

JOURNAL OF THE HOUSE

Fifty-fifth Legislative Assembly

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Bismarck, March 25, 1997

The House convened at 1:00 p.m., with Speaker Timm presiding.

The prayer was offered by Sister Colleen Michelsen, St. Vincent's Care Center, Bismarck.

The roll was called and all members were present except Representative Brown.

A quorum was declared by the Speaker.

SPECIAL ORDER OF BUSINESS

SPEAKER TIMM ANNOUNCED that the House would be on a Special Order of Business.

SPEAKER TIMM INTRODUCED Mr. John Kildahl who sang the song he wrote after visiting North Dakota last fall. The song is entitled "North Dakota". Mr. Kildahl was thanked for his presentation.

COMMUNICATION FROM GOVERNOR EDWARD T. SCHAFER

The following communication was received from the Governor at 12:35 p.m., March 25, 1997.

This is to inform you that on March 25, 1997, I signed the following: HB 1225, HB 1242, HB 1335, HB 1395, HB 1405 and HB 1428.

HOUSE ENROLLING REPORT

The following bills and resolutions were enrolled: HB 1183, HB 1213, HB 1227, HB 1248, HB 1261, HB 1263, HB 1264, HB 1266, HB 1268, HB 1269, HB 1270, HB 1311, HB 1314, HB 1350, HB 1360, HB 1410, HCR 3031, HCR 3040, HCR 3042, HCR 3043, and HCR 3047.

SIGNING OF BILLS AND RESOLUTIONS

The Speaker signed the following enrolled bills and resolutions: SB 2209, SB 2364, SCR 4040, SCR 4046, SCR 4047, SCR 4051.

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

MADAM PRESIDENT: The Speaker has signed: SB 2209, SB 2364, SCR 4040, SCR 4046, SCR 4047, SCR 4051.

SIGNING OF BILLS AND RESOLUTIONS

The Speaker signed the following enrolled bills and resolution: HB 1039, HB 1092, HB 1117, HB 1156, HB 1256, HCR 3046.

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 1039, HB 1092, HB 1117, HB 1156, HB 1256, HCR 3046.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bills were delivered to the Governor for his approval at the hour of 8:33 a.m., March 25, 1997: HB 1032, HB 1040, HB 1044, HB 1079, HB 1081, HB 1086, HB 1093, HB 1109, HB 1132, HB 1139, HB 1140, HB 1176, HB 1186, HB 1188, HB 1194, HB 1195, HB 1223, HB 1224, HB 1234, HB 1287, HB 1302, HB 1320, HB 1323, HB 1332, HB 1353, HB 1371, HB 1381, HB 1384, HB 1389, HB 1401, HB 1442, HB 1463, HB 1466, HB 1470, HB 1471.

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

MR. SPEAKER: The Senate does not concur in the House amendments to SB 2013, SB 2032, SB 2088, SB 2145, and SB 2153 and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2013: Sens. Solberg; Naaden; Krauter

SB 2032: Sens. Freborg; Cook; Wogsland

SB 2088: Sens. St. Aubyn; Holmberg; Robinson

SB 2145: Sens. Klein; Wanzek; Tomac

SB 2153: Sens. W. Stenehjem; Watne; C. Nelson

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)
MR. SPEAKER: The Senate has passed unchanged: HB 1030, HB 1083, HB 1170, HB 1185.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)
MR. SPEAKER: The Senate has failed to pass: HB 1043.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)
MR. SPEAKER: The Senate has amended and subsequently passed: HB 1085, HB 1259, HB 1346, HB 1368, HB 1399, HB 1418, HB 1456.

SENATE AMENDMENTS TO HOUSE BILL NO. 1085

Page 1, line 10, after the period, insert "If the state toxicologist, the director of the forensic sciences division of the state department of health, or any employee of either, is subpoenaed to testify by a defendant who is not indigent and the defendant does not call the witness to establish relevant evidence, the court shall order the defendant to pay costs to the witness as provided in section 31-01-16."

