

JOURNAL OF THE SENATE

Fifty-fourth Legislative Assembly

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Bismarck, March 24, 1995

The Senate convened at 9:30 a.m., with President Myrdal presiding.

The prayer was offered by Pastor Peter Schmidt, Faith Lutheran Church, West Fargo.

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

A quorum was declared by the President.

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 2068, SB 2096, SB 2369, SB 2377, SB 2380, SB 2382, SB 2395, SB 2492, SB 2496, SB 2501, SB 2511, SB 2522, SB 2527, SB 2532, SCR 4045, SCR 4055, SCR 4056, SCR 4057, SCR 4060, SCR 4061.

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

MR. SPEAKER: The Senate has passed unchanged: 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.

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

MR. SPEAKER: The Senate has failed to pass: HB 1146, HB 1171, HB 1273, HB 1290, HB 1320, HB 1389, HB 1398, HB 1399, HB 1415, HB 1426.

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 1018.

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1016, HB 1260, HB 1326, HB 1423, HB 1488, HB 1501.

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

MADAM PRESIDENT: The House has passed unchanged: SB 2005, SB 2187, SB 2538, SCR 4014, SCR 4034.

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

MADAM PRESIDENT: The House has passed unchanged: SB 2018, SCR 4065, SCR 4066, SCR 4067.

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

MADAM PRESIDENT: The House has failed to pass: SB 2177, SB 2335, SB 2478.

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

MADAM PRESIDENT: The House has failed to pass: SB 2236, SB 2378, SB 2422, SB 2423, SB 2476, SCR 4054.

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

MADAM PRESIDENT: The House has amended and failed to pass: SB 2038, SB 2045, SB 2061, SB 2392, SB 2443.

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

MADAM PRESIDENT: The House has amended and subsequently passed: SB 2085, SB 2239, SB 2466.

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2085

- Page 1, line 1, after "to" insert "create and enact a new section to chapter 65-01 of the North Dakota Century Code, relating to the eligibility of a full-time paid firefighter or law enforcement officer for workers' compensation benefits; and to"
- Page 2, line 17, after the period insert "An employer may require a physical examination upon employment, and annually thereafter, for any employee subject to this section. Results of the examination may be used in rebuttal to a presumption afforded under this section. The presumption does not include a condition or impairment of health of a full-time paid firefighter or law enforcement officer which is diagnosed more than four years after the employment as a full-time paid firefighter or law enforcement officer ends. For purposes of this section, the term "law enforcement officer" means a county sheriff and each deputy appointed by the county, a law enforcement officer of a township or city, a state highway patrol officer, and a law enforcement officer assigned by the bureau of criminal investigation."

SECTION 2. A new section to chapter 65-01 of the North Dakota Century Code is created and enacted as follows:

Yearly documentation required for firefighter and law enforcement officer."

- Page 2, line 18, remove "and who"
- Page 2, line 19, remove "begins employment after June 30, 1995,"
- Page 2, line 20, replace "benefit" with "benefits" and replace "this subdivision" with "section 1 of this Act"
- Page 2, line 24, replace "three" with "two" and after the underscored period insert "Any full-time paid firefighter or law enforcement officer employed or June 30, 1995, is not subject to this section until July 1, 1997."

Renumber accordingly

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2239

- Page 1, line 9, overstrike "give nursing assistance" and insert immediately thereafter "perform nursing tasks"
- Page 1, line 13, overstrike "who are"
- Page 1, line 14, overstrike "a bureau, division, or"
- Page 1, line 15, overstrike "agency thereof" and insert immediately thereafter "any of its bureaus, divisions, or agencies"
- Page 1, line 16, overstrike "Legally licensed nurses of" and insert immediately thereafter "A nurse licensed by"
- Page 1, line 17, overstrike "them" and insert immediately thereafter "the nurse" and overstrike "who is"
- Page 1, line 18, overstrike "medical treatment" and insert immediately thereafter "health care"
- Page 1, line 19, replace "Legally licensed nurses of" with "A nurse licensed by"
- Page 1, line 20, replace "them" with "the nurse"

Page 2, line 1, overstrike "provides nursing care or" and overstrike "functions or"

Page 2, line 2, overstrike "nursing" and overstrike "an immediate" and insert immediately thereafter "a"

Page 2, after line 4, insert:

8. A person licensed or registered under this title and carrying out the therapy or practice for which the person is licensed or registered.

9. A person who is not licensed under this chapter and who provides medication administration according to individual needs and as part of an individual habilitation or case plan:

a. Within a developmental disabilities provider agency licensed pursuant to chapter 25-16;

b. Within a foster care provider agency licensed pursuant to chapter 50-11; or

c. Through, or under contract with, a human service center licensed pursuant to chapter 50-06.

A licensed nurse may delegate medication administration to a person exempt under this section."

Renumber accordingly

HOUSE AMENDMENTS TO SENATE BILL NO. 2466

Page 1, line 1, remove "subdivision a of"

Page 1, line 6, replace "Subdivision a of subsection" with "Subsection"

Page 1, line 15, after "employer" insert "in construction services"

Page 1, line 16, after "employer" insert "in construction services"

Page 1, line 19, after the underscored period insert "If an employer in nonconstruction services has not been subject to the law as required, that employer qualifies for a reduced rate if the account has been chargeable with benefits throughout the twelve-consecutive-calendar-month period ending September thirtieth of the preceding calendar year.

b. An employer that does not qualify under subdivision a is subject to a rate determined as follows:

(1) For each calendar year new employers must be assigned a rate of two and ~~eight~~ two tenths percent unless the employer is classified in construction services. However, an employer must be assigned the maximum rate for any year if, as of the computation date, the cumulative benefits charged to the employer's account equal or exceed the cumulative contributions paid on or before October thirty-first with respect to wages paid by that employer before October first of that year.

(2) New employers in construction services must be assigned the maximum rate. However, an employer who becomes subject to the North Dakota Unemployment Compensation Law after December 31, 1989, who is classified in construction services pursuant to subdivision C of the standard industrial

classification manual must be assigned a rate of ~~nine~~ seven percent or the maximum rate, whichever is greater.

- (3) Assignment by the bureau of an employer's industrial classification for the purposes of this paragraph must be the two digit major group provided in the standard industrial classification manual, in accordance with established classification practices found in the standard industrial classification manual issued by the executive office of the president, office of management and budget."

Renumber accordingly

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

MADAM PRESIDENT: The House has amended and subsequently passed: SB 2010, SB 2011, SB 2022, SB 2023, SB 2025, SB 2027, SB 2179, SB 2355, SB 2358, SB 2505.

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2010

Page 1, line 8, replace "general" with "insurance regulatory trust"

Page 1, line 9, after the first "from" insert "other" and after the second "funds" insert "and other income"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 401 - INSURANCE DEPARTMENT

HOUSE - This amendment makes technical changes to the bill to correctly identify the insurance regulatory trust fund rather than the general fund as the source of funds for the Insurance Department.

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2011

Page 1, line 10, replace "436,309" with "535,740"

Page 1, line 13, replace "538,698" with "638,129"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 414 - SECURITIES COMMISSIONER

HOUSE - This amendment makes the following line item changes:

	SENATE VERSION	ADD AN ATTORNEY	HOUSE VERSION
Salaries and wages	\$436,309	\$99,431	\$535,740
Operating expenses	96,389		96,389
Equipment	<u>6,000</u>	<u> </u>	<u>6,000</u>
Total general fund	\$538,698	\$99,431	\$638,129
FTE	5	1	6

The amendment makes the following changes to the Securities Commissioner's program:

SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
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Regulation	\$538,698	\$99,431	\$638,129
FTE	5	1	6

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2022

Page 1, line 2, after "society" insert "; and to declare an emergency"

Page 1, line 14, replace "81,707" with "311,707"

Page 1, line 17, replace "517,583" with "547,583"

Page 1, line 18, replace "5,728,998" with "5,988,998"

Page 1, line 20, replace "4,728,899" with "4,988,899"

Page 2, after line 10, insert:

"SECTION 3. STORAGE FACILITY APPROPRIATION - LIMITED USE. There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$147,586, or so much of the sum as may be necessary, to the state historical society for the purpose of purchasing and renovating the building located at 6117 east main in Bismarck for use as a historical society storage facility for the biennium beginning with the effective date of this Act and ending June 30, 1997. The historical society may use only the ground floor of the building for storage space needs of the historical society unless the budget section determines additional space in the building may also be used by the historical society.

SECTION 4. FACILITY MANAGEMENT SPACE UTILIZATION STUDY. The office of management and budget, for the biennium beginning July 1, 1995, and ending June 30, 1997, shall conduct a space utilization study to provide recommendations on the most efficient use of the second floor of the building purchased by the state historical society located at 6117 east main in Bismarck. The study must include an analysis of storage space needs of the state historical society and other state agencies and office space needs of state agencies. The office of management and budget shall report its findings and recommendations for the use of the second floor of the building to the budget section by July 1, 1996, and the budget section shall make a determination regarding the use of the second floor of the building.

SECTION 5. EMERGENCY. Section 3 of this Act is declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 701 - Historical Society

HOUSE - This amendment makes the following changes:

	SENATE VERSION	ADD CAPITAL IMPROVEMENTS	TOTAL CHANGES	HOUSE VERSION
Salaries and wages	\$3,782,452			\$3,782,452
Operating expenses	782,076			782,076
Equipment	74,644			74,644
Capital improvements	81,707	\$377,586 ¹	\$377,586	459,293
Grants	485,559		0	485,559
International Peace Garden	517,583	30,000 ²	30,000	547,583
Yellowstone-Missouri- Ft. Union Commission	<u>4,977</u>	<u> </u>	<u> </u>	<u>4,977</u>
Total	\$5,728,998	\$407,586	\$407,586	\$6,136,584
General fund	\$4,728,899	\$407,586	\$407,586	\$5,136,485
Special funds	<u>1,000,099</u>	<u> </u>	<u>0</u>	<u>1,000,099</u>
Total	\$5,728,998	\$407,586	\$407,586	\$6,136,584
FIE	54		0	54

¹ Provides funding for the following capital improvements which were included in Senate Bill No. 2030 in the executive budget and the Senate version:

1883 Stutsman County Courthouse project	\$200,000
Heating system replacement and other repairs and maintenance in the former Governor's mansion	30,000
Purchase and renovation of a storage facility (emergency clause)	147,586
Total	<u>\$377,586</u>

² Provides funding for replacement of the cement mosaic pattern on the upper terrace at the Peace Garden. This funding was included in Senate Bill No. 2030 in the Senate version.

A provision is added restricting the Historical Society's use of the building purchased for Historical Society storage to the ground floor of the building unless additional use is authorized by the Budget Section.

A provision is added directing Facility Management to conduct a space utilization study of the second floor of the building purchased by the Historical Society for storage space. Facility Management is to report to the Budget Section by July 1, 1996, on its recommendation for use of the second floor and the Budget Section will determine the use of the second floor.

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2023

Page 1, replace lines 11 through 15 with:

"Administration	\$1,258,946
Planning and development	3,962,252
Prairie rose state games	173,997
Parks	<u>4,140,738"</u>

Page 1, line 16, replace "7,991,972" with "9,535,933"

Page 1, line 17, replace "3,029,963" with "4,189,963"

Page 1, line 18, replace "4,962,009" with "5,345,970"

Page 2, after line 11, insert:

"SECTION 5. LINE ITEM TRANSFERS. Upon approval of the emergency commission, the parks and recreation department may transfer between various line items in section 1 of this Act appropriation authority of up to ten percent of a given line item to adjust for changing circumstances in meeting established performance measures. Any further transfers must be approved by the budget section."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 750 - PARKS AND RECREATION DEPARTMENT

HOUSE - This amendment provides program-based line items for the Parks and Recreation appropriation rather than object code-based line items as included in the Senate version. The object code-based line item changes are as follows:

	SENATE VERSION	RESTORE VACANT POSITIONS ¹	ADD CAPITAL IMPROVEMENTS ²	TOTAL CHANGES	HOUSE VERSION
Salaries and wages	\$3,983,376	\$123,961		\$ 123,961	\$4,107,337
Operating expenses	2,194,131				2,194,131
Equipment	169,900				169,900
Capital improvements	441,232		\$1,420,000	1,420,000	1,861,232
Grants	<u>1,203,333</u>	<u> </u>	<u> </u>	<u> </u>	<u>1,203,333</u>
Total	\$7,991,972	\$123,961	\$1,420,000	\$1,543,961	\$9,535,933
General fund	\$4,962,009	\$123,961	\$ 260,000	\$ 383,961	\$5,345,970
Special funds	<u>3,029,963</u>	<u> </u>	<u>1,160,000</u>	<u>1,160,000</u>	<u>4,189,963</u>
Total	\$7,991,972	\$123,961	\$1,420,000	\$1,543,961	\$9,535,933
FTE	36	2		2	38

¹ Restores the two vacant FTE positions removed by the Senate.

