO MOVED that all action taken this morning be messaged to the Senate immediately, which motion prevailed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. SOUKUP MOVED that the House do not concur in the Senate amendments to Engrossed HB 1317 as printed on HJ page 1222 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 1317: Reps. Kretschmar, Soukup, Delmore.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. WARDNER MOVED that the House do not concur in the Senate amendments to HB 1423 as printed on HJ page 1357 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 1423: Reps. Stenehjem, Clark, Christenson.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. WARDNER MOVED that the House do not concur in the Senate amendments to Engrossed HB 1501 as printed on HJ pages 1357-1358 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 1501: Reps. Stenehjem, Clark, Sandvig.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. SVEDJAN MOVED that the House do not concur in the Senate amendments to Engrossed HB 1256 as printed on HJ pages 1389-1390 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 1256: Reps. Price, Christopherson, Mutzenberger.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2103: Reps. Olson, Drovdal, Hanson.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2231: Reps. Kelsch, Koppelman, Christenson.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2264: Reps. Kelsch, Mickelson, Delmore.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2455: Reps. DeKrey, Kretschmar, Mahoney.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2520: Reps. Poolman, Berg, Schmidt.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SCR 4046: Reps. Klein, Nottestad, Christenson.

MOTION

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

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

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

MADAM PRESIDENT: The House does not concur in the Senate amendments to HB 1256, HB 1317, HB 1423, and HB 1501 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1256: Reps. Price; Christopherson; Mutzenberger

HB 1317: Reps. Kretschmar; Soukup; Delmore

HB 1423: Reps. Stenehjelm; Clark; Christenson

HB 1501: Reps. Stenehjelm; Clark; Sandvig

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 2103: Reps. Austin; Drovdal; Hanson

SB 2231: Reps. Kelsch; Koppelman; Christenson

SB 2264: Reps. Kelsch; Mickelson; Delmore

SB 2455: Reps. DeKrey; Kretschmar; Mahoney

SB 2520: Reps. Poolman; Berg; Schmidt

SCR 4046: Reps. Klein; Nottestad; Christenson

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

MADAM PRESIDENT: The House has amended and subsequently passed: SB 2192, SB 2350, SB 2359.

SIGNING OF BILLS AND RESOLUTIONS

The Speaker signed the following enrolled bills: HB 1159, HB 1185, HB 1190, HB 1205, HB 1208, HB 1236, HB 1253, HB 1274, HB 1314.

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 1159, HB 1185, HB 1190, HB 1205, HB 1208, HB 1236, HB 1253, HB 1274, HB 1314.

COMMUNICATION FROM GOVERNOR EDWARD T. SCHAFER

The following communication was received from the Governor at 1:00 p.m., Monday, March 27, 1995.

This is to inform you that on March 27, 1995, I signed the following: HB 1054, HB 1086, HB 1099, HB 1141, HB 1173, HB 1184, HB 1187, HB 1189, HB 1196, HB 1216, HB 1247, HB 1263, HB 1412, HB 1030, HB 1074, HB 1075, HB 1160, HB 1218, HB 1264, HB 1269, HB 1271, HB 1279, HB 1287, HB 1315, HB 1328, HB 1330, HB 1331, HB 1332, HB 1334, and HB 1175.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. RYDELL MOVED that the House do concur in the Senate amendments to Engrossed HB 1286 as printed on HJ pages 1276-1277, which motion prevailed.

Engrossed HB 1286, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1286: A BILL for an Act to create and enact a new chapter to title 43 of the North Dakota Century Code, relating to the suspension of licenses, certificates, permits, or the authority of persons practicing professions, trades, or occupations for failure to pay student loans guaranteed by the state guaranteed student loan program.

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; Austin; Bateman; Belter; Berg; Bernstein; Boehm; Boucher; Brown; Byerly; Carlisle; Carlson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; DeKrey; Delmore; Delzer; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Gorman; Grosz; Grumbo; Gulleon; Gunter; Hanson; Hausauer; Henegar, K.; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Klein; Kliniske; Koppelman; Kretschmar; Kroeber; Kunkel; Laughlin; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Mutzenberger; Nicholas; Nichols; Nottestad; Oban; Olson; Payne; Poolman; Price; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schimke; Schmidt; Shide; Sitz; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Walker; Wardner; Wentz; Wilkie; Speaker Martin

ABSENT AND NOT VOTING: Hagle; Henegar, D.

Engrossed HB 1286, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. BERG MOVED that the House do not concur in the Senate amendments to Engrossed HB 1289 as printed on HJ page 1277 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 1289: Reps. Keiser, Berg, Grumbo.

MOTION

REP. DORSO MOVED that Engrossed SB 2202 be placed at the top of the Sixth order, which motion prevailed.

SIXTH ORDER OF BUSINESS

SB 2202, as engrossed: REP. BERG (Industry, Business and Labor Committee) MOVED that the amendments on HJ pages 1364-1365 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2202: A BILL for an Act to create and enact a new section to chapter 65-05 of the North Dakota Century Code, relating to workers' compensation permanent impairment; to repeal sections 65-05-12, 65-05-12.1, 65-05-13 and 65-05-14 of the North Dakota Century Code, relating to permanent impairment disputes and scheduled injuries; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of **DO PASS**, the roll was called and there were 62 YEAS, 34 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Austin; Bateman; Belter; Berg; Bernstein; Boehm; Brown; Byerly; Carlisle; Carlson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; DeKrey; DeWitz; Dorso; Drovdal; Freier; Froseth; Gerntholz; Gorman; Grosz; Gunter; Hausauer; Henegar, K.; Holm; Howard; Jacobs; Johnson; Keiser; Kelsch; Kempenich; Klein; Kliniske; Koppelman; Kunkel; Lloyd; Martinson; Mickelson; Monson; Nicholas; Nottestad; Payne; Poolman; Price; Rennerfeldt; Rydell; Schimke; Shide; Skarphol; Soukup;

Stenehjelm; Svedjan; Sveen; Thoreson; Timm; Tollefson; Wald; Walker; Wardner

MAYS: Aarsvold; Boucher; Christenson; Delmore; Delzer; Dobrinski; Galvin; Glassheim; Gorder; Grumbo; Gulleson; Hanson; Huether; Kaldor; Kerzman; Kretschmar; Kroeber; Laughlin; Mahoney; Maragos; Mutzenberger; Nichols; Oban; Olson; Retzer; Sabby; Sandvig; Schmidt; Sitz; Thompson; Torgerson; Wentz; Wilkie; Speaker Martin

ABSENT AND NOT VOTING: Hagle; Henegar, D.

Engrossed SB 2202, as amended, passed and the title was agreed to.

SIXTH ORDER OF BUSINESS

SB 2030, as engrossed: REP. DALRYMPLE (Appropriations Committee) MOVED that the amendments on HJ pages 1313-1317 be adopted with **DO PASS**.

REQUEST

REP. FREIER REQUESTED that the question of the adoption of the proposed amendments to Engrossed SB 2030 be divided to have the sections voted on separately in the following manner.

RULING BY THE SPEAKER

SPEAKER MARTIN RULED that in accordance with House Rule 603, any member may have the amendments divided into separate divisions and the question of the adoption of the amendments must be taken separately on each amendment. All approved divisions will then comprise the report that is to be adopted. Therefore, Rep. Freier's request was granted.

DIVISION A

SECTION 3
Dickinson state university Klinefelter hall \$2,750,000

SECTION 4
Dickinson state university project \$ 275,000

DIVISION B

SECTION 3
North Dakota state university Power plant \$2,145,000

DIVISION C

SECTION 3
University of North Dakota Abbott hall \$2,371,769

SECTION 4
University of North Dakota project \$ 871,769

DIVISION D

All of **SECTIONS 1 and 2**

SECTION 3
Bismarck state college Science and mathematics center \$8,060,000

SECTION 4
Bismarck state college project \$1,060,000

DIVISION E

The remainder of the amendments

Renumber and correct totals accordingly

REQUEST

REP. GROSZ REQUESTED a recorded roll call vote on each of the proposed divisions of Engrossed SB 2030, which request was granted.

ROLL CALL

The question being on the motion to adopt Division A of the proposed amendments to Engrossed SB 2030, the roll was called and there were 70 YEAS, 25 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Bateman; Berg; Bernstein; Boehm; Boucher; Brown; Byerly; Carlisle; Christenson; Clark; Clayburgh; Coats; Dalrymple; DeKrey; Delmore; DeWitz; Drovdal; Froseth; Gerntholz; Glasheim; Gorder; Gorman; Grumbo; Hausauer; Henegar, K.; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Klein; Kliniske; Kretschmar; Kroeber; Kunkel; Laughlin; Maragos; Martinson; Mickelson; Mutzenberger; Nicholas; Nottestad; Oban; Poolman; Price; Rennerfeldt; Rydell; Sabby; Sandvig; Schmidt; Shide; Stenehjøm; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Wald; Walker; Wardner; Wentz; Wilkie; Speaker Martin

NAYS: Belter; Carlson; Christopherson; Delzer; Dobrinski; Dorso; Freier; Galvin; Grosz; Gulleson; Gunter; Hanson; Holm; Lloyd; Mahoney; Monson; Nichols; Olson; Payne; Retzer; Schimke; Sitz; Skarphol; Soukup; Torgerson

ABSENT AND NOT VOTING: Hagle; Henegar, D.; Koppelman

Division A of the proposed amendments to Engrossed SB 2030 was adopted.