Re-number accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1259

Page 1, line 20, after "other" insert "prior"

Page 4, line 19, remove the second "and"

Page 4, line 22, after "subsidiary" insert "; and"

- f. Describe the number of members of the board of directors of the mutual insurance holding company required to be policyholders"

Page 8, line 22, remove "holding"

Re-number accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1346

Page 1, line 3, after "cemetery" insert "; and to amend and reenact section 21-10-06 of the North Dakota Century Code, relating to the state investment board"

Page 1, after line 4, insert:

"SECTION 1. AMENDMENT. Section 21-10-06 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

21-10-06. Funds under management of board - Accounts. The board is charged with the investment of the following funds:

1. State bonding fund.
2. Teachers' fund for retirement.
3. State fire and tornado fund.
4. Workers' compensation fund.
5. Veterans' home improvement fund, in accordance with section 37-15-14.1.
6. National guard tuition trust fund.
7. Public employees retirement system.
8. Insurance regulatory trust fund.
9. State risk management fund.
10. Veterans' cemetery trust fund.

Separate accounting must be maintained for each of the above funds. When it is deemed advantageous the moneys of the individual funds may be commingled for investment purposes.

The state investment board may provide investment services to, and manage the money of, any agency, institution, or political subdivision of the state, subject to agreement with the industrial commission. The scope of services to be provided by the state investment board to the agency, institution, or political subdivision must be specified in a written contract. The state investment board ~~is authorized to~~ may charge a fee for providing investment services and any revenue collected must be deposited in the state retirement and investment fund."

Page 1, line 7, underscore "**North Dakota veterans' cemetery number plates.**" and insert immediately thereafter "1." and underscore "The director may issue distinctive"

Page 1, underscore lines 8 and 9

Page 1, line 10, replace "1." with "a." and underscore "Payment of all other fees required under this chapter for registration of a motor"

Page 1, underscore line 11

Page 1, line 12, replace "2." with "b.", underscore "Payment of an annual fee of five dollars for deposit in the highway" and insert immediately thereafter "tax distribution", and underscore "fund;" and insert immediately thereafter "and"

Page 1, line 13, replace "3." with "c.", underscore "Verification of payment of an annual surcharge of", replace "five" with "ten", underscore "dollars", replace "for deposit in" with "paid to", and underscore "the" and insert immediately thereafter "adjutant general."

Page 1, replace lines 14 through 18 with:

"2. The department shall collect the fees and surcharge under this section. The department shall report to the legislative assembly on the funds collected under this section during each legislative session. The department shall pay the funds collected under subdivision c of subsection 1 to the adjutant general monthly, who then, within ten days of receipt of the funds, shall deposit five dollars of each surcharge in the veterans' cemetery trust fund and the remaining five dollars of each surcharge in the veterans' cemetery maintenance fund in the state treasury. The state investment board shall manage the veterans' cemetery trust fund. The interest in the veterans' cemetery trust fund, subject to legislative appropriation, may be expended for salaries and maintenance of the veterans' cemetery.

3. The veterans' cemetery trust fund may accept funds from private and federal sources."

ReNUMBER accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1368

Page 4, line 16, after "problem" insert "by a multidisciplinary assessment team according to guidelines established by the superintendent of public instruction"

Page 4, line 22, remove "school district" and overstrike "a statement" and insert immediately thereafter "school district"

Page 4, line 23, overstrike "from" and remove "a state-approved school psychologist,"

Page 4, line 24, remove "clinical psychologist, state certificated special education teacher, or psychiatrist" and overstrike the comma

Page 4, overstrike lines 25 and 26

Page 4, line 27, overstrike "parent"

Page 4, line 28, remove "shall develop and submit to the local school district superintendent"

Page 4, line 29, remove the first underscored comma

Page 4, line 30, after the underscored period insert "An annual determination of reasonable academic progress conducted by the local school district superintendent must be based on the child's plan of remediation. If such a plan is not filed, the parent is deemed to be

in violation of the compulsory attendance requirement of section 15-34.1-01 and the child no longer qualifies for home education."