² Adds capital improvements funding as follows:

	GENERAL FUND	SPECIAL FUNDS	TOTAL
Lake Sakakawea State Park			
Waterline installation	\$ 60,000		\$ 60,000
Road repair		\$ 40,000*	40,000
Wastewater system upgrace	45,000		45,000
Fort Lincoln State Park	155,000	620,000**	775,000
river rip-rap			
Devils Lake State Park		500,000**	500,000
development			
Total	\$260,000	\$1,160,000	\$1,420,000

* Other funds from park income or other sources

** Federal funds

The funding provided for each Parks and Recreation Department program is as follows:

	SENATE VERSION	HOUSE CHANGES	LEGISLATIVE APPROPRIATION
Administration	\$1,243,183	\$ 15,763	\$1,258,946
Planning and development	2,463,721	1,498,531	3,962,252
Prairie Rose State Games	170,966	3,031	173,997
Parks	4,013,057	127,681	4,140,738
Salary and benefits adjustment	<u>101,045</u>	<u>(101,045)*</u>	
Total	\$7,991,972	\$1,543,961	\$9,535,933

* Funding in the salary and benefit adjustment line item is allocated to each program line item to reflect the funding provided to each program.

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2025

Page 1, line 2, after "commission" insert "; to amend and reenact section 57-51.1-07 of the North Dakota Century Code, relating to allocation of oil extraction tax revenues; to provide an effective date; and to provide an expiration date"

Page 1, line 11, replace "7,216,655" with "7,334,014"

Page 1, line 12, replace "7,974,104" with "7,980,704"

Page 1, line 13, replace "145,750" with "151,750"

Page 1, line 15, replace "3,840,114" with "6,985,220"

Page 1, line 17, replace "37,913,355" with "41,188,420"

Page 1, line 18, replace "32,442,928" with "35,730,793"

Page 1, line 19, replace "5,470,427" with "5,457,627"

Page 1, line 20, replace "\$6,066,075" with "\$9,296,181"

Page 2, line 12, replace "\$6,066,075" with "\$9,296,181"

Page 2, after line 24, insert:

"SECTION 8. AMENDMENT. Section 57-51.1-07 of the North Dakota Century Code is amended and reenacted as follows:

57-51.1-07. Allocation of moneys in oil extraction tax development fund. Moneys deposited in the oil extraction tax

development fund must be apportioned quarterly by the state treasurer as follows:

1. ~~Ten~~ Twenty percent must be allocated and credited to the sinking fund established for payment of the state of North Dakota water development bonds, southwest pipeline series, and any moneys in excess of the sum necessary to maintain the accounts within the sinking fund and for the payment of principal and interest on the bonds, must be credited to a special trust fund, to be known as the resources trust fund. The resources trust fund must be established in the state treasury and the funds therein must be deposited and invested as are other state funds to earn the maximum amount permitted by law which income must be deposited in the resources trust fund. The principal and income of the resources trust fund may be expended only pursuant to legislative appropriation and are available to:
 - a. The state water commission for planning for and construction of water-related projects, including rural water systems. These water-related projects must be those which the state water commission has the authority to undertake and construct pursuant to chapter 61-02; and
 - b. The industrial commission for the funding of programs for development of energy conservation and renewable energy sources; for studies for development of cogeneration systems that increase the capacity of a system to produce more than one kind of energy from the same fuel; for studies for development of waste products utilization; and for the making of grants and loans in connection therewith.
2. Ninety ~~Twenty~~ percent must be allocated as provided in article X, section 24, of the Constitution of North Dakota.
3. Sixty percent must be allocated and credited to the state's general fund for general state purposes.

SECTION 9. EFFECTIVE DATE - EXPIRATION DATE. Section 8 of this Act is effective for tax revenue from oil produced after June 30, 1995, and before July 1, 1997, and section 8 is ineffective for tax revenue from oil produced after June 30, 1997."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 770 - STATE WATER COMMISSION

HOUSE - This amendment makes the following changes:

	1995-97 EXECUTIVE RECOMMENDATION	TOTAL SENATE CHANGES	SENATE RECOMMENDATION	CHARGE FUNDING OF WLT PROGRAM ¹	FULLY FUND 2 FTE ²	OTHER HOUSE CHANGES	HOUSE RECOMMENDATION
Salaries and wages	\$ 7,247,006	\$(30,351)	\$ 7,216,655		\$111,759	\$ 5,600 ³	\$ 7,334,014
Operating expenses	7,847,595	126,509	7,974,104			6,600 ³	7,980,704
Equipment	145,750		145,750			6,000 ⁴	151,750
Capital improvements	15,686,732		15,686,732				15,686,732
Grants	3,840,114		3,840,114				6,985,220
Cooperative research	<u>3,050,000</u>		<u>3,050,000</u>		(60,000)	3,205,106 ⁵	<u>3,050,000</u>
Total	\$37,817,197	\$ 96,158	\$37,913,355		\$ 51,759	\$3,223,306	\$41,188,420
less estimated income	<u>32,363,928</u>	<u>79,000</u>	<u>32,442,928</u>	\$ 25,000	<u>51,759</u>	<u>3,211,106</u>	<u>35,730,793</u>
General fund	\$ 5,453,269	\$ 17,158	\$ 5,470,427	\$(25,000)	\$ 0	\$ 12,200	\$ 5,457,627
FTE	83	1	84				84

¹ Provides that 20 percent match for the Water Education for Teachers (WET) program be from resources trust fund moneys, rather than the general fund.

² Transfers \$60,000 of special funds from grants and adds \$51,759 from special funds expected to be received from cities and counties to fully fund two existing FTE positions for water supply analysis.

³ Adds \$12,200 from the general fund for the cost of the meetings of the Atmospheric Resource Board, \$5,600 in salaries and wages and \$6,600 in operating expenses.

⁴ Adds \$6,000 of federal funds for computer equipment associated with the Environmental Protection Agency grant.

⁵ Adds \$7,800,000 from the resources trust fund made available as a result of increasing the allocation to the fund from 10 percent to 20 percent of oil extraction taxes and \$405,106 of additional resources trust fund income estimated by the State Water Commission.

This amendment changes the statutory allocation of the oil extraction tax collections as follows:

	ALLOCATION BASED ON ATTORNEY GENERAL'S JANUARY 1995 OPINION	PROPOSED ALLOCATION
General fund	70%	60%
Resources trust fund	10%	20%
Common schools trust fund	10%	10%
Foundation aid stabilization fund	<u>10%</u>	<u>10%</u>
	100%	100%

The following is a comparison of the resources trust fund appropriations as a result of this amendment:

	ENGROSSED SB 2025	AMENDMENT CHANGES	HOUSE VERSION SB 2025
Resources trust fund appropriation	\$6,066,075	\$3,230,106	\$9,296,181

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2027

Page 1, line 2, after the semicolon insert "to provide for an electronic reporting system;"

Page 1, line 14, replace "10,294,701" with "10,841,136"

Page 1, line 15, replace "5,765,538" with "6,411,716"

Page 1, line 16, replace "989,625" with "1,000,625"

Page 2, line 1, replace "20,800,539" with "22,004,152"

Page 2, line 2, replace "20,789,280" with "21,992,893"

Page 2, after line 8, insert:

"SECTION 3. REPORT TO BUDGET SECTION. The workers compensation bureau is to report on the expenditure of the \$350,000 provided for critical salary adjustments to the budget section at its June 1996 meeting.

SECTION 4. ELECTRONIC REPORTING. Job service North Dakota and the workers compensation bureau are to develop an employer wage reporting system that will allow for the electronic submission of employer wage information. The system is to have a common reporting form and allow for magnetic or electronic transmission of the wage information on either five and one-quarter inch or three and one-half inch DOS formatted diskettes, through asynchronous communications, or any other method of transmission deemed appropriate. The new reporting system is to be available to employers by January 1, 1997. Any state agency that wishes to participate in the development of the wage reporting system may do so."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 485 - WORKERS COMPEVSATION BUREAU

HOUSE - This amendment makes the following changes:

	SENATE VERSION	RESTORE VACANT FTE POSITIONS	PROVIDE FOR CRITICAL SALARY ADJUSTMENTS	WORKERS ADVISORY GROUP	PROVIDE FOR A 1-800 PHONE LINE	PERSONNEL SYSTEM	TOTAL HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$10,294,701	\$196,435	\$350,000				\$ 546,435	\$10,841,136
Operating expenses	5,765,538			\$378,128	\$191,250	\$76,800	646,178	6,411,716
Equipment	989,625					11,000	11,000	1,000,625
Managed care/IPA	1,460,250							1,460,250
Information reengineering	1,979,166							1,979,166
Other states coverage	50,000							50,000
Contingencies	250,000							250,000
Civil Air Patrol payment	<u>11,259</u>							<u>11,259</u>
Total all funds	\$20,800,539	\$196,435	\$350,000	\$378,128	\$191,250	\$87,800	\$1,203,613	\$22,004,152
Less estimated income	<u>20,789,280</u>	<u>196,435</u>	<u>350,000</u>	<u>378,128</u>	<u>191,250</u>	<u>87,800</u>	<u>1,203,613</u>	<u>21,992,893</u>
Total general fund	\$ 11,259	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 11,259
FTE	148.5	1.5					1.5	150

The amendment also adds a section requiring the bureau to report to the Budget Section on the expenditure of the \$350,000 provided for critical salary adjustments.

The amendment also adds a section directing the Workers Compensation Bureau and Job Service North Dakota to develop a uniform electronic reporting system for employers.

HOUSE AMENDMENTS TO SENATE BILL NO. 2179

Page 1, line 3, remove "and" and after "the" insert "Bathgate"

Page 1, line 4, after "property" insert "; and to authorize the board of university and school lands to convey certain state-owned land to Stark County, North Dakota"

Page 1, after line 22, insert:

"SECTION 3. Transfer of land authorized.

1. The board of university and school lands may convey to Stark County, North Dakota, land owned by the state which is located in Stark County and described as follows:

A tract of land in Stark County located in Section 5, Township 139 North, Range 96 West, described as the State Addition less the following tracts: (1) Lot 1 of Block 34; (2) A tract of land consisting of Lots 1-10 of Block 1; Lots 1-26 of Block 2; Lots 1-30 of Block 3; and all of 18th Ave. West and 19th Ave. West lying between the north property line of Fairway Street and the south property line of Empire Road, all of the above lots, blocks and avenues described in tract (2) being located in the State Addition of Dickinson, North Dakota, and being more particularly described as follows, to wit:

Beginning at a point 40 feet west and 40 south of the northeast corner of said Section 5, said point also being the northeast property corner of Lot 1, Block 1 of said State Addition; thence South $00^{\circ} 15' 34''$ East along the east property line of said Block 1 a distance of 1,225.49 feet to the southeast property corner of Lot 10 of said Block 1; thence westerly on a bearing of South $89^{\circ} 49' 34''$ West along the south property lines of said Blocks 1, 2, and 3 a distance of 785.00 feet to the southwest property corner of Lot 16 of said Block 3; thence northerly along the west property line of said Block 3 on a bearing of North $00^{\circ} 15' 34''$ West a distance of 1,225.64 feet to the northwest property corner of Lot 30 of said Block 3; thence easterly along the north property lines of said Blocks 3, 2, and 1 on a bearing of North $89^{\circ} 49' 04''$ East a distance of 785.00 feet to the True Point of Beginning.

2. The property may not be sold for less than the fair market value, based upon two independent appraisals.
3. The state shall reserve all mineral rights in and under the premises conveyed as are now held by the state.
4. The conveyance authorized by this section is not subject to section 54-01-05.5.
5. The attorney general shall review and approve as to form and legality all legal documents required for the conveyance authorized by this section, including title opinions."