ROLL CALL

The question being on the motion to adopt Division B of the proposed amendments to Engrossed SB 2030, the roll was called and there were 67 YEAS, 27 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Belter; Berg; Bernstein; Boehm; Boucher; Brown; Byerly; Carlisle; Christenson; Clark; Clayburgh; Coats; Dalrymple; Delmore; DeWitz; Froseth; Gerntholz; Glasheim; Gorder; Gorman; Grumbo; Hanson; Hausauer; Henegar, K.; Holm; Huether; Johnson; Kaldor; Keiser; Kelsch; Kerzman; Klein; Kliniske; Koppelman; Kretschmar; Kroeber; Kunkel; Laughlin; Maragos; Martinson; Mickelson; Mutzenberger; Nicholas; Nichols; Nottestad; Oban; Poolman; Price; Rydell; Sabby; Sandvig; Schmidt; Shide; Stenehjøm; Sveen; Thompson; Thoreson; Timm; Tollefson; Wald; Walker; Wardner; Wentz; Wilkie; Speaker Martin

NAYS: Carlson; Christopherson; DeKrey; Delzer; Dobrinski; Dorso; Drovdal; Freier; Galvin; Grosz; Gulleson; Gunter; Howard; Jacobs; Kempenich; Lloyd; Mahoney; Monson; Olson; Payne; Rennerfeldt; Retzer; Schimke; Sitz; Skarphol; Soukup; Torgerson

ABSENT AND NOT VOTING: Bateman; Hagle; Henegar, D.; Svedjan

Division B of the proposed amendments to Engrossed SB 2030 was adopted.

ROLL CALL

The question being on the motion to adopt Division C of the proposed amendments to Engrossed SB 2030, the roll was called and there were 66 YEAS, 30 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Bateman; Belter; Berg; Bernstein; Boucher; Brown; Byerly; Carlisle; Christenson; Clark; Clayburgh; Coats; Dalrymple; DeKrey; Delmore; DeWitz; Froseth; Gerntholz; Glassheim; Gorman; Grumbo; Hanson; Hausauer; Henegar, K.; Holm; Howard; Huether; Johnson; Kaldor; Keiser; Kelsch; Kerzman; Klein; Kliniske; Koppelman; Kretschmar; Kroeber; Kunkel; Laughlin; Maragos; Martinson; Mickelson; Mutzenberger; Nicholas; Nottestad; Oban; Poolman; Price; Rydell; Sabby; Sandvig; Schmidt; Shide; Stenehjem; Svedjan; Thoreson; Timm; Tollefson; Wald; Walker; Wardner; Wentz; Wilkie; Speaker Martin

NAYS: Boehm; Carlson; Christopherson; Delzer; Dobrinski; Dorso; Drovdal; Freier; Galvin; Gorder; Grosz; Gulleson; Gunter; Jacobs; Kempenich; Lloyd; Mahoney; Monson; Nichols; Olson; Payne; Rennerfeldt; Retzer; Schimke; Sitz; Skarphol; Soukup; Sveen; Thompson; Torgerson

ABSENT AND NOT VOTING: Hagle; Henegar, D.

Division C of the proposed amendments to Engrossed SB 2030 was adopted.

ROLL CALL

The question being on the motion to adopt Division D of the proposed amendments to Engrossed SB 2030, the roll was called and there were 60 YEAS, 36 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Bateman; Berg; Bernstein; Boucher; Byerly; Carlisle; Christenson; Clayburgh; Coats; Dalrymple; Delmore; DeWitz; Froseth; Gerntholz; Glassheim; Gorman; Grumbo; Gunter; Hausauer; Henegar, K.; Howard; Huether; Johnson; Kaldor; Keiser; Kelsch; Klein; Kliniske; Kretschmar; Kroeber; Kunkel; Laughlin; Maragos; Martinson; Mickelson; Mutzenberger; Nicholas; Nottestad; Oban; Poolman; Price; Rennerfeldt; Rydell; Sabby; Sandvig; Shide; Stenehjem; Svedjan; Sveen; Thoreson; Timm; Tollefson; Wald; Walker; Wardner; Wentz; Wilkie; Speaker Martin

NAYS: Belter; Boehm; Brown; Carlson; Christopherson; Clark; DeKrey; Delzer; Dobrinski; Dorso; Drovdal; Freier; Galvin; Gorder; Grosz; Gulleson; Hanson; Holm; Jacobs; Kempenich; Kerzman; Koppelman; Lloyd; Mahoney; Monson; Nichols; Olson; Payne; Retzer; Schimke; Schmidt; Sitz; Skarphol; Soukup; Thompson; Torgerson

ABSENT AND NOT VOTING: Hagle; Henegar, D.

Division D of the proposed amendments to Engrossed SB 2030 was adopted.

ROLL CALL

The question being on the motion to adopt Division E of the proposed amendments to Engrossed SB 2030, the roll was called and there were 53 YEAS, 43 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Bateman; Berg; Bernstein; Boehm; Boucher; Byerly; Carlisle; Christenson; Clayburgh; Dalrymple; DeWitz; Froseth; Galvin; Gerntholz; Glassheim; Gorman; Grumbo; Gunter; Hausauer; Henegar, K.; Howard; Huether; Johnson; Kaldor; Keiser; Klein; Koppelman; Kretschmar; Kunkel; Laughlin; Lloyd; Maragos; Martinson; Mickelson; Mutzenberger; Nicholas; Oban; Payne; Price; Rennerfeldt; Rydell; Sabby; Shide; Svedjan; Sveen; Thoreson; Tollefson; Wald; Walker; Wardner; Wentz; Speaker Martin

NAYS: Austin; Belter; Brown; Carlson; Christopherson; Clark; Coats; DeKrey; Delmore; Delzer; Dobrinski; Dorso; Drovdal; Freier; Gorder; Grosz; Gulleson; Hanson; Holm; Jacobs; Kelsch; Kempenich; Kerzman; Kliniske; Kroeber; Mahoney; Monson; Nichols; Nottestad; Olson; Poolman; Retzer; Sandvig; Schimke; Schmidt; Sitz; Skarphol; Soukup; Stenehjem; Thompson; Timm; Torgerson; Wilkie

ABSENT AND NOT VOTING: Hagle; Henegar, D.

Division E of the proposed amendments to Engrossed SB 2030 was adopted.

ROLL CALL

The question being on the motion to adopt Division F of the proposed amendments to Engrossed SB 2030, the roll was called and there were 96 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Bateman; Belter; Berg; Bernstein; Boehm; Boucher; Brown; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; DeKrey; Delmore; Delzer; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glasheim; Gorder; Gorman; Grosz; Grumbo; Gulleson; Gunter; Hanson; Hausauer; Henegar, K.; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Klein; Kliniske; Koppelman; Kretschmar; Kroeber; Kunkel; Laughlin; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Mutzenberger; Nicholas; Nichols; Nottestad; Oban; Olson; Payne; Poolman; Price; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schimke; Schmidt; Shide; Sitz; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Walker; Wardner; Wentz; Wilkie; Speaker Martin

ABSENT AND NOT VOTING: Hagle; Henegar, D.

Division F of the proposed amendments to Engrossed SB 2030 was adopted.

REQUEST

REP. WALD REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to Engrossed SB 2030 including Divisions A, B, C, D, E, and F, which request was granted.

ROLL CALL

The question being on the motion to adopt the proposed amendments to Engrossed SB 2030 including Divisions A, B, C, D, E, and F, the roll was called and there were 60 YEAS, 36 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Bateman; Berg; Bernstein; Boucher; Brown; Byerly; Carlisle; Christenson; Clayburgh; Coats; Dalrymple; Delmore; DeWitz; Gerntholz; Glasheim; Gorman; Grumbo; Gunter; Hanson; Hausauer; Henegar, K.; Holm; Howard; Huether; Johnson; Kaldor; Keiser; Kelsch; Klein; Kliniske; Kretschmar; Kroeber; Kunkel; Laughlin; Maragos; Martinson; Mickelson; Mutzenberger; Nicholas; Nottestad; Oban; Poolman; Price; Rydell; Sabby; Sandvig; Shide; Stenehjem; Svedjan; Sveen; Thoreson; Timm; Tollefson; Wald; Walker; Wardner; Wentz; Speaker Martin

NAYS: Belter; Boehm; Carlson; Christopherson; Clark; DeKrey; Delzer; Dobrinski; Dorso; Drovdal; Freier; Froseth; Galvin; Gorder; Grosz; Gulleson; Jacobs; Kempenich; Kerzman; Koppelman; Lloyd; Mahoney; Monson; Nichols; Olson; Payne; Rennerfeldt; Retzer; Schimke; Schmidt; Sitz; Skarphol; Soukup; Thompson; Torgerson; Wilkie

ABSENT AND NOT VOTING: Hagle; Henegar, D.