Page 5, line 25, replace "A" with "An annual"

Page 5, line 26, after "progress" insert "conducted by the local school district superintendent"

Page 5, line 29, after "15-34.1-01" insert ", and the child no longer qualifies for home education"

Page 6, line 2, remove ". That child no longer qualifies for home"

Page 6, line 3, remove "education"

Re-number accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1399

Page 1, after line 12, insert:

"6. A person who has had primary physical custody of the decedent before the wrongful act."

Re-number accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1418

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact three new subsections to section 26.1-04-03 of the North Dakota Century Code, relating to the restriction or interference with medical communications between health care providers and patients and unfair indemnification provisions in contracts with health care providers; and to provide a penalty.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new subsection to section 26.1-04-03 of the North Dakota Century Code is created and enacted as follows:

As used in sections 2 and 3 of this Act, unless the context otherwise requires:

- a. "Entity" includes a third-party administrator or other person with responsibility for contracts with health care providers under a health plan.
- b. "Health care provider" means a person that delivers, administers, or supervises health care products or services, for profit or otherwise, in the ordinary course of business or professional practice.
- c. "Health plan" means any public or private plan or arrangement that provides or pays the cost of health benefits, including any organization of health care providers that furnishes health services under a contract or agreement with this type of plan.
- d. "Medical communication" means any communication, other than a knowing and willful misrepresentation, made by a health care provider to a patient regarding the health care needs or treatment options of the patient and the applicability of the health plan to the patient's needs or treatment. The term includes communications concerning:
 - (1) Tests, consultations, and treatment options;
 - (2) Risks or benefits associated with tests, consultations, and options;
 - (3) Variation in experience, quality, or outcome among any health care providers or health care facilities providing any medical service;

- (4) The process, basis, or standard used by an entity to determine whether to authorize or deny health care services or benefits; and
 - (5) Financial incentives or disincentives based on service utilization provided by an entity to a health care provider.
- e. "Patient" includes a former, current, or prospective patient or the guardian or legal representative of any former, current, or prospective patient.

SECTION 2. A new subsection to section 26.1-04-03 of the North Dakota Century Code is created and enacted as follows:

- a. Interference with certain medical communications. An entity offering a health plan may not restrict or interfere with any medical communication and may not take any of the following actions against a health care provider solely on the basis of a medical communication:
 - (1) Refusal to contract with the health care provider;
 - (2) Termination of or refusal to renew a contract with the health care provider;
 - (3) Refusal to refer patients to or allow others to refer patients to the health care provider; or
 - (4) Refusal to compensate the health care provider for covered services that are medically necessary.
- b. This subsection does not prohibit an entity from enforcing, as part of a contract or agreement to which a health care provider is a party, any mutually agreed upon terms and conditions, including terms and conditions requiring a health care provider to participate in and cooperate with all programs, policies, and procedures developed or operated by a health plan to assure, review, or improve the quality and effective utilization of health care services, if the utilization is according to guidelines or protocols that are based on clinical or scientific evidence and only if the guidelines or protocols under the utilization do not prohibit or restrict medical communications between providers and their patients.

SECTION 3. A new subsection to section 26.1-04-03 of the North Dakota Century Code is created and enacted as follows:

Unfair indemnification. A contract between an entity and a health care provider may not require the health care provider to indemnify the entity for the entity's negligence, willful misconduct, or breach of contract, and may not require a health care provider as a condition of participation to waive any right to seek legal redress against the entity. In addition to the proceedings and penalties provided in this chapter, a contract provision violating this subsection is void."