Renumber accordingly

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2355

Page 1, line 1, replace "convey" with "sell"

Page 1, line 2, replace "to BHS Long Term Care, Inc" with "; and to amend and reenact sections 54-01-05.2 and 54-01-05.5 of the North Dakota Century Code, relating to the sale or exchange of state-owned land"

Page 1, line 5, replace "convey to BHS Long Term" with "sell"

Page 1, line 6, remove "Care, Inc.,"

Page 2, line 10, replace "The sale price must be at least ninety percent of the" with "At the public auction the property may not be sold for less than the minimum appraised value. If no bid which equals or exceeds the minimum appraised value is received at the auction, the board may negotiate a price for the land with a purchaser. The price negotiated may not be less than greater of the highest bid received at the public auction or ninety percent of the minimum appraised value. All moneys realized from the sale must be deposited in the general fund in the state treasury."

Page 2, remove lines 11 through 13

Page 2, after line 16, insert:

"SECTION 2. AMENDMENT. Section 54-01-05.2 of the 1993 Supplement to the North Dakota Century Code is amended and reenacted as follows:

54-01-05.2. Sale of state-owned land —Notice. Except as provided by section 54-01-05.5, whenever any department or agency of the state other than the board of university and school lands, the housing finance agency, and or the Bank of North Dakota is authorized to sell such real property, the property must be sold for cash by the county auditor or other person designated by the department or agency concerned at public auction at the front door of the courthouse in the county in which the property lies. A However, if in the opinion of the administrative head of the agency or department concerned a higher price can be obtained, the real property may be sold, by direct sale, by a licensed real estate broker engaged by the administrative head of the agency or department to sell the property, or by public auction conducted by a licensed auctioneer. If the property is sold by direct sale, through a real estate broker, or by public auction conducted by a licensed auctioneer, the property must be made available to the general public. If the property is sold at public auction other than a public auction conducted by a licensed auctioneer, a notice of sale must have been published in the official newspaper of the county in which the property lies for three successive weeks, with the last publication not less than ten days before the day of sale. The notice must be given in the name of the administrative head of the department or agency concerned, and must state the place, day, and hour of the sale, the description of the real property to be sold, the appraised value, and that the state reserves the right to reject any and all bids. No land may be sold at public auction, other than a public auction conducted by a licensed auctioneer, for less than the appraised value. In addition to the purchase price at auction, the buyer must pay the cost of preparing the land for sale. For a land sale or exchange when the value of the land is not more than one hundred thousand dollars, one appraisal must be obtained, and when the value of the land is in excess of one hundred thousand dollars, two appraisals must be obtained. If more than one appraisal is obtained, the appraised value of the land is the average of the two appraisals. If no bid is received on the land

at public auction, the land may be sold for not less than ninety percent of the appraised value. If the land is sold by direct sale, through a real estate broker, or by public auction conducted by a licensed auctioneer, the land may be sold for not less than eighty-five percent of the appraised value.

SECTION 3. AMENDMENT. Section 54-01-05.5 of the 1993 Supplement to the North Dakota Century Code is amended and reenacted as follows:

54-01-05.5. ~~Bills authorizing sale~~ Sale or exchange of state-owned land ~~—Written report—Opinion.~~

- ~~1-~~ The Upon approval by the budget section of the legislative council, the supervising agency, board, commission, department, or institution owning or controlling land proposed appraised by a certified appraiser at less than one hundred thousand dollars may sell or exchange that land. Land appraised by a certified appraiser at a value of at least one hundred thousand dollars may not be sold or exchanged except by authority of a bill introduced in the legislative assembly to be sold or exchanged shall prepare. No sale or exchange may be proposed without a written report that includes:
 - ~~a-~~ An analysis of the type of land involved-
 - ~~b-~~ A a determination whether the land is needed for present or future uses of the agency, board, commission, department, or institution-
 - ~~c-~~ A description of the party or parties, if known, who are interested in the land and the purposes for which the land is desired-
 - ~~d-~~ A; a map showing the boundaries of the land proposed to be sold or exchanged and a description of the purposes for which the adjacent lands are used-
- ~~2-~~ The commissioner of university and school lands shall review each legislative bill proposing the sale or exchange of state owned land and the written report from the supervising agency, board, commission, department, or institution. The commissioner shall then issue a written opinion to the standing committee of the legislative assembly to which the bill is initially referred concerning the proposed land sale or exchange and, in doing so, shall consider the "highest and best use" of the land as defined by section 15-02-05.1.
- ~~3-~~ The commissioner may adopt rules to provide for administration of this section; a description of the type of land involved; and an explanation of the disposition of the proceeds generated by the sale or exchange."

Renumber accordingly

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2358

In lieu of the amendments to Engrossed Senate Bill No. 2358 as printed on pages 1117 and 1118 of the House Journal, Engrossed Senate Bill No. 2358 is amended as follows:

Page 1, line 19, replace "Ary" with "The court shall order any"

Page 2, line 6, replace "must" with "to"

Page 2, line 7, after "blood" insert "and other body fluids"

Page 2, line 9, after the period insert "Notwithstanding any other provision of law, if the sentencing court has not previously ordered a sample of blood and other body fluids to be taken, the court retains jurisdiction and authority to enter an order that the convicted person provide a sample of blood and other body fluids as required by this section."

Page 2, line 10, remove "blood" and after "sample" insert "of blood and other body fluids"

Page 2, line 11, after "sentence" insert "or probation"

Page 2, line 14, remove "blood"

Page 2, line 15, after "samples" insert "of blood and other body fluids"

Page 2, line 20, after "blood" insert "and other body fluids"

Page 2, line 21, after "blood" insert "and other body fluids"

Page 2, line 22, replace "was" with "and other body fluids were"

Page 2, line 23, after "blood" insert "or other body fluids"

Page 4, line 2, after "blood" insert "and other body fluids"

ReNUMBER accordingly

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2505

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new section to chapter 36-01 of the North Dakota Century Code, relating to the duties of the board of animal health; to amend and reenact section 36-01-01 of the North Dakota Century Code, relating to the membership of the board of animal health; and to provide an expiration date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

"SECTION 1. AMENDMENT. Section 36-01-01 of the 1993 Supplement to the North Dakota Century Code is amended and reenacted as follows:

36-01-01. State board of animal health - Appointment - Terms - Qualifications.

1. The state board of animal health consists of ~~seven~~ nine members ~~appointed by the~~.
2. The governor shall appoint seven members for terms of seven years each with their terms of office so arranged that one term, and only one, expires on the first day of August in each year. ~~No person may be appointed~~ The governor may not appoint any person to more than two 7-year terms on the board. Each member of such board must be a qualified elector of this state. Each member of the board, immediately after his appointment shall take the oath of office required of civil officers. One member of said board must be a person actively engaged and financially interested in the commercial beef cattle industry and shall represent said industry on said board; one member of said board must be a person actively engaged and financially interested in the registered purebred beef cattle industry and shall represent said industry on said board; one member of said board must be a person actively engaged and financially interested in the dairy cattle industry and shall represent said industry on said board; one member of said board must be a person

actively engaged and financially interested in the swine industry and shall represent said industry on said board; one member of said board must be a person actively engaged and financially interested in the sheep industry and shall represent said industry on said board; and two members of said board must be competent veterinarians who are graduates of a veterinary course in a recognized college or university. Vacancies occurring prior to the expiration of the terms of office these seven members must be filled by appointment by the governor and must be for the balance of the unexpired term. Recommendations for appointment of members ~~to said board as constituted~~ under this section subsection may be made to the governor by the following associations for the following stated industries, to wit: by the North Dakota stockmen's association for the members representing commercial beef cattle, by the various registered purebred beef cattle associations for the member representing the registered purebred beef cattle, by the various dairy breed associations for the member representing dairy cattle, by the North Dakota swine breeders' association for the member representing swine, by the North Dakota wool growers' association for the member representing sheep, by the state veterinary medical association for the two veterinarian members, and by such other associations within this state representing livestock industries as the governor may permit. Two recommendations must be submitted for each office to be filled.

3. The chairman of the legislative council shall appoint two members for terms of two years, beginning August 1, 1995. One appointee must be a member of the house of representatives and one appointee must be a member of the senate. Both appointees may not represent the same political party.

SECTION 2. A new section to chapter 36-01 of the North Dakota Century Code is created and enacted as follows:

Duties of board - Evaluations - Report. The board shall conduct performance evaluations of the state veterinarian and any assistant state veterinarians, review the short-term and the long-term role and mission of the board and its employees, review alternatives for the enhancement of, and the efficient delivery of, services provided by the board and its employees, and include options for future consolidation or cooperation with other governmental entities. The board shall report to the governor and the legislative council before September 1, 1996.

SECTION 3. EXPIRATION DATE. This Act is effective through December 31, 1996, and after that date is ineffective."

Renumber accordingly

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

MADAM PRESIDENT: The House does not concur in the Senate amendments to HB 1009, HB 1041, HB 1168, and HB 1392 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1009: Reps. Byerly; Carlisle; Huether
 HB 1041: Reps. Holm; Drowdal; Nichols
 HB 1168: Reps. Stenehjem; Kretschmar; Mahoney
 HB 1392: Reps. Timm; Price; Grumbo

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

MADAM PRESIDENT: The House has reconsidered its action whereby it did not

concur in the Senate amendments to HB 1223 as printed on page 1064 of the House Journal. The House has now concurred in the Senate amendments, dissolved the conference committee, and subsequently passed the same.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following resolutions were delivered to the Secretary of State for his filing at the hour of 8:21 a.m., March 24, 1995: SCR 4006, SCR 4007, SCR 4013, SCR 4025, SCR 4058, SCR 4062.

CONSIDERATION OF AMENDMENTS

HB 1017, as engrossed: SEN. LIPS (Appropriations Committee) MOVED that the amendments on SJ pages 1147-1148 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1017: A BILL for an Act to provide an appropriation for defraying the expenses of the state industrial commission and the agencies under the management of the industrial commission; to authorize transfers; to amend and reenact subsection 2 of section 57-61-01.5 of the North Dakota Century Code, relating to deposits in the lignite research fund; to repeal section 14 of chapter 38 of the 1993 Session Laws, relating to transfers from the Bank of North Dakota; 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 48 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lindaas; Lips; Mathern; Mushik; Mutch; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

ABSENT AND NOT VOTING: Tallackson

Engrossed HB 1017, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

MOTION

SEN. GOETZ MOVED that HB 1178, which is on the Sixth order, be laid over one legislative day, which motion prevailed.

MOTION

SEN. GOETZ MOVED that HB 1416, which is on the Sixth order, be laid over two legislative days, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1432, as reengrossed: SEN. W. STENEHJEM (Judiciary Committee) MOVED that the amendments on SJ pages 1159-1161 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

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 31 YEAS, 17 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; Christmann; Freborg; Goetz; Grindberg; Heitkamp; Holmberg; Kinnoin; Krebsbach; Kringstad; Lee; Lips; Mutch; Naaden; Nalewaja; Nelson, G.; Nething; Sand; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tennefos; Thane; Traynor; Urlacher; Wanzenk; Watne

NAYS: DeMers; Heinrich; Kelsh; Krauter; LaFountain; Langley; Lindaas; Mathern; Mushik; Nelson, C.; O'Connell; Redlin; Robinson; Scherber; Tomac; Wogsland; Yockim

ABSENT AND NOT VOTING: Tallackson

Reengrossed HB 1432, as amended, passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

HB 1001, as engrossed: SEN. GOETZ (Appropriations Committee) MOVED that the amendments on SJ pages 1194-1195 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1001: A BILL for an Act providing an appropriation for defraying the expenses of the legislative branch of government; to 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; to provide for a technology applications committee of members from the budget section; to provide for a legislative council study; to provide an effective date; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 42 YEAS, 6 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lindaas; Lips; Mathern; Mushik; Mutch; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tennefos; Thane; Tomac; Traynor; Urlacher; Watne; Wogsland

NAYS: Andrist; Bowman; Christmann; O'Connell; Wanzenk; Yockim

ABSENT AND NOT VOTING: Tallackson

Engrossed HB 1001, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

CONSIDERATION OF AMENDMENTS

HB 1006, as engrossed: SEN. ST. AUBYN (Appropriations Committee) MOVED that the amendments on SJ pages 1195-1198 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1006: A BILL for an Act to provide an appropriation for defraying the expenses of the state department of health and consolidated laboratories and to provide for a study of the licensing of home health care providers.

ROLL CALL

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

YEAS: Andrist; Bowman; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lindaas; Lips; Mathern; Mushik; Mutch; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

Engrossed HB 1006, as amended, passed and the title was agreed to.