The motion to adopt the proposed amendments to Engrossed SB 2030 including Divisions A, B, C, D, E, and F with the title amended appropriately and lines, sections, and pages renumbered accordingly, passed.

Engrossed SB 2030, as amended, was placed on the Fourteenth order on today's calendar.

SECOND READING OF SENATE BILL

SB 2030: A BILL for an Act to provide an appropriation for capital projects of various state departments and institutions; to authorize the state board of higher education to issue and sell self-liquidating, tax-exempt bonds for capital projects; to authorize the industrial

commission to issue and sell bonds for capital projects; to amend and reenact section 54-17.2-23 of the North Dakota Century Code, relating to the limitation on state building authority lease payments; and to provide guidelines on the contents of future capital construction bills.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 60 YEAS, 36 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Bateman; Berg; Bernstein; Boucher; Brown; Byerly; Carlisle; Christenson; Clayburgh; Coats; Dalrymple; Delmore; DeWitz; Froseth; Gerntholz; Glassheim; Gorman; Grumbo; Hanson; Hausauer; Henegar, K.; Howard; Huether; Johnson; Kaldor; Keiser; Kelsch; Klein; Kliniske; Kretschmar; Kroeber; Kunkel; Laughlin; Maragos; Martinson; Mickelson; Mutzenberger; Nicholas; Nottestad; Oban; Poolman; Price; Rydell; Sabby; Sandvig; Schmidt; Shide; Stenehjem; Svedjan; Sveen; Thoreson; Timm; Tollefson; Wald; Walker; Wardner; Wentz; Speaker Martin

NAYS: Belter; Boehm; Carlson; Christopherson; Clark; DeKrey; Delzer; Dobrinski; Dorso; Drovdal; Freier; Galvin; Gorder; Grosz; Gulleson; Gunter; Holm; Jacobs; Kempenich; Kerzman; Koppelman; Lloyd; Mahoney; Monson; Nichols; Olson; Payne; Rennerfeldt; Retzer; Schimke; Sitz; Skarphol; Soukup; Thompson; Torgerson; Wilkie

ABSENT AND NOT VOTING: Hagle; Henegar, D.

Engrossed SB 2030, as amended, passed and the title was agreed to.

HOUSE ENGROSSING AND ENROLLING REPORT

The following bills were engrossed and enrolled: HB 1004, HB 1008, HB 1010, HB 1116, HB 1026, HB 1031, HB 1036, HB 1050, HB 1083, HB 1172, HB 1214, HB 1220, HB 1223.

HOUSE ENGROSSING AND ENROLLING REPORT

The following bills were enrolled: HB 1176, HB 1225, HB 1227, HB 1235, HB 1245, HB 1254, HB 1257, HB 1313, HB 1339, HB 1342, HB 1343, HB 1349, HB 1356, HB 1366, HB 1373, HB 1374, HB 1385, HB 1394, HB 1419, HB 1435, HB 1459.

SIGNING OF BILLS AND RESOLUTIONS

The Speaker signed the following enrolled resolution: HCR 3047.

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

MADAM PRESIDENT: The Speaker has signed and your signature is respectfully requested on: HCR 3047.

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

MADAM PRESIDENT: The House has concurred in the Senate amendments and subsequently passed: HB 1286.

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

MADAM PRESIDENT: The House does not concur in the Senate amendments to HB 1289 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1289: Reps. Keiser; Berg; Grumbo

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

MR. SPEAKER: The President has signed and your signature is respectfully requested on: SCR 4067.

MOTION

REP. DORSO MOVED that all action taken this afternoon be messaged to the Senate immediately, which motion prevailed.

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

MADAM PRESIDENT: The House has amended and subsequently passed: SB 2030, SB 2202.

SIGNING OF BILLS AND RESOLUTIONS

The Speaker signed the following enrolled resolution: SCR 4067.

MOTION

REP. FREIER MOVED that the House stand in recess until 4:30 p.m., which motion prevailed.

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

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bills were delivered to the Governor for his approval at the hour of 2:50 p.m., March 27, 1995: HB 1012, HB 1020, HB 1052, HB 1055, HB 1145, HB 1177, HB 1217, HB 1346, HB 1368, HB 1388, HB 1469, HB 1474, HB 1496.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following resolutions were delivered to the Secretary of State for his filing at the hour of 2:50 p.m., March 27, 1995: HCR 3002, HCR 3047.

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

MR. SPEAKER: The Senate does not concur in the House amendments to HB 1138 and the President has appointed as a conference committee to act with a like committee from the House on:

HB 1138: Sens. Thane; Urlacher; Mathern

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

MR. SPEAKER: The Senate does not concur in the House amendments to HB 1168, HB 1260, and HB 1392 and the President has appointed as a conference committee to act with a like committee from the House on:

HB 1168: Sens. W. Stenehjem; Traynor; C. Nelson

HB 1260: Sens. Traynor; Freborg; Krauter

HB 1392: Sens. B. Stenehjem; Mutch; Kelsh

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

MR. SPEAKER: The President has signed: HB 1159, HB 1185, HB 1190, HB 1205, HB 1208, HB 1236, HB 1253, HB 1274, HB 1314.

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

MR. SPEAKER: The President has signed and your signature is respectfully requested on: SB 2005, SB 2187, SB 2538, SCR 4014, SCR 4034.

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

MR. SPEAKER: The President has signed: HCR 3047.

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

MR. SPEAKER: The President has signed and your signature is respectfully requested on: SB 2018, SCR 4065, SCR 4066.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2505: Reps. Froseth, Rennerfeldt, Sitz.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SCR 4026: Reps. Shide, Johnson, Kerzman.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2391: Reps. Lloyd, Timm, Dobrinski.

REPORT OF STANDING COMMITTEE

SB 2026, as engrossed: Appropriations Committee (Rep. Dalrymple, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (22 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed SB 2026 was placed on the Sixth order on the calendar.

Page 1, line 3, replace "provide a statement of legislative intent" with "amend and reenact section 4-14.1-06 of the North Dakota Century Code, relating to administrative expenses of the agricultural products utilization commission"

Page 1, line 16, replace "3,650,000" with "3,000,000"

Page 1, line 17, replace "6,332,410" with "5,682,410"

Page 1, line 18, replace "5,215,024" with "4,565,024"

Page 2, line 10, replace "\$3,657,000" with "\$3,007,000"

Page 2, line 12, replace "\$3,650,000" with "\$3,000,000"

Page 2, line 27, replace "If two or more" with "If any ethanol plant that did not receive production incentives during the fiscal year ending June 30, 1995, is eligible for production incentives on July 1, 1996, for the fiscal year ending June 30, 1997, incentive payments, only fifty percent of the authorized production incentives, up to a total of \$250,000, may be provided to an ethanol plant that produced fifteen million gallons or more of ethanol in the previous fiscal year."

Page 2, remove lines 28 and 29

Page 3, remove lines 1 through 7

Page 3, line 8, remove "authority of this sentence."

Page 3, after line 19, insert:

"SECTION 6. AMENDMENT. Section 4-14.1-06 of the 1993 Supplement to the North Dakota Century Code is amended and reenacted as follows:

4-14.1-06. Agricultural products utilization commission - Administrative expenses. Administrative expenses of the agricultural products utilization commission, including expenses of members of the commission, employment of needed personnel, hiring of consultants, and contracting with public or private entities for services may not exceed ten percent of the funds provided to the commission ~~for grants~~ each biennium excluding federal funds."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 612 - AGRICULTURAL PRODUCTS UTILIZATION COMMISSION

HOUSE - This amendment removes provisions limiting the annual ethanol production incentive payments that may be provided to North Dakota ethanol plants. Provisions limiting the payments are included in House Bill No. 1134. In addition, provisions are added providing that if a new ethanol plant is eligible for production incentives on July 1, 1996, an ethanol plant that produces 15 million gallons or more of ethanol may receive production incentives of only up to \$250,000 rather than \$500,000 for the second year of

the 1995-1997 biennium. The remaining \$250,000 would be available for the new ethanol plant's production incentives.

The ethanol incentive line item is reduced by \$650,000 from the highway tax distribution fund, from \$3,650,000 to \$3,000,000, in accordance with the incentive payment limit provisions of House Bill No. 1134.