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1456

Page 1, line 2, replace the second "school" with "education"

Page 1, line 8, replace the second "school" with "education"

Page 1, line 9, after "A" insert "home education"

Page 1, line 12, remove the second "a", replace "school" with "education", and after "twenty" insert "units of credit"

Page 1, remove line 13

Page 1, line 14, replace "provided in" with "under", remove "15-38-07,", and remove the second comma

Page 1, line 17, replace "A description" with "An outline"

Page 1, line 21, after "in" insert "each subject in"

Renumber accordingly

HOUSE ENGROSSING AND ENROLLING REPORT

The following bills were engrossed and enrolled: HB 1084, HB 1089, and HB 1146.

MOTION

REP. DORSO MOVED that in accordance with House Rule 601, Section 3(g), all bills acted upon on today's Sixth order would be moved to the Fourteenth order immediately for second reading and final passage, which motion prevailed.

SIXTH ORDER OF BUSINESS

REP. DORSO MOVED that the amendments on the Sixth order of business to Engrossed SB 2046, Engrossed SB 2232, SB 2255, Engrossed SB 2294, Engrossed SB 2362, and Reengrossed SB 2366 be adopted, which motion prevailed.

Engrossed SB 2232, as amended, was rereferred to the **Appropriations Committee**.

Engrossed SB 2046, SB 2255, Engrossed SB 2294, Engrossed SB 2362, and Reengrossed SB 2366, as amended, were placed on the Fourteenth order of business on the calendar.

SIXTH ORDER OF BUSINESS

SB 2047, as engrossed: REP. POOLMAN (Political Subdivisions Committee) MOVED that the amendments on HJ pages 1038-1039 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a verification vote.

SECOND READING OF SENATE BILL

SB 2047: A BILL for an Act to amend and reenact sections 54-10-13, 54-10-14, 54-10-15, and 54-40.1-05 of the North Dakota Century Code, relating to audits of regional planning councils and political subdivisions and the submission of regional planning council audit reports to the legislative audit and fiscal review committee.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 65 YEAS, 31 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Axtman; Belter; Berg; Bernstein; Boehm; Brusegaard; Byerly; Carlisle; Carlson; Christopherson; Clark; Dalrymple; DeKrey; Delzer; Devlin; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Grande; Grosz; Gunter; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Keiser; Kempenich; Kitzer; Klein; Kliniske; Koppelman; Kretschmar; Lloyd; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nottestad; Olson; Poolman; Renner; Rennerfeldt; Sabby; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Tollefson; Torgerson; Wald; Wardner; Weisz; Wentz; Speaker Timm

NAYS: Aarsvold; Boucher; Brandenburg; Callahan; Christenson; Coats; Delmore; Fairfield; Glassheim; Gorder; Grumbo; Gulleson; Hanson; Johnson, D.; Kelsch, R.; Kelsh, S.; Kerzman; Kroepelin; Kunkel; Mahoney; Nicholas; Nichols; Niemeier; Oban; Price; Rose; Sandvig; Schmidt; Thorpe; Warner; Wilkie

ABSENT AND NOT VOTING: Brown

Engrossed SB 2047, as amended, passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2030: A BILL for an Act to create and enact a new section to chapter 27-20 of the North Dakota Century Code, relating to data collection on certain juvenile offenders; and to provide a penalty.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 93 YEAS, 3 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brusegaard; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroepflin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Sabby; Schmidt; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

NAYS: Callahan; Rose; Sandvig

ABSENT AND NOT VOTING: Brown

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

SECOND READING OF SENATE BILL

SB 2160: A BILL for an Act to create and enact a new subsection to section 12-60-16.4, a new subsection to section 20.1-02-15.1, and chapter 39-24.1 of the North Dakota Century Code, relating to implied consent for snowmobile operators; to amend and reenact subdivision c of subsection 5 of section 39-24-09 and section 39-24-11 of the North Dakota Century Code, relating to driving a snowmobile while under the influence of an intoxicating liquor or drug; and to provide a penalty.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 92 YEAS, 2 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Dorso; Drovdal; Fairfield; Freier; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroepflin; Kunkel; Mahoney; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie

NAYS: Froseth; Speaker Timm

ABSENT AND NOT VOTING: Brown; Lloyd; Maragos

Engrossed SB 2160, as amended, passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2194: A BILL for an Act to create and enact a new section to chapter 26.1-36 of the North Dakota Century Code, relating to health insurance coverage for inherited metabolic disease; and to provide an expiration date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 77 YEAS, 19 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Axtman; Belter; Bernstein; Boehm; Boucher; Brandenburg; Brusegaard; Byerly; Callahan; Carlisle; Christenson; Christopherson; Clark; Coats; Dalrymple; Delmore; Fairfield; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grumbo; Gulleson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroepflin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Murphy; Nicholas; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Renner;

Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Torgerson; Wald; Wardner; Warner; Wentz; Wilkie

NAYS: Berg; Carlson; DeKrey; Delzer; Devlin; Dorso; Drovdal; Freier; Froseth; Grosz; Jacobs; Kempenich; Monson; Nelson; Price; Skarphol; Tollefson; Weisz; Speaker Timm

ABSENT AND NOT VOTING: Brown

SB 2194, as amended, passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2218: A BILL for an Act to amend and reenact sections 35-05-01 and 35-05-01.1 of the North Dakota Century Code, relating to crop mortgages; and to repeal section 35-05-04 of the North Dakota Century Code, relating to security agreements covering specific crops.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 64 YEAS, 32 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Axtman; Belter; Berg; Bernstein; Byerly; Carlisle; Carlson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Devlin; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Grande; Grosz; Gunter; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kempenich; Kilzer; Klein; Kliniske; Koppelman; Kunkel; Mahoney; Maragos; Martinson; Mickelson; Monson; Nelson; Nicholas; Nottestad; Olson; Poolman; Price; Renner; Rennerfeldt; Sabby; Soukup; Stenehjem; Svedjan; Sveen; Thoreson; Tollefson; Torgerson; Wald; Wardner; Wentz; Speaker Timm

NAYS: Aarsvold; Boehm; Boucher; Brandenburg; Brusegaard; Callahan; Christenson; Delzer; Fairfield; Glassheim; Gorder; Grumbo; Gulleason; Hanson; Kelsh, S.; Kerzman; Kretschmar; Kroepflin; Lloyd; Murphy; Nichols; Niemeier; Oban; Rose; Sandvig; Schmidt; Skarphol; Thompson; Thorpe; Warner; Weisz; Wilkie

ABSENT AND NOT VOTING: Brown

SB 2218, as amended, passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2278: A BILL for an Act to create and enact subsections 14, 15, and 16 to section 26.1-04-03 of the North Dakota Century Code, relating to the restriction or interference with medical communications between health care providers and patients and unfair indemnification provisions in contracts with health care providers.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 18 YEAS, 78 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Boucher; Callahan; Christenson; Coats; Delmore; Fairfield; Hanson; Kelsh, S.; Kerzman; Mahoney; Niemeier; Oban; Rose; Sandvig; Schmidt; Wald; Warner

NAYS: Axtman; Belter; Berg; Bernstein; Boehm; Brandenburg; Brusegaard; Byerly; Carlisle; Carlson; Christopherson; Clark; Dalrymple; DeKrey; Delzer; Devlin; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleason; Gunter; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kempenich; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroepflin; Kunkel; Lloyd; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Nottestad; Olson; Poolman; Price; Renner; Rennerfeldt; Sabby; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wardner; Weisz; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Brown

Engrossed SB 2278, as amended, was declared lost.