MOTION

SEN. GOETZ MOVED that the Senate be on the Fourteenth order and that HB 1305 be moved to the top of the Fourteenth order, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1305: A BILL for an Act to amend and reenact sections 61-32-03 and 61-32-07 of the North Dakota Century Code, relating to drainage permits and closing drains; to repeal sections 61-32-01, 61-32-02, 61-32-04, 61-32-05, 61-32-06, 61-32-09, and 61-32-11 of the North Dakota Century Code, relating to wetlands.

MOTION

SEN. KELSH MOVED that Engrossed HB 1305 be amended as follows, which motion failed on a verification vote.

Page 1, line 5, after "wetlands" insert "; and to provide an effective date"

Page 4, after line 12, insert:

"SECTION 4. EFFECTIVE DATE. This Act becomes effective on December 1, 1996."

ReNUMBER accordingly

MOTION

SEN. GOETZ MOVED that the question be taken at 11:15 a.m., which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 26 YEAS, 23 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Bowman; Christmann; Freborg; Grindberg; Kinnoin; Krauter; Kringstad; Langley; Lindaas; Mathern; Mutch; Naaden; Nelson, G.; Nething; O'Connell; Robinson; Sand; Schobinger; Solberg; Streibel; Tallackson; Tennefos; Tomac; Wanzek; Wogsland; Yockim

NAYS: Andrist; DeMers; Goetz; Heinrich; Heitkamp; Holmberg; Kelsh; Krebsbach; LaFountain; Lee; Lips; Mushik; Nalewaja; Nelson, C.; Redlin; Scherber; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Thane; Traynor; Urlacher; Watne

Engrossed HB 1305 passed and the title was agreed to.

MOTION

SEN. W. STENEHJEM MOVED that Sen. Watne replace Sen. W. Stenehjem on the Conference Committee on Engrossed SB 2349, which motion prevailed.

MOTION

SEN. GOETZ MOVED that the Senate stand in recess until 3:00 p.m., which motion prevailed.

THE SENATE RECONVENED pursuant to recess taken, with President Myrdal presiding.

CONSIDERATION OF AMENDMENTS

HB 1007, as engrossed: SEN. NAA DEN (Appropriations Committee) MOVED that the amendments on SJ page 1198 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1007: A BILL for an Act to provide an appropriation for defraying the expenses of the Indian affairs commission.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; Christmann; DeMers; Freborg; Goetz; Gridberg; Heinrich; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lindaas; Lips; Mathern; Mushik; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanze; Watne; Wogsland; Yockim

ABSENT AND NOT VOTING: Mutch; Stenehjem, W.

Engrossed HB 1007, as amended, passed and the title was agreed to.

MOTION

SEN. GOETZ MOVED that HB 1019 be moved to the top of the calendar, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1019, as engrossed: SEN. HOLMBERG (Appropriations Committee) MOVED that the amendments on SJ pages 1202-1206 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1019: A BILL for an Act to provide an appropriation for defraying the expenses of job service North Dakota; 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.

ROLL CALL

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

read, the roll was called and there were 46 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lindaas; Lips; Mathern; Mushik; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sard; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Streibel; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanek; Watne; Wogsland; Yockim

ABSENT AND NOT VOTING: Mutch; Stenehjem, W.; Tallackson

Engrossed HB 1019, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

CONSIDERATION OF AMENDMENTS

HB 1015, as engrossed: SEN. NAAEDEN (Appropriations Committee) MOVED that the amendments on SJ pages 1198-1201 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1015: A BILL for an Act to provide an appropriation for defraying the expenses of the commissioner of university and school lands.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 46 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lindaas; Lips; Mathern; Mushik; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Streibel; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanek; Watne; Wogsland; Yockim

ABSENT AND NOT VOTING: Mutch; Stenehjem, W.; Tallackson

Engrossed HB 1015, as amended, passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

HB 1022, as engrossed: SEN. HOLMBERG (Appropriations Committee) MOVED that the amendments on SJ pages 1206-1207 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1022: A BILL for an Act making an appropriation for defraying the expenses of the state board for vocational and technical education; to provide a statement of legislative intent; and to allow the transfer of appropriation authority to the salaries and wages line item.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 46 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lindaas; Lips; Mathern; Mushik;

Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Streibel; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzenk; Watne; Wogsland; Yockim

ABSENT AND NOT VOTING: Mutch; Stenehjem, W.; Tallackson

Engrossed HB 1022, as amended, passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

HB 1154: SEN. KELSH (Education Committee) MOVED that the amendments on SJ pages 1207-1212 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1154: A BILL 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.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 46 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lindaas; Lips; Mathern; Mushik; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Streibel; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzenk; Watne; Wogsland; Yockim

ABSENT AND NOT VOTING: Mutch; Stenehjem, W.; Tallackson

HB 1154, as amended, passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

HB 1256, as engrossed: SEN. O'CONNELL (Transportation Committee) MOVED that the amendments on SJ page 1212 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1256: A BILL for an Act to amend and reenact sections 43-20-03, 43-20-07, 43-20-12, 43-20-12.1, subsection 6 of section 43-28-01, subsections 1 and 3 of section 43-28-04, section 43-28-05, subsection 5 of section 43-28-06, sections 43-28-11, 43-28-12.2, subsections 1 and 2 of section 43-28-15, sections 43-28-19, and 43-28-23 of the North Dakota Century Code, relating to dental hygienists and 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 45 YEAS, 1 NAY, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach;

Kringstad; LaFountain; Langley; Lee; Lindaas; Lips; Mathern; Mushik; Naaden; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Streibel; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

NAYS: Nalewaja

ABSENT AND NOT VOTING: Mutch; Stenehjem, W.; Tallackson

Engrossed HB 1256, as amended, passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

HB 1493, as engrossed: **SEN. B. STENEHJEM** (Transportation Committee) **MOVED** that the amendments on SJ pages 1212-1213 be adopted and then be placed on the fourteenth order with **DO PASS**, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1493: A BILL for an Act to 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 amend and reenact sections 24-02-03.3 and 24-02-03.4 of the North Dakota Century Code, relating to the central management system for state-owned motor vehicles and the transfer of titles; 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 46 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lindaas; Lips; Mathern; Mushik; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Streibel; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

ABSENT AND NOT VOTING: Mutch; Stenehjem, W.; Tallackson

Engrossed HB 1493, as amended, passed and the title was agreed to.

MOTION

SEN. GOETZ MOVED that HB 1284, which is on the Sixth order, be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1011: A BILL for an Act to provide an appropriation for defraying the expenses of the state fair association.

MOTION

SEN. REDLIN MOVED that Engrossed HB 1011 be amended as follows:

Page 1, line 11, replace "288,800" with "335,000"

Page 1, line 12, replace "498,800" with "545,000"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 665 - STATE FAIR

SENATE - This amendment increases funding for State Fair premiums by \$46,200 from the general fund, from \$288,800 to \$335,000.

REQUEST

SEN. KRAUTER REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to Engrossed HB 1011, which request was granted.

ROLL CALL

The question being on the motion to adopt the proposed amendments to Engrossed HB 1011, the roll was called and there were 23 YEAS, 23 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: DeMers; Heinrich; Heitkamp; Kelsh; Kinroin; Krauter; Krebsbach; LaFountain; Langley; Lindaas; Lips; Mathern; Mushik; Nelson, C.; O'Connell; Redlin; Robinson; Scherber; Schobinger; Tomac; Watne; Wogsland; Yockim

NAYS: Andrist; Bowman; Christmann; Freborg; Goetz; Grindberg; Holmberg; Kringstad; Lee; Naaden; Nalewaja; Nelson, G.; Nething; Sand; Solberg; St. Aubyn; Stenehjem, B.; Streibel; Tennefos; Thane; Traynor; Urlacher; Wanzek

ABSENT AND NOT VOTING: Mutch; Stenehjem, W.; Tallackson

The proposed amendments to Engrossed HB 1011 failed.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 46 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Kinroin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lindaas; Lips; Mathern; Mushik; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Streibel; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

ABSENT AND NOT VOTING: Mutch; Stenehjem, W.; Tallackson

Engrossed HB 1011 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1090: A BILL for an Act to create and enact a new subsection to section 47-30.1-01 and section 47-30.1-16.1 of the North Dakota Century Code, relating to definitions applicable to the Uniform Unclaimed Property Act and unclaimed mineral proceeds; to amend and reenact subsection 1 of section 47-30.1-02, subsection 1 of section 47-30.1-05, subsection 4 of section 47-30.1-06, subsections 1 and 3 of section 47-30.1-07, section 47-30.1-10, subsection 1 of section 47-30.1-12, section 47-30.1-13, subsection 1 of section 47-30.1-14, sections 47-30.1-16, 47-30.1-17, subsections 1 and 4 of section 47-30.1-18, section 47-30.1-19.1, subsection 3 of section 47-30.1-24, and subsection 1 of section 47-30.1-35 of the North Dakota Century Code, relating to abandoned property under the Uniform Unclaimed Property Act; and to repeal sections 47-30.1-19 and 47-30.1-21 of the North Dakota Century Code, relating to the payment or delivery of and the crediting of dividends accrued on abandoned property.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 43 YEAS, 3 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lindaas; Lips; Mathern; Mushik; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; St. Aubyn; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

NAYS: Solberg; Stenehjem, B.; Streibel

ABSENT AND NOT VOTING: Mutch; Stenehjem, W.; Tallackson

Engrossed HB 1090 passed and the title was agreed to.

MOTION

SEN. GOETZ MOVED that the Senate stand in recess for five minutes, which motion prevailed.

THE SENATE RECONVENED pursuant to recess taken, with President Myrdal presiding.

MOTION

SEN. GOETZ MOVED that HB 1228, which is on the Fourteenth order, be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1322: A BILL for an Act to create and enact a new section to chapter 15-12 of the North Dakota Century Code, relating to creation of a special fund to develop eighteenth street on the campus of North Dakota state university.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 38 YEAS, 7 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; Christmann; DeMers; Goetz; Grindberg; Heitkamp; Holmberg; Kelsh; Krebsbach; Kringstad; LaFountain; Lee; Lindaas; Lips; Mathern; Mushik; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Scherber; Schobinger; Solberg; St. Aubyn; Streibel; Tennefos; Thane; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

NAYS: Freborg; Heinrich; Kinnoin; Krauter; Sand; Stenehjem, B.; Tomac

ABSENT AND NOT VOTING: Langley; Mutch; Stenehjem, W.; Tallackson

HB 1322 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. KREBSBACH MOVED that the Senate do not concur in the House amendments to Engrossed SB 2181 as printed on SJ pages 1036-1038 and that a conference committee be appointed to meet with a like committee from the House, which notion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE PRESIDENT APPOINTED as a Conference Committee on Engrossed SB 2181: Sens. Grindberg, Krebsbach, Scherber.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. URLACHER MOVED that the Senate do not concur in the House amendments to Engrossed SB 2425 as printed on SJ page 1041 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE PRESIDENT APPOINTED as a Conference Committee on Engrossed SB 2425: Sens. Thane, Urlacher, DeMers.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. MUTCH MOVED that the Senate do not concur in the House amendments to SB 2520 as printed on SJ page 1050 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE PRESIDENT APPOINTED as a Conference Committee on SB 2520: Sens. Krebsbach, Sand, Langley.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. THANE MOVED that the Senate do not concur in the House amendments to Engrossed SCR 4046 as printed on SJ page 1122 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE PRESIDENT APPOINTED as a Conference Committee on Engrossed SCR 4046: Sens. B. Stenehjem, Lee, DeMers.

APPOINTMENT OF CONFERENCE COMMITTEE

SEN. W. STENEHJEM MOVED that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on Engrossed HB 1089, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on Engrossed HB 1089: Sens. Traynor, W. Stenehjem, C. Nelson.

APPOINTMENT OF CONFERENCE COMMITTEE

SEN. W. STENEHJEM MOVED that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on Engrossed HB 1151, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on Engrossed HB 1151: Sens. W. Stenehjem, Traynor, C. Nelson.

APPOINTMENT OF CONFERENCE COMMITTEE

SEN. MUTCH MOVED that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on Engrossed HB 1155, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on Engrossed HB 1155: Sens. Sand, Krebsbach, Scherber.

APPOINTMENT OF CONFERENCE COMMITTEE

SEN. B. STENEHJEM MOVED that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on Engrossed HB 1163, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on Engrossed HB 1163: Sens. B. Stenehjem, Mutch, Kelsh.

APPOINTMENT OF CONFERENCE COMMITTEE

SEN. TRAYNOR MOVED that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on Engrossed HB 1210, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on Engrossed HB 1210: Sens. Traynor, Kringstad, Yockim.