A section is added amending North Dakota Century Code Section 4-14.1-06 removing language limiting administrative expenses of the commission to 10 percent of the funding provided for grants, excluding federal funds. The amended section limits administrative expenses to 10 percent of all funding provided to the commission, excluding federal funds.

REPORT OF STANDING COMMITTEE

SB 2428, as engrossed: Appropriations Committee (Rep. Dalrymple, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (22 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2428 was placed on the Sixth order on the calendar.

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

Page 1, line 3, after the comma insert "an anhydrous ammonia storage facility inspection fund,"

Page 1, line 14, remove ", but not a refrigerated anhydrous ammonia storage facility"

Page 1, remove line 15

Page 1, line 16, remove "state"

Page 1, line 19, remove "storage"

Page 2, line 1, remove the overstrike over "~~the storage and handling of~~"

Page 2, line 2, remove "storage facilities", after the third comma insert "5.2.2.1", and remove the overstrike over "~~5.2.2.2~~"

Page 2, line 3, remove "5.2.2.1"

Page 2, line 7, after "division" insert "I"

Page 2, line 11, after "only" insert "section VIII"

Page 3, after line 3, insert:

"4. (5.2.2.2) Steels used in fabricating pressure containing parts of a container may not exceed a specified tensile strength of seventy-five thousand pounds per square inch [517110 kilopascals], as noted in the American society of mechanical engineers code, section II, part D, except that this does not apply to sections 8, 9, and 10. Allowances for tensile strength of up to twenty thousand pounds per square inch [137900 kilopascals] above those given in the American society of mechanical engineers code, section II, part D, are permitted."

Page 3, line 7, overstrike "retail"

Page 3, line 12, replace "to be" with "located"

Page 3, line 13, remove "constructed"

Page 4, line 4, after the period insert "The commissioner of agriculture also may deny a license if the chief boiler inspector does not certify that

the facility meets the initial inspection standards required by this chapter and by any rules adopted pursuant to this chapter."

Page 4, line 9, after "of" insert "drawings or"

Page 6, line 3, after "use" insert "and when the facility is unattended"

Page 6, line 14, overstrike "To prevent excessive hydrostatic pressure in hoses, differential"

Page 6, overstrike line 15

Page 6, line 16, overstrike "square inch [344.74 kilopascals] of pressure," and insert immediately thereafter "A hydrostatic relief valve or equivalent must be installed in each section of hose or pipe in which liquid ammonia can be isolated between shutoff valves to relieve the pressure that could develop from the trapped liquid. If an equivalent pressure relief device is used, the maximum accumulated pressure possible within the system may not exceed the limits of the system. A"

Page 6, line 17, overstrike "valves may" and insert immediately thereafter "valve must"

Page 6, line 18, overstrike "may be" and insert immediately thereafter "is" and overstrike ", or a hose may be used to discharge liquid at a safe"

Page 6, line 19, overstrike "location. Any" and insert immediately thereafter "The", after "pressure" insert "setting", and after "of" insert "the"

Page 6, line 20, overstrike "designed to handle"

Page 6, line 21, after "kilopascals]" insert "gauge"

Page 6, line 22, after "kilopascals]" insert "gauge"

Page 7, line 19, replace "Pressure relief valves must be replaced every" with "Bulk storage containers constructed according to the American society of mechanical engineers code, and all nurse tanks, must be equipped with pressure relief valves constructed according to the American society of mechanical engineers code and capacity certified by the national board of boiler and pressure vessel inspectors. A pressure relief valve using nonmetallic seats must be replaced every five years with a new valve meeting the standards referenced in this section. A pressure relief value using metallic seats must be tested every five years in lieu of replacement, and repairs, if deemed necessary, must be made by the valve manufacturer or by a safety valve repair organization having a valid "VR" certificate of authorization for the repairs from the national board of boiler and pressure vessel inspectors."

Page 7, remove lines 20 and 21

Page 7, line 25, replace "workers compensation bureau" with "commissioner of insurance"

Page 7, line 26, remove "chief safety engineer"

Page 7, line 27, after "an" insert "initial and periodic" and after "program" insert "for anhydrous ammonia storage facilities. The chief boiler inspector shall inform the commissioner of agriculture of any violation of this chapter that may arise in the course of an inspection of an anhydrous ammonia storage facility"

Page 7, line 28, overstrike "may" and insert immediately thereafter "of insurance shall"

Page 7, line 29, after "facility" insert "at least once every five years" and overstrike "each" and insert immediately thereafter "may inspect any"

Page 8, line 2, after "ammonia" insert "which is in the vicinity of an anhydrous ammonia storage facility"

Page 8, line 3, after "~~shall~~" insert "of insurance"

Page 8, line 10, after "commissioner" insert "of agriculture"

Page 8, after line 20, insert:

"SECTION 11. A new section to chapter 19-20.2 of the North Dakota Century Code is created and enacted as follows:

"Anhydrous ammonia storage facility inspection fund. The anhydrous ammonia storage facility inspection fund is a special fund in the state treasury. The fund consists of all inspection fees collected in accordance with section 19-20.1-06 which are related to the distribution of anhydrous ammonia."

Page 8, line 25, after "Filling" insert "or using"

Page 8, line 26, after "Filling" insert "or using"

Page 8, after line 27, insert:

"5. Filling department of transportation transport containers not currently certified by the department of transportation.

6. Filling anhydrous ammonia storage tanks not meeting the requirements of this chapter."

Page 9, line 8, remove the overstrike over "~~of agriculture~~"

Page 9, line 14, after "commissioner" insert "of agriculture and the commissioner of insurance"

Page 9, line 20, remove "retail"

Page 10, after line 13, insert:

"SECTION 15. TRANSFER. There is hereby authorized the transfer to the fire and tornado fund the sum of \$140,000 from the anhydrous ammonia storage facility inspection fund. The money must be transferred during the biennium beginning July 1, 1995, and ending June 30, 1997, upon order of the commissioner of insurance. The state treasurer shall transfer any balance remaining in the anhydrous ammonia storage facility inspection fund on June 30, 1997, to the general fund in the state treasury.

SECTION 16. APPROPRIATION. There is hereby appropriated out of any moneys in the fire and tornado fund the sum of \$120,000, or so much of the sum as may be necessary, to the commissioner of insurance for the purpose of inspecting anhydrous ammonia storage facilities for the biennium beginning July 1, 1995, and ending June 30, 1997."

Page 10, line 15, replace "general" with "fire and tornado" and remove ", collected through the anhydrous ammonia"

Page 10, line 16, remove "inspection fee, or so much of the sum as may be necessary,"

Page 10, line 17, replace "\$160,000" with "\$20,000, or so much of the sum as may be necessary,", remove the first comma, and replace "licensing," with "administering and enforcing the provisions of this Act"

Page 10, line 18, remove "regulating, and inspecting anhydrous ammonia storage facilities"

Renumber accordingly

SIXTH ORDER OF BUSINESS

SB 2026, as engrossed: REP. DALRYMPLE (Appropriations Committee) MOVED that the amendments on HJ pages 1412-1413 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2026: A BILL for an Act to provide an appropriation for defraying the expenses of the agricultural products utilization commission and for ethanol production incentives; and to amend and reenact section 4-14.1-06 of the North Dakota Century Code, relating to administrative expenses of the agricultural products utilization commission.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of **DO PASS**, the roll was called and there were 93 YEAS, 0 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Bateman; Belter; Berg; Bernstein; Boehm; Boucher; Brown; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; DeKrey; Delmore; Delzer; DeWitz; Dobrinski; Dorso; Drovda; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gordier; Gorman; Grosz; Grumbo; Gullerson; Gunter; Hanson; Henegar, K.; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Klein; Kliniske; Koppelman; Kretschmar; Kroeber; Kunkel; Laughlin; Lloyd; Mahoney; Maragos; Martinson; Monson; Mutzenberger; Nicholas; Nichols; Nottestad; Oban; Olson; Payne; Poolman; Price; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schimke; Schmidt; Shide; Sitz; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Wald; Walker; Wardner; Wentz; Wilkie; Speaker Martin

ABSENT AND NOT VOTING: Hagle; Hausauer; Henegar, D.; Mickelson; Torgerson

Engrossed SB 2026, as amended, passed and the title was agreed to.