APPOINTMENT OF CONFERENCE COMMITTEE

SEN. MUTCH MOVED that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on Engrossed HB 1250, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on Engrossed HB 1250: Sens. Mutch, Krebsbach, Langley.

APPOINTMENT OF CONFERENCE COMMITTEE

SEN. THANE MOVED that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on Engrossed HB 1309, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on Engrossed HB 1309: Sens. Bowman, B. Stenehjem, Mathern.

APPOINTMENT OF CONFERENCE COMMITTEE

SEN. MUTCH MOVED that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on HB 1329, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on HB 1329: Sens. Andrist, Sand, Krauter.

APPOINTMENT OF CONFERENCE COMMITTEE

SEN. URLACHER MOVED that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on Engrossed HB 1367, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on Engrossed HB 1367: Sens. Watne, Urlacher, DeMers.

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 2533, SB 2535, SCR 4001, SCR 4002, SCR 4018, SCR 4023, SCR 4043, SCR 4059.

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 1012, HB 1020, HB 1052, HB 1055, HB 1145, HB 1177, HB 1217, 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: 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 Speaker has signed: SB 2068, SB 2096, SB 2369, SB 2377, SB 2380, SB 2382, SB 2395, SB 2492, SB 2496, SB 2501, SB 2511, SB 2522, SB 2527, SB 2532, SCR 4045, SCR 4055, SCR 4056, SCR 4057, SCR 4060, SCR 4061.

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

MADAM PRESIDENT: The House has amended and failed to pass: SB 2420.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bill was delivered to the Governor for his approval at the hour of 3:30 p.m., March 24, 1995: SB 2194.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bills were delivered to the Governor for his approval at the hour of 3:30 p.m., March 24, 1995: SB 2068, SB 2096, SB 2369, SB 2377, SB 2380, SB 2382, SB 2395, SB 2492, SB 2496, SB 2501, SB 2511, SB 2522, SB 2527, SB 2532.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following resolutions were delivered to the Secretary of State for his filing at the hour of 3:30 p.m., March 24, 1995: SCR 4045, SCR 4055, SCR 4056, SCR 4057, SCR 4060, SCR 4061.

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

MADAM PRESIDENT: The House does not concur in the Senate amendments to HB 1138 and HB 1260 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1138: Reprs. Koppelman; Jacobs; Glassheim
 HB 1260: Reprs. Carlson; Torgerson; Mutzenberger

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

MOTION

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

MOTION

SEN. GOETZ MOVED that the Senate be on the Fifth, Seventh, and Sixteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 8:00 a.m., Monday, March 27, 1995, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2539: Human Services Committee (Sen. Thane, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). SB 2539 was placed on the Sixth order on the calendar.

Page 1, line 6, after the period insert:

"1."

Page 1, line 10, replace "No" with:

"2. No"

Page 1, line 13, replace the second "the" with "":

a. The"

Page 1, line 14, replace "prevent" with "save", replace "death" with "life", after "wcmán" insert a semicolon, and replace ", in" with:

"b. In"

Page 1, line 15, replace "when" with "only so long as"

Page 1, line 16, replace "to avoid a loss of federal funds otherwise available" with "as a condition of continued state participation in the medicaid program"

Page 1, line 17, after the fifth period insert "Payment for an abortion in a case of gross sexual imposition, sexual imposition, sexual abuse of a ward, or incest may not be made under this section unless the act of gross sexual imposition, sexual imposition, sexual abuse of a ward, or incest is reported to a law enforcement agency before the abortion is performed. In cases where the victim is a minor, the reporting requirement may be satisfied by reporting the act to an appropriate law enforcement agency or to an agency authorized to receive child abuse and neglect reports under chapter 50-25.1. The state shall establish procedures that permit the reporting requirements to be waived, and the procedure reimbursed, if the treating physician certifies that, in the physician's professional opinion, the patient was unable, for physical or psychological reasons, to comply with the reporting requirements."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1002, as engrossed: Appropriations Committee (Sen. Nething, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1002 was placed on the Sixth order on the calendar.

Page 1, line 2, replace the first "ard" with "to provide an exemption from the provisions of section 54-44.1-11 of the North Dakota Century Code; to provide for a study of the allocation of unified court revenues and costs;"; after "sections" insert "11-17-04, 11-17-05,", and after "27-02-02" insert ", 27-03-05,"

Page 1, line 3, after "to" insert "fees charged by the clerks of the district and supreme courts and"

Page 1, line 4, after "judges" insert "; to repeal section 14-06.1-15 of the North Dakota Century Code, relating to the displaced homemakers account; and to provide an effective date"

Page 1, line 15, replace "4,595,056" with "4,617,927"

Page 1, line 16, replace "1,564,240" with "1,707,240"

Page 1, line 18, replace "311,326" with "319,416"

Page 1, line 19, replace "6,596,602" with "6,770,563"

Page 1, line 21, replace "6,540,930" with "6,714,891"

Page 2, line 3, replace "19,497,850" with "19,702,589"

Page 2, line 5, replace "445,562" with "520,562"

Page 2, line 6, replace "950,431" with "974,010"

Page 2, line 7, replace "27,396,330" with "27,699,648"

Page 2, line 9, replace "27,136,789" with "27,440,107"

Page 2, line 18, replace "34,078,854" with "34,556,133"

Page 2, line 20, replace "34,466,067" with "34,943,346"

Page 3, after line 8, insert:

"SECTION 5. LEGISLATIVE COUNCIL STUDY OF ALLOCATION OF UNIFIED COURT REVENUES AND COSTS. The legislative council shall study the unified court system with emphasis on the distribution of court revenues and the allocation of the costs of the system between the counties and the state. The study must include consideration of the allocation of costs and revenues that existed under the county court system and the redistribution of costs and revenues under existing statutes as well as changes that should be made to more equitably handle the funding of the unified court system. The legislative council shall report its findings and recommendations, together with any legislation needed to implement the recommendations, to the fifty-fifth legislative assembly.

SECTION 6. AMENDMENT. Section 11-17-04 of the 1993 Supplement to the North Dakota Century Code is amended and reenacted as follows:

11-17-04. Fees to be charged by the clerk of the district court.

1. The clerk of the district court shall charge and collect the following fees in civil cases:
 - ~~1-~~ a. For filing a case for decision in district court which that is not a small claims action, ~~twenty~~ eighty dollars.
 - 2- (1) Ten dollars of this fee must be paid by the clerk of court to the state treasurer for deposit in the civil legal services fund.
 - (2) For the filing of a petition for dissolution of marriage, annulment, or separation from bed and board, fifty dollars of this fee must be paid by the clerk of court to the state treasurer for deposit in the displaced homemaker account created by section 14-06.1-14.
 - (3) For all other filings, fourteen dollars of this fee must be paid by the clerk of court to the state treasurer for deposit in the state general fund.
- b. For filing an answer to a case that is not a small claims action, fifty dollars.
- c. For filing a small claims action in district court, ten dollars.

- 3- d. For filing any matter authorized to be filed in the office of the clerk of court other than a ~~case for decision in subsections 1 and 2~~ under subdivision a, b, or c, five dollars.
- 4- e. For preparing, certifying, issuing, or transmitting any document, five dollars; or such lesser fee as may be set by a schedule to be promulgated by the state court administrator.
- 5- f. For filing a motion to modify an order for alimony, property division, child support, or child custody, ~~twenty thirty dollars. The clerk shall deposit this fee collected under this subsection must be deposited with the county treasurer as provided under section 11-17-05 and thereafter must be deposited with the state treasurer and credited to the state~~ for deposit in the general fund of the state treasury.

~~In addition to the fee required under subsection 1, the clerk of court shall charge and collect a fee of ten dollars. This fee must be deposited with the county treasurer as provided under section 11-17-05 and thereafter must be deposited with the state treasurer and credited to an indigent civil legal services fund in the state treasury.~~

- g. For filing an answer to a motion to modify an order for alimony, property division, child support, or child custody, thirty dollars.
2. Section 27-01-07 applies to fees charged under this section. The clerk of court may not charge or collect any fee, prescribed by this or any other section, from the ~~county, or agencies thereof, in which the office of the clerk of court is located nor may the clerk of court charge or collect the additional ten dollar fee prescribed by this section from the state or an agency thereof or from a political subdivision or agency thereof.~~

SECTION 7. AMENDMENT. Section 11-17-04 of the North Dakota Century Code as amended by section 6 of this Act is amended and reenacted as follows:

11-17-04. Fees to be charged by the clerk of the district court.

1. The clerk of the district court shall charge and collect the following fees in civil cases:
- a. For filing a case for decision that is not a small claims action, eighty dollars.
- (1) Ten dollars of this fee must be paid by the clerk of court to the state treasurer for deposit in the civil legal services fund.
- (2) For the filing of a petition for dissolution of marriage, annulment, or separation from bed and board, fifty dollars of this fee must be paid by the clerk of court to the state treasurer for deposit in the displaced homemaker account created by section 14-06.1-14.
- (3) For all other filings, ~~fourteen~~ fifty dollars of this fee must be paid by the clerk of court to the state treasurer for deposit in the state general fund.

- b. For filing an answer to a case that is not a small claims action, fifty dollars. The clerk shall deposit this fee with the state treasurer for deposit in the general fund in the state treasury.
 - c. For filing a small claims action in district court, ten dollars.
 - d. For filing any matter authorized to be filed in the office of the clerk of court other than under subdivision a, b, or c, five dollars.
 - e. For preparing, certifying, issuing, or transmitting any document, five dollars; or such lesser fee as may be set by a schedule to be promulgated by the state court administrator.
 - f. For filing a motion or an answer to a motion to modify an order for alimony, property division, child support, or child custody, thirty dollars. The clerk shall deposit this fee with the state treasurer for deposit in the general fund of the state treasury.
 - ~~g. For filing an answer to a motion to modify an order for alimony, property division, child support, or child custody, thirty dollars.~~
2. Section 27-01-07 applies to fees charged under this section. The clerk of court may not charge or collect any fee, prescribed by this or any other section, from the state or an agency thereof or from a political subdivision or agency thereof.

SECTION 8. AMENDMENT. Section 11-17-05 of the 1993 Supplement to the North Dakota Century Code is amended and reenacted as follows:

11-17-05. Clerk to keep record of fees - Monthly report to county auditor. The clerk of the district court shall keep a public record of all money received as fees for services rendered as clerk. Within three days after the close of each calendar month and also at the close of the clerk's term of office, the clerk shall file with the county auditor a statement under oath showing the amount of fees received as clerk since the date of the clerk's last report, and within three days thereafter the clerk shall deposit with the county treasurer the total sum of such fees which must be used for facilities, except fees which that the clerk is directed to deposit with the state treasurer or is authorized expressly to retain.

Page 3, line 13, replace "seventy-three" with "seventy-five", replace "seven" with "nine", and replace "two" with "thirty-six"

Page 3, line 14, replace "seventy-five" with "seventy-seven" and replace "nine" with "four"

Page 3, line 15, replace "thirteen" with "forty-eight"

Page 3, line 17, replace "one" with "thirty-six"

Page 3, line 18, replace "sixty-four" with "eighty-four"

Page 3, after line 18, insert:

"SECTION 10. AMENDMENT. Section 27-03-05 of the North Dakota Century Code is amended and reenacted as follows:

27-03-05. Fees to be charged and collected by clerk of supreme court. The clerk of the supreme court shall charge and collect in advance a fee of fifty one hundred twenty-five dollars upon the filing in the supreme court of the record in any cause upon appeal, or upon the filing in such court of a petition in any cause seeking the exercise of the original jurisdiction thereof."

Page 3, line 23, replace "sixty-seven" with "seventy", remove "nine", overstrike "hundred", and replace "forty-nine" with "sixty-eight"

Page 3, line 24, replace "sixty-nine" with "seventy-one", overstrike "nine" and insert immediately thereafter "four"

Page 3, line 25, replace "eighty-seven" with "seventy-two"

Page 4, line 3, replace "twenty-nine" with "fifty-six"

Page 4, line 4, replace "seventy-eight" with "ninety-two"

Page 4, after line 4, insert:

"SECTION 12. REPEAL. Section 14-06.1-15 of the North Dakota Century Code is repealed.

SECTION 13. EFFECTIVE DATE. Section 7 of this Act becomes effective on July 1, 1997."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 180 - SUPREME COURT

SENATE - This amendment makes the following changes:

	HOUSE VERSION	JUDICIAL SALARY INCREASES ¹	RESTORE OPERATING FUNDING	TOTAL CHANGES	SENATE VERSION
Salaries and wages	\$4,595,056	\$22,871		\$ 22,871	\$4,617,927
Operating expenses	1,564,240		\$143,000	143,000	1,707,240
Equipment	125,980			0	125,980
Judges' retirement	<u>311,326</u>	<u>8,090</u>		<u>8,090</u>	<u>319,416</u>
Total all funds	\$6,596,602	\$30,961	\$143,000	\$173,961	\$6,770,563
Less estimated income	<u>55,672</u>			<u>0</u>	<u>55,672</u>
Total general fund	\$6,540,930	\$30,961	\$143,000	\$173,961	\$6,714,891
FTE	47			0	47

¹ Provides judges with the \$60 per month and the three percent given other state employees during the 1993-95 biennium and also provides for a two percent increase in each year of the 1995-97 biennium. The amendment provides for the following judicial salaries:

	CHIEF JUSTICE	JUSTICES
Current	\$73,595	\$71,555
July 1, 1995	\$78,072	\$75,936
July 1, 1996	\$79,632	\$77,448

This amendment also adds a section providing for a Legislative Council study of the allocation of unified court revenues and costs.

The amendment also increases the Supreme Court filing fee by \$75, from \$50 to \$125. This increase is expected to generate an additional \$28,500 of revenues for the general fund.

The amendment also provides for the following district court filing fee increases and related revenues:

TYPE OF FILING	PRESENT FEE	PROPOSED FEE	PROJECTED ADDITIONAL GENERAL FUND REVENUE	PROJECTED ADDITIONAL COUNTY REVENUE
Divorce	\$80	\$80		
Post Judgment Motions	20	30	\$ 163,240	
General civil	30	80	301,224	\$ 774,576
Probate	30	80	69,636	179,064
Answers-Divorce	0	50		127,080
Answers-Post Judgment Motions	0	30		417,375
Answers-General	0	50		<u>281,850</u>
District court filing fee increases			\$ 534,100	\$1,779,945
Supreme Court filing fee increase			<u>28,500</u>	
Grand total increase			\$ 562,600	

The allocation of the filing fee increases is effective through June 30, 1997, and after that date the increased fees go to the state general fund.

DEPARTMENT 185 - DISTRICT COURTS

SENATE - This amendment makes the following changes::

	HOUSE VERSION	JUDICIAL SALARY INCREASES ¹	RESTORE EQUIPMENT FUNDING	TOTAL CHANGES	SENATE VERSION
Salaries and wages	\$19,497,850	\$204,739		\$204,739	\$19,702,589
Operating expenses	6,502,487				6,502,487
Equipment	445,562		\$75,000	75,000	520,562
Judges' retirement	<u>950,431</u>	<u>23,579</u>		<u>23,579</u>	<u>974,010</u>
Total all funds	\$27,396,330	\$228,318	\$75,000	\$303,318	\$27,699,648
Less estimated income	<u>259,541</u>				<u>259,541</u>
Total general fund	\$27,136,789	\$228,318	\$75,000	\$303,318	\$27,440,107
FTE	184.82			0	184.82

¹ Provides judges with the \$60 per month and the three percent given other state employees during the 1993-95 biennium and also provides for a two percent increase in each year of the 1995-97 biennium. The amendment provides for the following judicial salaries:

	PRESIDING JUDGE	JUDGE
Current	\$67,551	\$65,970
July 1, 1995	\$71,724	\$70,068
July 1, 1996	\$73,164	\$71,472

REPORT OF STANDING COMMITTEE

HB 1005: Appropriations Committee (Sen. Nething, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1005 was placed on the Sixth order on the calendar.

Page 1, line 3, after the semicolon insert "to provide for a study of the agricultural experiment station and North Dakota state university extension service;"

Page 1, line 16, replace "19,039,731" with "18,949,731"

Page 1, line 17, replace "3,340,300" with "3,330,300"

Page 1, line 19, replace "22,805,031" with "22,705,031"

Page 1, line 20, replace "12,979,180" with "12,479,180"

Page 1, line 21, replace "9,825,851" with "10,225,851"

Page 2, line 4, replace "72,450" with "72,450"

Page 2, after line 4, insert:

"Capital improvements

1,500,000"

Page 2, line 5, replace "920,931" with "2,420,931"

Page 2, line 6, replace "317,557" with "1,817,557"

Page 2, line 10, replace "32,152,867" with "32,428,292"

Page 2, line 11, replace "4,100,080" with "4,353,080"

Page 2, line 12, replace "1,327,746" with "1,357,746"

Page 2, line 13, replace "658,800" with "698,800"

Page 2, line 15, replace "38,539,493" with "39,137,918"

Page 2, line 16, replace "17,104,946" with "16,872,346"

Page 2, line 17, replace "21,434,547" with "22,265,572"

Page 3, line 10, replace "452,413" with "506,413"

Page 3, line 14, replace "819,140" with "873,140"

Page 3, line 16, replace "518,201" with "572,201"

Page 3, line 29, replace "116,200" with "116,200"

Page 3, after line 29, insert:

"Capital improvements

600,000"

Page 4, line 1, replace "811,830" with "1,411,830"

Page 4, line 2, replace "329,100" with "629,100"

Page 4, line 3, replace "482,730" with "782,730"

Page 4, line 26, replace "15,000" with "220,000"

Page 4, line 27, replace "861,485" with "1,066,485"

Page 5, line 1, replace "735,000" with "967,600"

Page 5, line 4, replace "835,000" with "1,067,600"

Page 5, line 5, replace "37,233,389" with "38,358,414"

Page 5, line 6, replace "35,382,848" with "36,887,848"

Page 5, line 7, replace "72,616,237" with "75,246,262"

Page 6, line 4, after "products" insert "or equipment"

Page 6, line 5, replace "\$50,000" with "\$75,000"

Page 6, remove lines 20 through 25

Page 6, line 26, replace "The funds provided in this section" with "There is hereby appropriated from special funds derived from federal funds or other income, the sum of \$80,000"

Page 6, line 27, replace "funds" with "sum" and remove "are hereby appropriated out of any"

Page 6, remove line 28

Page 7, line 3, replace ", as follows:" with a period

Page 7, replace lines 4 through 9 with:

SECTION 9. LINE ITEM TRANSFERS - EMERGENCY COMMISSION.

Notwithstanding any other provision of law, the emergency commission may authorize the entities in subdivisions 4 through 12 of section 1 of this Act to establish a capital improvements line item and to transfer appropriation authority from another line item within the same subdivision to the capital improvements line item for the biennium beginning July 1, 1995, and ending June 30, 1997.

SECTION 10. LEGISLATIVE INTENT - PART-TIME LABOR. It is the intent of the legislative assembly that the board of higher education may authorize transfers for the entities of the agricultural experiment station of up to five percent of a capital improvements line item to salaries and wages for part-time labor costs relating to repairs, maintenance, and improvements at the branch research centers for the biennium beginning July 1, 1995, and ending June 30, 1997.

SECTION 11. LEGISLATIVE COUNCIL STUDY. The legislative council shall consider studying, during the 1995-96 interim, the services provided by the North Dakota state university extension service and the agricultural experiment station, the degree of duplication, their cost and effectiveness, the necessity for their continued existence, and options for consolidation."

Page 7, line 10, replace "9" with "8"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 630 - NDSU EXTENSION SERVICE

SENATE - This amendment makes the following changes:

	HOUSE VERSION	FUNDING SOURCE CHANGE ¹	HETTINGER HEALTH PROJECT ²	TOTAL CHANGES	SENATE VERSION
Salaries and wages	\$19,039,731		\$ (90,000)	\$ (90,000)	\$18,949,731
Operating expenses	3,340,300		(10,000)	(10,000)	3,330,300
Equipment	<u>425,000</u>				<u>425,000</u>
Total	\$22,805,031	\$ 0	\$(100,000)	\$(100,000)	\$22,705,031
General fund	\$ 9,825,851	\$ 400,000		\$ 400,000	\$10,225,851
Special funds	<u>12,979,180</u>	<u>(400,000)</u>	<u>\$(100,000)</u>	<u>(500,000)</u>	<u>12,479,180</u>
Total	\$22,805,031	\$ 0	\$(100,000)	\$(100,000)	\$22,705,031
FTE	227		(1)	(1)	226

¹ Increases general fund support by \$400,000 and reduces special funds to be provided by the counties by \$400,000, from \$3,228,793 to \$2,828,793.

² Removes funding for the West River Community Health Project for Rural Research and Education added by the House.

Section 8 of the bill, which was added by the House providing legislative intent regarding county funding for extension programs, is removed.

DEPARTMENT 638 - NORTHERN CROPS INSTITUTE

SENATE - This amendment adds \$1,500,000, \$750,000 of federal funds and \$750,000 of other funds, to be raised by the Northern Crops Institute for a food processing pilot plant. This funding was included in Senate Bill No. 2030.

DEPARTMENT 640 - AGRICULTURAL EXPERIMENT STATION

SENATE - This amendment makes the following changes:

ALL FUNDS CHANGES

	HOUSE VERSION	ADD CAPITAL IMPROVEMENTS ¹	RESTORE VACANT POSITIONS	TRANSFER FEDERAL FUNDING ³	OTHER CHANGES	TOTAL CHANGES	SENATE VERSION
Main Research Station	\$39,079,493	\$ 40,000	\$251,025 ²	\$(232,600)	\$80,000 ⁴	\$ 138,425	\$39,217,918
Dickinson Research Center	1,662,650						1,662,650
Central Grasslands Research Center	1,000,604						1,000,604
Hettinger Research Center	819,140				54,000 ⁵	54,000	873,140
Langdon Research Center	777,816						777,816
North Central Research Center	811,830	600,000				600,000	1,411,830
Williston Research Center	1,028,211						1,028,211
Carrington Research Center	2,014,046						2,014,046
Agronomy Seed Farm	861,485	205,000				205,000	1,066,485
Land Reclamation Research Center	<u>835,000</u>			<u>232,600</u>		<u>232,600</u>	<u>1,067,600</u>
Total all funds	\$48,890,275	\$845,000	\$251,025	\$ 0	\$134,000	\$1,230,025	\$50,120,300
FTE	409.27		3.2	0	1 ⁵	4.2	413.47

GENERAL FUND CHANGES

	HOUSE VERSION	ADD CAPITAL IMPROVEMENTS ¹	RESTORE VACANT POSITIONS	OTHER CHANGES	TOTAL CHANGES	SENATE VERSION
Main Research Station	\$21,894,547	\$ 40,000	\$251,025 ²	\$ 80,000 ⁴	\$371,025	\$22,265,572
Dickinson Research Center	1,130,974					1,130,974
Central Grasslands Research Center	549,204					549,204
Hettinger Research Center	518,201			54,000 ⁵	54,000	572,201
Langdon Research Center	603,474					603,474
North Central Research Center	482,730	300,000			300,000	782,730
Williston Research Center	678,386					678,386
Carrington Research Center	946,648					946,648
Agronomy Seed Farm						
Land Reclamation Research Center						
Total general fund	\$26,804,164	\$340,000	\$251,025	\$134,000	\$725,025	\$27,529,189

¹ Provides funding for the following projects which were included in Senate Bill No. 2030:

Main Research Station - Miscellaneous projects	\$ 40,000
North Central Research Center - Headquarters building addition	\$600,000
Agronomy Seed Farm:	
Bulk seed storage and loading facility	\$150,000
Farm shop	\$ 55,000

² Restores all vacant positions removed by the House.

³ Transfers federal USDA broad form funds from the Main Research Station to the Land Reclamation Research Center, including 3.75 FTE positions.

⁴ Provides additional funding for cereal grain disease and potato breeding research.

⁵ Increases salaries and wages for one FTE position eliminated in the executive budget.

Section 5 of the bill is amended to provide that storage structures authorized by the Board of Higher Education may be used to store both products and equipment and to increase the maximum authorized limit of the cost of a structure by \$25,000, from \$50,000 to \$75,000.

Funding of \$460,000 from the general fund for cereal grain disease and potato breeding research added by the House in an emergency clause section is transferred from the separate section into the Main Research Station's 1995-97 biennial appropriation included in section 1 of the bill. The \$80,000 of special funds for this research remains in the emergency clause section.

A section is added authorizing line item transfers to capital improvements even if a capital improvements line item is not provided for a branch research center.

A section is added allowing five percent of a capital improvements line item to be used for part-time labor costs relating to repairs, maintenance, and improvements at the branch research centers.