SIXTH ORDER OF BUSINESS

SB 2428, as engrossed: REP. DALRYMPLE (Appropriations Committee) MOVED that the amendments on HJ pages 1413-1416 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

MOTION

REP. FREIER MOVED that the House waive the reading of the title to Engrossed SB 2428, as amended, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2428: A BILL for an Act to create and enact three new sections to chapter 19-20.2 of the North Dakota Century Code, relating to definitions, pressure relief valves, and prohibited activities involving anhydrous ammonia tanks; to amend and reenact sections 19-20.2-01, 19-20.2-02, 19-20.2-03, 19-20.2-04, 19-20.2-05, 19-20.2-06, 19-20.2-07, 19-20.2-08, 19-20.2-09, and 19-20.2-10 of the North Dakota Century Code, relating to anhydrous ammonia storage facilities; 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 92 YEAS, 2 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Bateman; Belter; Berg; Bernstein; Boehm; Boucher; Brown; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; DeKrey; Delmore; Delzer; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glasheim; Gorder; Gorman; Grosz; Grumbo; Guleson; Gunter; Hanson; Hausauer; Henegar, K.; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Klein; Kliniske; Koppelman; Kretschmar; Kroeber; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Monson; Mutzenberger; Nicholas; Nichols; Nottestad; Oban; Payne; Poolman; Price; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schimke; Schmidt; Shide; Sitz; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Wald; Walker; Wardner; Wentz; Wilkie; Speaker Martin

NAYS: Laughlin; Olson

ABSENT AND NOT VOTING: Hagle; Henegar, D.; Mickelson; Torgerson

Engrossed SB 2428, as amended, passed and the title was agreed to.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2181: Reps. K. Henegar, Thoreson, Boucher.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2355: Reps. Koppelman, Retzer, Coats.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2425: Reps. Froseth, Poolman, Delmore.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. POOLMAN MOVED that the House do concur in the Senate amendments to Engrossed HB 1360 as printed on HJ pages 1222-1223, which motion prevailed.

Engrossed HB 1360, as amended, was placed on the Eleventh order of business on today's calendar.

SECOND READING OF HOUSE BILL

HB 1360: A BILL for an Act to amend and reenact section 57-02.2-03 of the North Dakota Century Code, relating to the authority of cities and counties concerning property tax exemptions for improvements to commercial and residential buildings and structures; 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 94 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Bateman; Belter; Berg; Bernstein; Boehm; Boucher; Brown; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; DeKrey; Delmore; Delzer; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glasheim; Gorder; Gorman; Grosz; Grumbo; Guleson; Gunter; Hanson; Hausauer; Henegar, K.; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Klein; Kliniske; Koppelman;

Kretschmar; Kroeber; Kunkel; Laughlin; Lloyd; Mahoney; Maragos; Martinson; Monson; Mutzenberger; Nicholas; Nichols; Nottestad; Oban; Olson; Payne; Poolman; Price; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schimke; Schmidt; Shide; Sitz; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Wald; Walker; Wardner; Wentz; Wilkie; Speaker Martin

ABSENT AND NOT VOTING: Hagle; Henegar, D.; Mickelson; Torgerson

Engrossed HB 1360, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. BERG MOVED that the House do concur in the Senate amendments to Engrossed HB 1369 as printed on HJ pages 1223-1224, which motion prevailed.

Engrossed HB 1369, as amended, was placed on the Eleventh order of business on today's calendar.

SECOND READING OF HOUSE BILL

HB 1369: A BILL for an Act to create and enact three new sections to chapter 28-01.3 of the North Dakota Century Code, relating to limitations, rebuttable presumptions against defects, and exemplary damages in products liability actions; and to amend and reenact section 32-03.2-11 of the North Dakota Century Code, relating to exemplary damages.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 90 YEAS, 4 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Bateman; Belter; Berg; Bernstein; Boehm; Boucher; Brown; Byerly; Carlisle; Carlson; Christopherson; Clark; Clayburgh; Dalrymple; DeKrey; Delmore; Delzer; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glasheim; Gorder; Gorman; Grosz; Grumbo; Gulleeson; Gunter; Hanson; Hausauer; Henegar, K.; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Klein; Kliniske; Koppelman; Kretschmar; Kroeber; Kunkel; Laughlin; Lloyd; Mahoney; Maragos; Martinson; Monson; Nicholas; Nichols; Nottestad; Olson; Payne; Poolman; Price; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schimke; Schmidt; Shide; Sitz; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Wald; Walker; Wardner; Wentz; Wilkie; Speaker Martin

NAYS: Christenson; Coats; Mutzenberger; Oban

ABSENT AND NOT VOTING: Hagle; Henegar, D.; Mickelson; Torgerson

Engrossed HB 1369, as amended, passed and the title was agreed to.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following resolution was delivered to the Secretary of State for his filing at the hour of 4:39 p.m., March 27, 1995: HCR 3047.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bills were delivered to the Governor for his approval at the hour of 4:40 p.m., March 27, 1995: HB 1159, HB 1185, HB 1190, HB 1205, HB 1208, HB 1236, HB 1253, HB 1274, HB 1314.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. OLSON MOVED that the House do concur in the Senate amendments to Engrossed HB 1375 as printed on HJ page 1224, which motion prevailed.

Engrossed HB 1375, as amended, was placed on the Eleventh order of business on today's calendar.

SECOND READING OF HOUSE BILL

HB 1375: A BILL for an Act to create and enact two new subsections to section 20.1-01-02 of the North Dakota Century Code, relating to definitions for the purpose of the regulation of boating; and to amend and reenact section 20.1-13-07 of the North Dakota Century Code, relating to the operation of motorboats, vessels, and personal watercraft.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 65 YEAS, 28 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Berg; Bernstein; Boucher; Carlisle; Carlson; Christenson; Christopherson; Clark; Clayburgh; Coats; Delmore; Dorso; Froseth; Gerntholz; Glassheim; Gorder; Gorman; Grumbo; Gulleson; Gunter; Hanson; Hausauer; Henegar, K.; Holm; Huether; Jacobs; Kaldor; Keiser; Klein; Kliniske; Koppelman; Kretschmar; Kroeber; Kunkel; Laughlin; Lloyd; Martinson; Mutzenberger; Nicholas; Nottestad; Oban; Olson; Payne; Price; Retzer; Rydell; Sabby; Sandvig; Shide; Sitz; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Tollefson; Walker; Wardner; Wentz; Wilkie; Speaker Martin

NAYS: Austin; Bateman; Boehm; Brown; Byerly; DeKrey; Delzer; DeWitz; Dobrinski; Drovdal; Freier; Galvin; Grosz; Howard; Johnson; Kelsch; Kempenich; Kerzman; Mahoney; Maragos; Mickelson; Monson; Nichols; Poolman; Rennerfeldt; Schimke; Schmidt; Timm

ABSENT AND NOT VOTING: Dalrymple; Hagle; Henegar, D.; Torgerson; Wald

Engrossed HB 1375, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. SVEDJAN MOVED that the House do concur in the Senate amendments to Engrossed HB 1378 as printed on HJ page 1278, which motion prevailed.

Engrossed HB 1378, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1378: A BILL for an Act to create and enact a new section to chapter 25-16 of the North Dakota Century Code, relating to residential care and services for the developmentally disabled.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 94 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Bateman; Belter; Berg; Bernstein; Boehm; Boucher; Brown; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; DeKrey; Delmore; Delzer; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Gorman; Grosz; Grumbo; Gulleson; Gunter; Hanson; Hausauer; Henegar, K.; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Klein; Kliniske; Koppelman; Kretschmar; Kroeber; Kunkel; Laughlin; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Mutzenberger; Nicholas; Nichols; Nottestad; Oban; Olson; Payne; Poolman; Price; Rennerfeldt; Retzer;

Rydell; Sabby; Sandvig; Schimke; Schmidt; Shide; Sitz; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Walker; Wardner; Wentz; Wilkie; Speaker Martin

ABSENT AND NOT VOTING: Hagle; Henegar, D.; Torgerson; Wald

HB 1378, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. SVEDJAN MOVED that the House do concur in the Senate amendments to Engrossed HB 1379 as printed on HJ pages 1224-1225, which motion prevailed.

Engrossed HB 1379, as amended, was placed on the Eleventh order of business on today's calendar.

SECOND READING OF HOUSE BILL

HB 1379: A BILL for an Act to create and enact a new section to chapter 25-16 of the North Dakota Century Code, relating to residential care and services for the developmentally disabled.

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; Austin; Bateman; Belter; Berg; Bernstein; Boehm; Boucher; Brown; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; DeKrey; Delmore; Delzer; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Gorman; Grosz; Grumbo; Gullerson; Gunter; Hanson; Hausauer; Henegar, K.; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Klein; Kliniske; Koppelman; Kretschmar; Kroeber; Kunkel; Laughlin; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Mutzenberger; Nicholas; Nichols; Nottestad; Oban; Olson; Payne; Poolman; Price; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schimke; Schmidt; Shide; Sitz; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Wald; Walker; Wardner; Wentz; Wilkie; Speaker Martin

ABSENT AND NOT VOTING: Hagle; Henegar, D.; Torgerson

Engrossed HB 1379, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. WARDNER MOVED that the House do concur in the Senate amendments to Engrossed HB 1407 as printed on HJ page 1279, which motion prevailed.