A section is added providing for a Legislative Council study of programs and services provided by the NDSU-Extension Service and the Agricultural Experiment Station and options for consolidation.

REPORT OF STANDING COMMITTEE

HB 1013, as engrossed: Appropriations Committee (Sen. Nething, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1013 was placed on the Sixth order on the calendar.

Page 1, line 2, after "patrol" insert "; to amend and reenact subsection 3 of section 39-04.2-04 and section 39-26-12 of the North Dakota Century Code, relating to the public transportation fund and the abandoned motor vehicle disposal fund; and to provide an effective date"

Page 1, line 9, replace "1,599,382" with "1,639,115"

Page 1, line 10, replace "17,797,238" with "18,264,623"

Page 1, line 11, replace "770,204" with "2,185,888"

Page 1, remove line 12

Page 1, line 13, replace "20,689,626" with "22,089,626"

Page 1, line 14, after "FUNDS" insert "TRANSFER" and replace "There is hereby appropriated in the" with "The total"

Page 1, line 15, after "funds" insert "appropriation", replace the first "of" with "in", and after "Act" insert "includes"

Page 1, line 16, after "fund" insert "that may be transferred at the direction of the superintendent of the highway patrol"

Page 2, after line 13, insert:

"SECTION 5. LAW ENFORCEMENT TRAINING ACADEMY ADDITION - SPECIAL FUNDS - TRANSFER. The special funds line item in section 1 of this Act includes the sum of \$630,000 from the public transportation fund, the sum of \$250,000 from the abandoned motor vehicle disposal fund under section 39-26-11, and the sum of \$520,000 from the highway fund, or so much of the sums as may be necessary, that may be transferred at the direction of the superintendent of the highway patrol for the purpose

of constructing an addition to the law enforcement training academy for the biennium beginning July 1, 1995, and ending June 30, 1997.

SECTION 6. LEGISLATIVE INTENT - PUBLIC TRANSPORTATION FUND. It is the intent of the legislative assembly that when the cumulative funding transfers from the public transportation fund to the highway fund total at least \$520,000, the director of the department of transportation introduce a bill to the next legislative assembly amending section 39-04.2-04 to change the formula distribution of the public transportation fund by authorizing the director of the department of transportation to distribute all moneys deposited in the fund to public transportation providers.

SECTION 7. AMENDMENT. Subsection 3 of section 39-04.2-04 of the 1993 Supplement to the North Dakota Century Code is amended and reenacted as follows:

3. ~~Unless otherwise provided by law, any~~ Any moneys remaining in the fund at the end of each ~~biennium~~ fiscal year in excess of the estimated moneys needed in the fund to provide for the cash flow needs of the fund for the next fiscal year as determined by the director must be ~~put back into the public transportation fund for redistribution~~ transferred to the highway fund.

SECTION 8. AMENDMENT. Section 39-26-12 of the North Dakota Century Code is amended and reenacted as follows:

39-26-12. Tax on initial motor vehicle certificates of title - When tax is suspended. There is hereby imposed a tax of two dollars on each initial North Dakota certificate of title issued to a passenger motor vehicle or a truck motor vehicle. The proceeds of such tax must be paid into the abandoned motor vehicle disposal fund in the state treasury. No registration plates or title certificate may be issued unless such tax is paid. Expenses of the fund arising from the provisions of this chapter must be paid from the fund within the limits of legislative appropriation. If on the first day of July in any year the amount of uncommitted money in the abandoned motor vehicle disposal fund is five two hundred fifty thousand dollars or more, the tax must be suspended and the amount in excess of five two hundred fifty thousand dollars must be transferred to the highway fund. If the tax has been suspended and on the first day of July in any year the amount of uncommitted money in the abandoned motor vehicle disposal fund is one hundred thousand dollars or less the tax must be reimposed on and after January first of the succeeding year.

SECTION 9. EFFECTIVE DATE. Section 8 of this Act becomes effective on July 1, 1996."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 504 - HIGHWAY PATROL

SENATE - This amendment makes the following object-code changes:

	HOUSE VERSION	ADD CAPITAL IMPROVEMENTS ¹	TOTAL CHANGES	SENATE VERSION
Salaries and wages	\$16,479,654			\$16,479,654
Operating	3,919,972			3,919,972

expenses				
Equipment	158,000			158,000
Capital improvements	32,000	\$1,400,000	\$1,400,000	1,432,000
Grants	<u>100,000</u>			<u>100,000</u>
Total	\$20,689,626	\$1,400,000	\$1,400,000	\$22,089,626
General fund				
Special funds	<u>\$20,689,626</u>	<u>\$1,400,000</u>	<u>\$1,400,000</u>	<u>\$22,089,626</u>
Total	\$20,689,626	\$1,400,000	\$1,400,000	\$22,089,626
FTE	200		0	200

¹ Provides funding for the Law Enforcement Training Academy building addition. Funding of \$630,000 is provided from the public transportation fund, \$250,000 from the abandoned motor vehicle disposal fund, and \$520,000 from the highway fund. The amendment also provides that any excess funds in the public transportation fund, after the \$630,000 has been used for the Law Enforcement Training Academy, are to be transferred to the highway fund to repay it for the highway funds used to construct this addition at the end of each fiscal year. The funding and provisions were included in Senate Bill No. 2030.

The funding provided for each Highway Patrol program is as follows:

	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
Administration	\$ 1,599,382	\$ 39,733	\$ 1,639,115
Field operations	17,797,238	467,385	18,264,623
Law enforcement training academy	770,204	1,415,684	2,185,888
Salary and benefit adjustment	<u>522,802</u>	<u>(522,802)*</u>	
Total	\$20,689,626	\$1,400,000	\$22,089,626

* Funding in the salaries and benefit adjustment line item is allocated to the appropriate program line items to reflect each program's funding level.

A section is added amending Section 39-26-12 to reduce the maximum balance allowed in the abandoned motor vehicle disposal fund before the \$2 motor vehicle title tax is suspended and any excess moneys in the fund are transferred to the highway fund by \$250,000, from \$500,000 to \$250,000. The section is effective on July 1, 1996.

A section of legislative intent is added providing that when the highway fund is repaid for the use of \$520,000 for the Law Enforcement Training Academy addition, the director of the Department of Transportation introduce a bill to provide that all moneys deposited in the public transportation fund be distributed to public transportation providers.

REPORT OF STANDING COMMITTEE

HB 1014, as engrossed: Appropriations Committee (Sen. Nething, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1014 was placed on the Sixth order on the calendar.

Page 1, line 3, after "transportation" insert "; and to create and enact a new section to chapter 49-17.1 of the North Dakota Century Code, relating to local rail projects not eligible for federal funds"

Page 1, line 11, replace "33,832,794" with "34,081,243"

Page 1, line 12, replace "5,868,770" with "6,057,097"

Page 1, line 13, replace "12,274,776" with "12,396,125"

Page 1, line 14, replace "371,472,707" with "349,164,404"

Page 1, line 15, replace "22,327,315" with "28,408,218"

Page 1, remove line 16

Page 1, line 17, replace "448,491,507" with "430,107,087"

Page 2, after line 2, insert:

"SECTION 3. A new section to chapter 49-17.1 of the 1993 Supplement to the North Dakota Century Code is created and enacted as follows:

Department may authorize local rail projects. For the purpose of promoting the public interest and local economic development, the department may utilize revenue generated under this chapter for the construction or improvement of railway freight transportation projects not otherwise eligible for assistance under the Railroad Revitalization and Regulatory Reform Act of 1976 [Pub. L. 94-210; 90 Stat. 149; 49 U.S.C. 1651 et seq.] and which meet standards and specifications developed by the department."

Re-number accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 801 - DEPARTMENT OF TRANSPORTATION

SENATE - This amendment makes the following object code changes:

	HOUSE VERSION	ADD CAPITAL IMPROVEMENTS	ADD UNIVERSITY SYSTEM FLEET ¹	DEFICIT OF VACANT POSITIONS	REDUCE HIGHWAY CONSTRUCTION FUNDS	DEFICIT OF SENATE BILL NO. 2416 ²	OTHER CHANGES	TOTAL CHANGES	SENATE VERSION
Salaries and wages	\$ 79,782,158		\$ 325,000	\$753,580 ³		\$ 78,000		\$ 1,152,580	\$ 80,934,738
Operating expenses	75,165,710		4,675,000			25,000		4,700,000	79,865,710
Equipment	10,993,018		3,000,000			6,000		3,006,000	21,999,018
Capital improvements	246,720,971	\$5,557,000 ⁴			\$(32,800,000) ⁵			(27,243,000)	221,485,971
Grants	25,821,700								25,821,700
Total special funds	\$448,491,507	\$5,557,000	\$8,000,000	\$753,580	\$(32,800,000)	\$105,000	\$0	\$(18,384,420)	\$430,107,087
Highway fund	\$179,567,144	\$2,117,700	\$2,000,000	\$385,749				\$ 4,497,949	\$184,065,093
Federal funds	739,134,048	3,444,800		367,831	\$(32,800,000)			(28,987,369)	210,146,679
Other special funds	29,790,315		6,000,000			\$105,000		6,105,000	35,895,315
Total special funds	\$448,491,507	\$5,567,000	\$8,000,000	\$753,580	\$(32,800,000)	\$105,000	\$0	\$(18,384,420)	\$430,107,087
FTE	1,057		5	12		2	2 ⁶	21	1,878

¹ Provides funding for the following projects which the executive budget and the House had included in Senate Bill No. 2020:

	HIGHWAY FUND	FEDERAL FUNDS	TOTAL
Salt/sand storage buildings	\$ 450,000		\$ 450,000
Right-of-way purchases	861,200	\$3,444,800	4,306,000
New section buildings (Fargo district)	300,000		300,000
New building and remodel existing space (Fargo district)	250,000		250,000
Building addition (Valley City district)	40,000		40,000
New storage building (Valley City district)	11,000		11,000
Cold storage buildings	100,000		100,000
Demolish and remove old lab building (Bismarck district)	100,000		100,000
Total	\$2,117,700	\$3,444,800	\$5,567,000

² Provides \$6 million to Fleet Services and \$2 million to the highways program as a result of the provisions of House Bill No. 1493 which bring the university system fleet under the control of the Department of Transportation.

³ Restores 12 of the 16 vacant FTE positions removed by the House in the highways program.

⁴ Reduces federal highway construction funds in this bill due to the contingent appropriation of \$65.5 million included in House Bill No. 1094 (the gas tax trigger bill).

⁵ Provides \$105,000 to the motor vehicle program as a result of provisions of Senate Bill No. 2416 which require motor vehicle seller's certificates.

⁶ Adds two FTE attorney positions in the administration program as a result of provisions of House Bill No. 1439 which provide that the Department of Transportation may hire its own attorneys rather than receive local services from the Attorney General's office. Funding for the positions is available from the fees which would have been paid to the Attorney General's office. One FTE attorney position which was assigned to the Department of Transportation is eliminated in the Attorney General's office.

A section is added authorizing the Department of Transportation to use revenue generated from the federal local rail assistance program for railway freight transportation projects not otherwise eligible for federal funding.

The funding provided for each Department of Transportation program is as follows:

	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
Administration	\$ 33,832,794	\$ 248,449	\$ 34,081,243
Motor Vehicle	5,868,770	188,327	6,057,097
Driver's License	12,274,776	121,349	12,396,125
Highways	371,472,707	(22,308,303)	349,164,404
Fleet Services	22,327,315	6,080,903	28,408,218
Salaries and benefit adjustments	<u>2,715,145</u>	<u>(2,715,145)*</u>	
Total special funds	\$448,491,507	\$(18,384,420)	\$430,107,087

* Funding in the salaries and benefit adjustments line item is allocated to the appropriate program line items to reflect each program's funding level.

REPORT OF STANDING COMMITTEE

HB 1021, as engrossed: Appropriations Committee (Sen. Nething, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1021 was placed on the Sixth order on the calendar.

Page 1, replace line 19 with:

"Salaries and wages	\$2,082,536
Operating expenses	1,382,035
Equipment	24,500
Grants	1,365,400
General allocation grants	500,000
Technology transfer, incorporated	1,454,000
Development fund	<u>2,218,750</u>
Total all funds	<u>\$9,027,221"</u>

Page 1, line 20, replace "6,071,339" with "95,000"

Page 1, line 21, replace "9,364,123" with "8,932,221"

Page 2, line 2, replace "\$3,218,750" with "2,218,750"

Page 2, line 3, remove "for nonrural projects"

Page 2, replace lines 8 through 13 with "All moneys in the regional rural development revolving loan fund totaling approximately \$6,000,000 and any investment, contract, partnership, or any other business transaction of the regional rural development revolving loan fund are transferred to the North Dakota development fund on the effective date of this Act and are deemed to be an asset of the North Dakota development fund."