Engrossed HB 1407, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1407: A BILL for an Act to create and enact two new sections to chapter 43-11 of the North Dakota Century Code, relating to master esthetician, master manicurist and homebound licenses; and to amend and reenact sections 43-11-01, 43-11-21, subsection 1 of section 43-11-26, and subdivision a of subsection 1 of section 43-11-28 of the North Dakota Century Code, relating to cosmetology licenses and fees.

ROLL CALL

The question being on the final passage of the amended bill, which has been

read, the roll was called and there were 91 YEAS, 4 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Bateman; Belter; Berg; Boehm; Boucher; Brown; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; Delmore; Delzer; DeWitz; Dobrinski; Dorso; Drovdal; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Gorman; Grosz; Grumbo; Gulleon; Gunter; Hanson; Hausauer; Henegar, K.; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Klein; Kliniske; Koppelman; Kretschmar; Kroeber; Kunkel; Laughlin; Lloyd; Mahoney; Martinson; Mickelson; Monson; Mutzenberger; Nicholas; Nichols; Nottestad; Oban; Olson; Payne; Poolman; Price; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schimke; Schmidt; Shide; Sitz; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Wald; Walker; Wardner; Wentz; Wilkie; Speaker Martin

NAYS: Bernstein; DeKrey; Freier; Maragos

ABSENT AND NOT VOTING: Hagle; Henegar, D.; Torgerson

Engrossed HB 1407, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. BERG MOVED that the House do concur in the Senate amendments to Engrossed HB 1441 as printed on HJ pages 1225-1234, which motion prevailed.

Engrossed HB 1441, as amended, was placed on the Eleventh order of business on today's calendar.

SECOND READING OF HOUSE BILL

HB 1441: A BILL for an Act to create and enact two new sections to chapter 6-03, a new section to chapter 6-08, three new sections to chapter 6-08.3, and chapter 6-08.4 of the North Dakota Century Code, relating to bank powers and interstate banking and branching; to amend and reenact sections 6-01-02, 6-01-09, 6-01-17, 6-01-17.1, 6-01-17.2, 6-01-18, subsection 8 of section 6-03-02, sections 6-03-13.1, 6-03-13.4, 6-07-04.2, 6-08.3-01, 6-08.3-04, 6-08.3-13, 6-10-03, 57-35-02.1, and 57-35.2-02.2 of the North Dakota Century Code, relating to interstate banking and branching and taxation of financial institutions; to repeal sections 6-03-14, 6-03-14.1, 6-03-15, 6-03-16, 6-03-17, 6-03-18, 6-03-19, 6-08.3-02, 6-08.3-03, 6-08.3-05, 6-08.3-06, 6-08.3-10, 6-08.3-11, 6-08.3-12, and 6-08.3-14 of the North Dakota Century Code, relating to banking; 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 83 YEAS, 12 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Austin; Bateman; Belter; Berg; Bernstein; Boehm; Boucher; Brown; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; DeKrey; Delmore; Delzer; DeWitz; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Gorman; Grosz; Grumbo; Gunter; Hanson; Hausauer; Henegar, K.; Holm; Howard; Huether; Jacobs; Johnson; Keiser; Kelsch; Kempenich; Klein; Kliniske; Koppelman; Kretschmar; Kroeber; Kunkel; Lloyd; Maragos; Martinson; Mickelson; Monson; Mutzenberger; Nicholas; Nottestad; Oban; Olson; Payne; Poolman; Price; Retzer; Rydell; Sabby; Sandvig; Schmidt; Shide; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Wald; Walker; Wardner; Wentz; Speaker Martin

NAYS: Aarsvold; Dobrinski; Gulleon; Kaldor; Kerzman; Laughlin; Mahoney; Nichols; Rennerfeldt; Schimke; Sitz; Wilkie

ABSENT AND NOT VOTING: Hagle; Henegar, D.; Torgerson

Engrossed HB 1441, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. SOUKUP MOVED that the House do concur in the Senate amendments to Engrossed HB 1452 as printed on HJ pages 1279-1280, which motion prevailed.

Engrossed HB 1452, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1452: A BILL for an Act to create and enact chapter 48-01.1 and a new section to chapter 48-02 of the North Dakota Century Code, relating to public construction and public improvement contracts; to amend and reenact sections 11-11-26, 15-47-15, 25-01.1-33, 39-03-08.1, 40-22-06, 40-22-19, 40-22-29, 40-24-19, 40-28-07, 40-29-07, 40-31-04, 40-33.2-09, subsection 7 of section 40-33.3-06, sections 40-49-14, 43-07-11, 48-02-10.1, 48-02-13, 48-02-15, 48-05-12, 57-40.2-14, 61-07-09, 61-12-25, 61-16.1-14, 61-21-25, 61-21-45, and 61-24.3-03.1 of the North Dakota Century Code, relating to public construction and public improvement contracts; and to repeal sections 11-11-31, 40-22-20, 40-22-22, 40-22-23, 40-22-24, 40-22-25, 40-22-27, 40-22-30, 40-22-31, 40-22-32, 40-22-33, 40-22-34, 40-28-08, 40-29-08, 40-31-03, 48-01-01, 48-01-01.1, 48-01-02, 48-01-03, 48-01-04, 48-01-05, 48-01-06, 48-02-01, 48-02-02, 48-02-03, 48-02-04, 48-02-05, 48-02-05.1, 48-02-06, and 48-02-06.1 of the North Dakota Century Code, relating to public construction and public improvement contracts.

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; Austin; Bateman; Belter; Berg; Bernstein; Boehm; Boucher; Brown; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; DeKrey; Delmore; Delzer; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Gorman; Grosz; Grumbo; Gulleon; Gunter; Hanson; Hausauer; Henegar, K.; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Klein; Kliniske; Koppelman; Kretschmar; Kroeber; Kunkel; Laughlin; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Mutzenberger; Nicholas; Nichols; Nottestad; Oban; Olson; Payne; Poolman; Price; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schimke; Schmidt; Shide; Sitz; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Wald; Walker; Wardner; Wentz; Wilkie; Speaker Martin

ABSENT AND NOT VOTING: Hagle; Henegar, D.; Torgerson

Engrossed HB 1452, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. SVEDJAN MOVED that the House do concur in the Senate amendments to HB 1463 as printed on HJ pages 1234-1235, which motion prevailed.

HB 1463, as amended, was placed on the Eleventh order of business on today's calendar.

SECOND READING OF HOUSE BILL

HB 1463: A BILL for an Act to create and enact a new chapter to title 12.1 of the North Dakota Century Code, relating to willful failure to pay child support; to amend and reenact section 14-07-15 of the North Dakota Century Code, relating to abandonment or nonsupport of a child; 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 93 YEAS, 1 NAY, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Bateman; Belter; Bernstein; Boehm; Boucher; Brown; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; DeKrey; Delmore; Delzer; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Gorder; Gorman; Grosz; Grumbo; Gulleeson; Gunter; Hanson; Hausauer; Henegar, K.; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Klein; Kliniske; Koppelman; Kretschmar; Kroeber; Kunkel; Laughlin; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Mutzenberger; Nicholas; Nichols; Nottestad; Oban; Olson; Payne; Poolman; Price; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schimke; Schmidt; Shide; Sitz; Skarphol; Soukup; Stenehjelm; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Wald; Walker; Wardner; Wentz; Wilkie; Speaker Martin

NAYS: Glassheim

ABSENT AND NOT VOTING: Berg; Hagle; Henegar, D.; Torgerson

HB 1463, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. RYDELL MOVED that the House do concur in the Senate amendments to HCR 3006 as printed on HJ page 1280, which motion prevailed.

HCR 3006, as amended, was placed on the Eleventh order of business on today's calendar.

SECOND READING OF HOUSE RESOLUTION

HCR 3006: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of utilizing institutions of higher education to provide educational options and opportunities for North Dakota high school students.

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

HCR 3006, as amended, was declared adopted on a voice vote.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. RYDELL MOVED that the House do concur in the Senate amendments to Engrossed HCR 3038 as printed on HJ page 1235, which motion prevailed.

Engrossed HCR 3038, as amended, was placed on the Eleventh order of business on today's calendar.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3038: A concurrent resolution directing the Legislative Council to study the extent and value of elementary and high school student participation in school-sanctioned extracurricular activities, the

effect of extracurricular activities on the education of individual students and on teachers and administrators, and the financial impact of extracurricular activities on school district and family budgets.

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

Engrossed HCR 3038, as amended, was declared adopted on a verification vote.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DALRYMPLE MOVED that the House do concur in the Senate amendments to Engrossed HB 1018 as printed on HJ pages 1350-1356, which motion prevailed.

Engrossed HB 1018, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1018: A BILL for an Act making an appropriation for defraying the expenses of the department of corrections and rehabilitation; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 94 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Bateman; Belter; Bernstein; Boehm; Boucher; Brown; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; DeKrey; DeImore; Delzer; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Gorman; Grosz; Grumbo; Gulleason; Gunter; Hanson; Hausauer; Henegar, K.; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Klein; Kliniske; Koppelman; Kretschmar; Kroeber; Kunkel; Laughlin; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Mutzenberger; Nicholas; Nichols; Nottestad; Oban; Olson; Payne; Poolman; Price; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schimke; Schmidt; Shide; Sitz; Skarphol; Soukup; Stenehjelm; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Wald; Walker; Wardner; Wentz; Wilkie; Speaker Martin

ABSENT AND NOT VOTING: Berg; Hagle; Henegar, D.; Torgerson

Engrossed HB 1018, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. SVEDJAN MOVED that the House do concur in the Senate amendments to Engrossed HB 1326 as printed on HJ page 1357, which motion prevailed.

Engrossed HB 1326, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1326: A BILL for an Act to create and enact a new subsection to section 43-28-25 of the North Dakota Century Code, relating to the practice of dentistry.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 79 YEAS, 15 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Bateman; Belter; Bernstein; Boehm; Byerly; Carlisle; Christenson; Christopherson; Clayburgh; Coats; Dalrymple; DeKrey; Delmore; Delzer; Dorso; Drovdal; Froseth; Galvin; Gerntholz; Glassheim; Gorman; Grosz; Grumbo; Gulleston; Gunter; Hanson; Hausauer; Henegar, K.; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Klein; Kliniske; Koppelman; Kretschmar; Kroeber; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Mutzenberger; Nicholas; Nichols; Nottestad; Oban; Payne; Poolman; Price; Rennerfeldt; Retzer; Rydell; Sabby; Schimke; Schmidt; Shide; Sitz; Stenehjerm; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Wald; Walker; Wardner; Wentz; Speaker Martin

NAYS: Boucher; Brown; Carlson; Clark; DeWitz; Dobrinski; Freier; Gorder; Laughlin; Nichols; Olson; Sandvig; Skarphol; Soukup; Wilkie

ABSENT AND NOT VOTING: Berg; Hagle; Henegar, D.; Torgerson

Engrossed HB 1326, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. NICHOLAS MOVED that the House do concur in the Senate amendments to HB 1149 as printed on HJ page 1091, which motion prevailed.

HB 1149, as amended, was placed on the Eleventh order of business on today's calendar.

SECOND READING OF HOUSE BILL

HB 1149: A BILL for an Act to amend and reenact sections 19-13.1-03 and 19-13.1-06 of the North Dakota Century Code, relating to pet food registration and feed inspection fees.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 78 YEAS, 14 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Austin; Bernstein; Boucher; Brown; Carlisle; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; DeKrey; Delmore; Delzer; Dobrinski; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorman; Grumbo; Gulleston; Gunter; Hanson; Hausauer; Henegar, K.; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Klein; Kliniske; Koppelman; Kretschmar; Kroeber; Kunkel; Laughlin; Lloyd; Mahoney; Martinson; Monson; Mutzenberger; Nicholas; Nichols; Nottestad; Oban; Olson; Payne; Price; Rennerfeldt; Rydell; Sabby; Sandvig; Schimke; Schmidt; Shide; Sitz; Soukup; Stenehjerm; Svedjan; Thompson; Thoreson; Timm; Tollefson; Wald; Walker; Wardner; Wentz; Speaker Martin

NAYS: Aarsvold; Bateman; Belter; Boehm; Carlson; DeWitz; Gorder; Maragos; Mickelson; Poolman; Retzer; Skarphol; Sveen; Wilkie

ABSENT AND NOT VOTING: Berg; Byerly; Grosz; Hagle; Henegar, D.; Torgerson

HB 1149, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KRETSCHMAR MOVED that the House do concur in the Senate amendments to Reengrossed HB 1432 as printed on HJ page 1392, which motion prevailed.

Reengrossed HB 1432, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1432: A BILL for an Act to create and enact two new sections to chapter 16.1-11 and a new subdivision to subsection 1 of section 28-32-01 of the North Dakota Century Code, relating to the conduct of a presidential preference contest and exceptions from the definition of administrative agency; to amend and reenact sections 16.1-11-02, 16.1-11-03, 16.1-11-04, 16.1-11-07, 16.1-11-23, 16.1-11-34, and subsection 2 of section 16.1-12-02.2, relating to the date of the presidential preference contest; to provide an appropriation; to provide for application; and to provide an expiration 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 38 YEAS, 56 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Austin; Carlisle; Clark; Dalrymple; DeKrey; Delmore; DeWitz; Drovdal; Froseth; Gorman; Hausauer; Holm; Howard; Johnson; Kelsch; Kliniske; Koppelman; Kretschmar; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Nicholas; Nottestad; Poolman; Price; Rydell; Skarphol; Stenehjem; Sveen; Thoreson; Timm; Wald; Wardner; Wentz

NAYS: Aarsvold; Bateman; Belter; Bernstein; Boehm; Boucher; Brown; Byerly; Carlson; Christenson; Christopherson; Clayburgh; Coats; Delzer; Dobrinski; Dorso; Freier; Galvin; Gerntholz; Glassheim; Gorder; Grosz; Grumbo; Gullerson; Gunter; Hanson; Henegar, K.; Huether; Jacobs; Kaldor; Keiser; Kempenich; Kerzman; Klein; Kroeber; Laughlin; Mutzenberger; Nichols; Oban; Olson; Payne; Rennerfeldt; Retzer; Sabby; Sandvig; Schimke; Schmidt; Shide; Sitz; Soukup; Svedjan; Thompson; Tollefson; Walker; Wilkie; Speaker Martin

ABSENT AND NOT VOTING: Berg; Hagle; Henegar, D.; Torgerson

Reengrossed HB 1432, as amended, was declared lost.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2209: Reps. Rydell, Johnson, Nichols.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2211: Reps. Clark, Torgerson, Aarsvold.

MOTION

REP. DORSO MOVED that all Senate bills acted upon this afternoon be messaged to the Senate immediately, which motion prevailed.

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 2181: Reps. K. Henegar; Thoreson; Boucher

SB 2355: Reps. Koppelman; Retzer; Coats

SB 2391: Reps. Lloyd; Timm; Dobrinski

SB 2425: Reps. Froseth; Poolman; Delmore

SB 2505: Reps. Grosz; Rennerfeldt; Sitz

SCR 4026: Reps. Shide; Johnson; Kerzman

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

MADAM PRESIDENT: The House has amended and subsequently passed: SB 2026, SB 2428.

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

MADAM PRESIDENT: The House has concurred in the Senate amendments and subsequently passed: HB 1018, HB 1149, HB 1326, HB 1360, HB 1369, HB 1375, HB 1378, HB 1379, HB 1407, HB 1441, HB 1452, HB 1463, HCR 3006, HCR 3038.

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 2209: Reps. Rydell; Johnson; Nichols

SB 2211: Reps. Clark; Torgerson; Aarsvold

MOTION

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

MOTION

REP. FREIER MOVED that the House be on the Fifth and Seventh orders of business and at the conclusion of those orders, the House stand adjourned until 8:00 a.m., Tuesday, March 28, 1995, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2003, as engrossed: Appropriations Committee (Rep. Dalrymple, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (21 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). Engrossed SB 2003 was placed on the Sixth order on the calendar.

Page 1, line 13, replace "12,530,694" with "11,760,066"

Page 1, line 14, replace "4,568,498" with "4,113,498"

Page 1, line 15, replace "482,697" with "887,697"

Page 2, line 2, replace "22,496,483" with "21,675,855"

Page 2, line 3, replace "10,509,462" with "9,588,834"

Page 2, line 4, replace "11,987,021" with "12,087,021"

Page 3, line 25, after "fund" insert "up to a total of fifty thousand dollars each biennium. Any collections from fifteen dollars of this fee in excess of the fifty thousand dollars credited to the attorney general's operating fund each biennium must be credited to the state general fund"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 125 - ATTORNEY GENERAL

HOUSE - This amendment makes the following changes:

	SENATE VERSION	EFFECT OF HOUSE BILL NO. 1439 ¹	AUTOMATED FINGERPRINT SYSTEM ²	POSITION TURNOVER AND EFFICIENCIES ³	TOTAL CHANGES	HOUSE VERSION
Salaries and wages	\$12,530,694	\$(587,005)		\$(183,623)	\$(770,628)	\$11,760,066
Operating expenses	4,568,498		\$(405,000)	(50,000)	(455,000)	4,113,498
Equipment	482,697		405,000		405,000	887,697
Grants	4,175,567					4,175,567
Arrest and return of fugitives	19,376					19,376
Controlled substance	4,000					4,000
ARC legal fees	91,027					91,027
Litigation fees	143,324					143,324
Gaming commission	20,000					20,000
State employee defense	250,000					250,000
Racing commission	<u>211,300</u>					<u>211,300</u>
Total	\$22,496,483	\$(587,005)	\$ 0	\$(233,623)	\$(820,628)	\$21,675,855
General fund	\$11,987,021	\$ 333,623		\$(233,623)	\$ 100,000	\$12,087,021
Special funds	<u>10,509,462</u>	<u>(920,628)</u>			<u>(920,628)</u>	<u>9,588,834</u>
Total	\$22,496,483	\$(587,005)	\$ 0	\$(233,623)	\$(820,628)	\$21,675,855
FTE	154	(6)			(6)	148

¹ Removes five FTE assistant attorneys general relating to Workers Compensation and one FTE assistant attorney general relating to Department of Transportation. These agencies will be hiring their own legal counsel.