Page 2, line 15, replace "\$9,218,750" with "\$8,218,750"

Page 2, line 22, replace "\$3,218,750" with "\$2,218,750"

Page 2, line 23, replace "in the other areas of the state" with "as follows: forty percent businesses in rural areas, forty percent businesses in urban areas, and twenty percent North Dakota American Indian businesses. Any unused funds in any category may be transferred to another category during the second year of the biennium under rules adopted by the director of the department of economic development and finance"

Re-number accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 601 - ECONOMIC DEVELOPMENT AND FINANCE

SENATE - The following is a summary of the Senate changes:

	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$ 2,014,438	\$ 68,098 ¹	\$2,082,536
Operating expenses	1,358,374	23,661 ²	1,382,035
Equipment	24,500		24,500
Grants	1,365,400		1,365,400
Technology transfer, incorporated	1,454,000		1,454,000
General allocation grants		500,000	500,000
Development fund	<u>9,218,750</u>	<u>(7,000,000)</u> ³	<u>2,218,750</u>
Total all funds	\$15,435,462	\$(6,408,241)	\$9,027,221
Less estimated income	<u>6,071,339</u>	<u>(5,976,339)</u>	<u>95,000</u>
Total general fund	\$ 9,364,123	\$ (431,902)	\$8,932,221
FTE positions	26	1	27

¹ Restores data processing center specialist II (\$68,098 - general fund) removed by the House.

² Adds \$23,661 of income from the sale of research reports.

³ Removes \$1 million from the general fund for the development fund. Also, the \$6 million of other funds is removed from the specific appropriation line item as it is appropriated subject to Section 8 of the bill.

This amendment also:

Restores object code-based line items.

Provides a general allocation of \$500,000.

Provides \$2,218,750 from the general fund for the development fund to be allocated:

40% rural projects

40% nonrural projects

20% Native American Indian projects

Provides after the first year of the biennium the director may transfer unused amounts from the allocations listed above.

Although the line item contained in the bill is changed to object code-based line items, the agency is expected to monitor and strive to achieve its performance measure goals and objectives.

REPORT OF STANDING COMMITTEE

HB 1152, as engrossed: Judiciary Committee (Sen. W. Stenehjem, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1152 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "subsections 1, 2, 3, 5, and 6 of"

Page 1, line 3, after the second "offenders" insert "and community notification; and to provide a penalty"

Page 1, line 5, replace "Subsections 1, 2, 3, 5, and 6 of section" with "Section"

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

Page 1, after line 7, insert:

**"12.1-32-15. Offenders against children and sexual offenders -
Registration requirement - Penalty."**

Page 3, after line 14, insert:

- "4. A person who is required to register pursuant to this section who is released on probation or discharged upon payment of a fine must, before the release or discharge, be informed of that person's duty to register under this section by the court in which that person is convicted. The court shall require the person to read and sign a form as required by the attorney general, stating that the duty of the person to register under this section has been explained to that person. The court shall obtain the address where the person expects to reside upon release or discharge and shall report the address to the attorney general within three days. The court shall give one copy of the form to the person and shall send two copies to the attorney general. The attorney general shall forward one copy to the appropriate law enforcement agency having jurisdiction where the person expects to reside upon discharge, parole, or release."

Page 4, after line 12, insert:

- "7. A person required to register under this section who violates this section is guilty of a class A misdemeanor. A court may not relieve a person who willfully violates this section from serving a term of at least ninety days in jail and completing probation of one year. A person who violates this section who previously has pled guilty or been found guilty of violating this section is guilty of a class C felony.
8. When a person is released on parole or probation and is required to register pursuant to this section, but fails to do so within the time prescribed, the court shall order the probation, or the parole board shall order the parole, of the person revoked. The statements, photographs, and fingerprints required by this section are open to inspection by the public.
9. If a person required to register pursuant to this section is temporarily sent outside the facility or institution where that person is confined under conviction or sentence, the local law enforcement agency having jurisdiction over the place where that person is being sent must be notified within a reasonable time period before that person is released from the facility or institution. This subsection does not apply to any person temporarily released under guard from the facility or institution in which that person is confined.
10. Relevant and necessary registration information may be disclosed to the public by a law enforcement agency if the agency determines that the individual registered under this section is a public risk and that disclosure of the registration information is necessary for public protection. The department, in a timely manner, shall provide law enforcement agencies any information the department

determines is relevant concerning individuals required to be registered under this section who are about to be released or placed into the community. A law enforcement agency, its officials, and its employees are not subject to civil or criminal liability for disclosing or for failing to disclose information as permitted by this section. Nonregistration information concerning an offender required to register under this section consisting of the name of the offender, the last known address of the offender, the offense or offenses as defined in subsection 1 of which the offender pled guilty or was found guilty of the date of the judgment or order imposing a sentence or probation and the court entering the judgment or order, the sentence or probation imposed upon the offender, and any disposition, if known, of a sentence or probation may be disclosed to the public. The attorney general shall compile nonregistration information concerning offenders required to register under this section from criminal history record information maintained pursuant to chapter 12-60 or from an agency or department of another state or the federal government and shall provide the information upon request at no cost."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1376: Appropriations Committee (Sen. Nething, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1376 was placed on the Sixth order on the calendar.

In lieu of the amendments adopted by the Senate as printed on pages 957-959 of the Senate Journal, House Bill No. 1376 is amended as follows:

Page 1, line 1, after "to" insert "create and enact a new section to chapter 25-10 of the North Dakota Century Code, relating to a unified mental health delivery system; and to" and replace "section" with "sections 25-01-03, 25-02-01.1, and"

Page 1, line 2, after "qualifications" insert "and appointment" and after "superintendent" insert "and the medical director"

Page 1, line 3, after "hospital" insert "and requirements for the formation of a state hospital governing body and delivery of mental health services"

Page 1, after line 4, insert:

"SECTION 1. AMENDMENT. Section 25-01-03 of the North Dakota Century Code is amended and reenacted as follows:

25-01-03. Supervising officer to appoint superintendent of institutions - Salaries - Removal. The supervising officer shall appoint a superintendent for each of the institutions under its control, except for the state hospital, where the supervising officer shall appoint a superintendent and a medical director in consultation with a state hospital governing body. The tenure of office of each ~~such~~ superintendent is two years from the date of ~~his~~ the superintendent's appointment, and ~~he shall~~ the superintendent must possess ~~such~~ qualifications ~~as are required by the provisions of this title.~~ Any ~~such~~ superintendent may be removed by the supervising officer for misconduct, neglect of duty, incompetency, or other proper cause showing ~~his~~ the superintendent's inability or refusal properly to perform the duties of ~~his~~ the superintendent's office, but ~~such a~~ removal at a time other than a termination of ~~his~~ the superintendent's two-year tenure may be had only after an opportunity is given to ~~such~~ the person to be heard

before a board consisting of the governor, attorney general, and supervising officer of ~~such~~ the institution on preferred written charges. A removal when made, however, is final. The supervising officer shall fix the compensation of each ~~such~~ superintendent within the limits prescribed in this title and within the appropriations made by the legislative assembly for ~~such~~ compensation.

SECTION 2. AMENDMENT. Section 25-02-01.1 of the 1993 Supplement to the North Dakota Century Code is amended and reenacted as follows:

25-02-01.1. Maintenance of state hospital accreditation - Governing body membership - Rulemaking authority.

1. The department of human services shall seek appropriations and resources sufficient to ensure maintenance of the state hospital's accreditation by the joint commission on accreditation of health care organizations and certification by the health care financing administration or by similar accrediting and certifying organizations and agencies possessing hospital standards recognized by the health care industry and accepted by the department.
2. The department, in consultation with the state hospital, shall create a state hospital governing body and shall by rules describe the powers and duties of the governing body. The department shall compensate and reimburse members not employed by the department in the same manner and amount as members of the legislative council are compensated and reimbursed under section 54-35-10.
3. The governing body must be composed of the executive director of the department of human services; the director of the division of mental health services of the department, who shall serve as chairman of the governing body; the state hospital superintendent; the state hospital medical director; the performance improvement coordinator; a representative of the fiscal management of the state hospital; a mental health services consumer selected by the mental health association; and a legislator selected by the legislative council. The governing body may include other persons as appointed by the governing body."

Page 1, line 7, replace "Clinical" with "Medical"

Page 1, line 20, replace "clinical" with "medical"

Page 1, line 22, replace "psychologists" with "clinical staff"

Page 2, line 3, replace "clinical" with "medical"

Page 2, line 4, replace "clinical" with "medical"

Page 2, after line 10, insert:

"SECTION 4. A new section to chapter 25-10 of the North Dakota Century Code is created and enacted as follows:

Unified mental health delivery system. The division of mental health services shall plan, develop, implement, and supervise a unified mental health delivery system. The system must include the mental health services provided by the regional human service centers, the state hospital, and contracted services with providers in accordance with the state mental health plan."

ReNUMBER accordingly

REPORT OF STANDING COMMITTEE

HB 1439, as engrossed: Judiciary Committee (Sen. W. Stenehjem, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (3 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1439 was placed on the Sixth order on the calendar.

Page 1, line 11, replace "shall" with "may"

Page 1, line 12, replace "that are selected by the affected entity" with "to represent the state board, commission, committee, or agency"

Page 1, line 13, remove "and are licensed to practice law in this state"

Page 1, line 19, after the overstruck period insert "The workers compensation bureau, the department of transportation, the state tax commissioner, the public service commission, the commissioner of insurance, the board of higher education, and the securities commissioner may employ attorneys to represent them. These entities shall pay the salaries and expenses of the attorneys they employ within the limits of legislative appropriations. The attorneys that represent these entities must be special assistant attorneys general appointed by the attorney general pursuant to this section. Absent good cause, the attorney general shall appoint as special assistant attorneys general licensed attorneys selected by these entities. Good cause includes an inadequate level of experience, competence, or ethical standards."

Page 1, line 21, overstrike "when", after "such" insert "unless", and overstrike "not"

Page 2, line 1, remove the overstrike over "at the pleasure of", remove "by" and remove "only if the assistant or"

Page 2, remove line 2

Page 2, line 3, remove "state"

Page 2, line 12, after "services" insert "provided by the attorneys employed by the attorney general,"

Page 2, remove lines 15 through 21

Page 2, line 24, after "full-time" insert "special"

Page 3, line 4, after "appointed" insert "special"

Page 3, line 5, after "each" insert "special"

Renumber accordingly

REPORT OF CONFERENCE COMMITTEE

SB 2133, as engrossed: Your conference committee (Sens. Andrist, Sand, Langley and Reps. Carlson, Delzer, Schmidt) recommends that the HOUSE RECEDE from the House amendments on SJ page 856, adopt amendments as follows, and place SB 2133 on the Seventh order:

That the House recede from its amendments as printed on page 856 of the Senate Journal and page 881 of the House Journal and that Engrossed Senate Bill No. 2133 be amended as follows:

Page 1, line 8, remove the overstrike over ", no person"

Page 1, line 10, overstrike the comma, remove "a journeyman, class B, or," and overstrike "master electrician"

Page 1, line 16, remove the first "not", after "advertise" insert "to contract", after "services" insert "without being licensed as or being associated with a class B or master electrician unless", remove "the", and replace "is not" with "intends to contract the electrical services with a licensed electrical contractor"

Page 1, line 17, remove "licensed to perform"

Renumber accordingly

Engrossed SB 2133 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2247: Your conference committee (Sens. B. Stenehjem, Schobinger, O'Connell and Reps. Kempenich, Delzer, Mahoney) recommends that the **HOUSE RECEDE** from the House amendments on SJ page 872, adopt amendments as follows, and place SB 2247 on the Seventh order:

That the House recede from its amendments as printed on page 872 of the Senate Journal and page 897 of the House Journal and that Senate Bill No. 2247 be amended as follows:

Page 1, line 16, overstrike "to stop or"

Page 1, line 18, after "person" insert "negligently" and remove "to stop or"

Page 1, line 20, after "involving" insert "serious personal injury or"

Renumber accordingly

SB 2247 was placed on the Seventh order of business on the calendar.

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

William C. Parker, Secretary