² Reflects funding in the appropriate line items for funding added in the Senate for the automated fingerprint system.

³ Reductions relating to anticipated savings during the 1995-97 biennium resulting from employee vacancies and turnover and agency efficiencies.

Section 8 of the bill is amended to limit the amount of funds deposited into the Attorney General's operating fund from concealed weapons permit fee collections to \$50,000 each biennium. Additional collections are deposited in the general fund.

REPORT OF STANDING COMMITTEE

SB 2006: Appropriations Committee (Rep. Dalrymple, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends **DO PASS** (17 YEAS, 3 NAYS, 3 ABSENT AND NOT VOTING). SB 2006 was placed on the Sixth order on the calendar.

Page 1, line 13, replace "10,783,330" with "10,885,330"

Page 1, line 19, replace "14,695,620" with "14,797,620"

Page 1, line 20, replace "250,000" with "352,000"

Page 2, after line 6, insert:

"SECTION 3. LEGISLATIVE INTENT - REVENUE COLLECTIONS. It is the intent of the legislative assembly that the general fund revenue collections for the biennium beginning July 1, 1995, and ending June 30, 1997, will not be affected by the funding level approved by the legislative assembly for the tax department for the 1995-97 biennium.

SECTION 4. LEGISLATIVE INTENT - FTE POSITIONS. It is the intent of the legislative assembly that the tax commissioner determine any employee position reductions or pay equity increase rescissions relating to tax department employees for the biennium beginning July 1, 1995, and ending June 30, 1997, which may be necessary as a result of salary increases provided to tax department employees during the 1993-95 biennium. Although the tax commissioner has the authority to establish salary levels for tax department employees, the legislative assembly expresses concern that compression and salary increase inequity among all state employees may result from salary increases being provided that have not been authorized by the legislative assembly."

Re-number accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 127 - TAX COMMISSIONER

HOUSE - The salaries and wages line item is increased by \$102,000 of federal funds for one FTE compliance position.

A section of legislative intent is added providing that the 1995-97 general fund revenue collections will not be affected by the 1995-97 funding level provided to the Tax Department.

A section of legislative intent is added relating to Tax Department employee and salary increase decisions.

REPORT OF STANDING COMMITTEE

SB 2009, as reengrossed: Appropriations Committee (Rep. Dalrymple, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends **DO PASS** (23 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed SB 2009 was placed on the Sixth order on the calendar.

Page 1, line 2, after the semicolon insert "to provide for a report to the budget section;"

Page 1, line 15, replace "3,148,157" with "2,807,321"

Page 1, line 16, replace "1,373,652" with "1,465,418"

Page 1, line 17, replace "29,006" with "22,900"

Page 1, after line 18, insert:

"Board of animal health

558,145"

Page 1, line 22, replace "142,500" with "150,000"

Page 2, line 2, replace "921,438" with "971,438"

Page 2, line 3, replace "8,514,044" with "8,874,513"

Page 2, line 4, replace "4,120,876" with "4,230,876"

Page 2, line 5, replace "4,393,168" with "4,643,637"

Page 2, line 12, replace "5,408,483" with "5,658,952"

Page 2, line 13, replace "4,120,876" with "4,230,876"

Page 2, line 14, replace "9,529,359" with "9,889,828"

Page 2, line 17, replace "\$1,412,156" with "\$1,462,156"

Page 2, line 21, after the first comma insert "\$34,000 is for spotted knapweed control,", replace "\$633,110" with "\$649,110", replace the first "the" with "other", and replace "weeds program" with "weed control"

Page 2, after line 22, insert:

SECTION 3. LEGISLATIVE INTENT - REGISTRATION PROGRAM ADMINISTRATIVE COSTS. It is the intent of the legislative assembly that the environment and rangeland protection fund not be used to provide funding for registration program administrative costs beyond the biennium beginning July 1, 1995, and ending June 30, 1997, and that the agriculture commissioner request funding for the registration program administrative costs from a source other than the environment and rangeland protection fund for the 1997-99 biennium.

SECTION 4. SOIL CONSERVATION COMMITTEE CONSOLIDATION - REPORT TO BUDGET SECTION. The executive secretary of the soil conservation committee shall present a report to the budget section by April 1, 1996, containing at least two options to integrate the functions of the soil conservation committee with another state agency. The report must include plans to consolidate the soil conservation committee with the state water commission and plans to consolidate the committee with the North Dakota state university extension service, and may include, with prior emergency commission approval, plans to consolidate with any other state agency. The budget section shall review the report and make a recommendation to the director of the office of management and budget regarding consolidation of the soil conservation committee with another state agency by July 1, 1996."

Re-number accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 602 - AGRICULTURE COMMISSIONER

HOUSE - This amendment makes the following changes:

	SENATE VERSION	BOARD OF ANIMAL HEALTH LINE ITEM ¹	BOARD OF ANIMAL HEALTH CHANGES ²	NOXIOUS WEED FUNDING	OTHER CHANGES	TOTAL CHANGES	HOUSE VERSION
Salaries and wages	\$3,148,157	\$(340,836)				\$(340,836)	\$2,807,321
Operating expenses	1,373,652	(108,234)			\$200,000 ⁴	91,766	1,465,418
Equipment	29,006	(6,106)				(6,106)	22,900
Grants	811,720						811,720
Ag mediation	1,198,571						1,198,571
Ag in the classroom	25,000						25,000
Waterbank	214,000						214,000
Pride of Dakota	142,500				7,500 ⁵	7,500	150,000
Safe Send	650,000						650,000
Noxious weeds	921,438			\$50,000 ³		50,000	971,438
Board of Animal Health		<u>455,176</u>	<u>\$102,969</u>			<u>558,145</u>	<u>558,145</u>
Total	\$8,514,044	\$ 0	\$102,689	\$50,000	\$207,500	\$ 360,469	\$8,874,513
General fund	\$4,393,168		\$ 42,969		\$207,500	\$ 250,469	\$4,643,637
Special funds	<u>4,120,876</u>		<u>60,000</u>	<u>\$50,000</u>		<u>110,000</u>	<u>4,230,876</u>
Total	\$8,514,044	\$ 0	\$102,969	\$50,000	\$207,500	\$ 360,469	\$8,874,513
FTE	50		1			1	51

¹ Provides a separate line item for the Board of Animal Health.

² Adds one FTE veterinarian position at \$112,689, of which \$52,689 is from the general fund and \$60,000 from the Game and Fish Department. In addition, one FTE accountant position is removed \$(65,637) and one FTE administrative position is added at \$55,917.

³ Provides additional funding from the environment and rangeland protection fund for the noxious weeds program, \$34,000 is provided for spotted knapweed control and \$16,000 for other noxious weed control.

⁴ Provides \$200,000 from the general fund to restore operating expense reductions made by the Senate.

⁵ Provides \$7,500 from the general fund for the Pride of Dakota program.

A section of legislative intent is added providing that except for the 1995-97 biennium, funding from the environment and rangeland protection fund is not to be provided for registration program administrative costs and that the Agriculture Commissioner request funding for those costs from a different funding source for the 1997-99 biennium.

DEPARTMENT 710 - SOIL CONSERVATION COMMITTEE

HOUSE - A section is added providing that the Soil Conservation Committee present to the Budget Section by April 1, 1996, options for consolidating the agency with the Water Commission or the North Dakota State University Extension Service. The committee may also present options for consolidating with different state agencies if Emergency Commission approval is received to prepare such a proposal. The Budget Section will review the report and make its recommendation on consolidating the Soil Conservation Committee with another state agency by July 1, 1996.

REPORT OF CONFERENCE COMMITTEE

HB 1386, as engrossed: Your conference committee (Sens. Kringstad, Urlacher, Kinnoin and Reps. Grosz, Austin, Sitz) recommends that the **HOUSE ACCEDE** to the Senate amendments on HJ pages 1000-1003, adopt amendments as follows, and place HB 1386 on the Seventh order.

Engrossed HB 1386 was placed on the Seventh order of business on the calendar.

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

ROY GILBREATH, Chief Clerk