SECOND READING OF SENATE BILL

SB 2290: A BILL for an Act to amend and reenact sections 16.1-11-21, 16.1-11-22, and 16.1-11-30 of the North Dakota Century Code, relating to the form of the primary election ballot; and to provide a statement of legislative intent.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 60 YEAS, 36 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Axtman; Belter; Berg; Bernstein; Boehm; Brusegaard; Byerly; Carlisle; Carlson; Christopherson; Clark; DeKrey; Delzer; Devlin; Dorso; Freier; Froseth; Galvin; Glassheim; Grande; Grosz; Gunter; Hausauer; Hawken; Henegar; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kilzer; Klein; Koppelman; Kretschmar; Kunkel; Lloyd; Maragos; Martinson; Mickelson; Murphy; Nelson; Nicholas; Nottestad; Poolman; Price; Rennerfeldt; Sabby; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Tollefson; Torgerson; Weisz; Wentz; Speaker Timm

NAYS: Aarsvold; Boucher; Brandenburg; Callahan; Christenson; Coats; Dalrymple; Delmore; Drovdal; Fairfield; Gerntholz; Gorder; Grumbo; Gulleeson; Hanson; Huether; Kelsh, S.; Kempenich; Kerzman; Kliniske; Kroeplin; Mahoney; Monson; Nichols; Niemeier; Oban; Olson; Renner; Rose; Sandvig; Schmidt; Thorpe; Wald; Wardner; Warner; Wilkie

ABSENT AND NOT VOTING: Brown

SB 2290, as amended, passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2315: A BILL for an Act to create and enact a new section to chapter 4-35 of the North Dakota Century Code, relating to proof of financial responsibility for persons engaged in commercial chemical application; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 83 YEAS, 12 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brusegaard; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; Delmore; Dorso; Drovdal; Fairfield; Freier; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grumbo; Gulleeson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Niemeier; Nottestad; Oban; Olson; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wardner; Warner; Wentz; Speaker Timm

NAYS: Byerly; DeKrey; Delzer; Devlin; Froseth; Grosz; Jacobs; Nichols; Poolman; Wald; Weisz; Wilkie

ABSENT AND NOT VOTING: Brown; Kelsh, S.

Engrossed SB 2315, as amended, passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2320: A BILL for an Act to amend and reenact sections 43-37-01, 43-37-02, 43-37-03, 43-37-04, 43-37-05, 43-37-09, and 43-37-13 of the North Dakota Century Code, relating to licensing of interpreters for deaf individuals.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 13 YEAS, 83 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Carlisle; Christenson; Clark; Coats; Delmore; Gunter; Keiser; Kunkel; Maragos; Martinson; Mickelson; Nicholas; Thompson

NAYS: Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brusegaard; Byerly; Callahan; Carlson; Christopherson; Dalrymple; DeKrey; Delzer; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleson; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroepelin; Lloyd; Mahoney; Monson; Murphy; Nelson; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Brown

SB 2320, as amended, was declared lost.

SECOND READING OF SENATE BILL

SB 2324: A BILL for an Act to amend and reenact sections 35-30-01, 35-30-02, 35-31-01, and 35-31-02 of the North Dakota Century Code, relating to the filing of agricultural processor's liens and agricultural supplier's liens.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 65 YEAS, 30 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Berg; Bernstein; Boehm; Brusegaard; Byerly; Callahan; Carlisle; Christenson; Clark; Dalrymple; Delmore; Dorso; Freier; Froseth; Galvin; Gerntholz; Gorder; Grumbo; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kunkel; Lloyd; Mahoney; Martinson; Nelson; Nicholas; Niemeier; Nottestad; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Tollefson; Torgerson; Wald; Wardner; Warner; Wentz; Wilkie

NAYS: Axtman; Belter; Boucher; Brandenburg; Carlson; Christopherson; Coats; DeKrey; Delzer; Devlin; Drovdal; Fairfield; Glassheim; Grosz; Gulleson; Kretschmar; Kroepelin; Maragos; Mickelson; Monson; Murphy; Nichols; Oban; Olson; Poolman; Price; Skarphol; Thorpe; Weisz; Speaker Timm

ABSENT AND NOT VOTING: Brown; Grande

Engrossed SB 2324, as amended, passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2359: A BILL for an Act to amend and reenact section 14-03-09 of the North Dakota Century Code, relating to the persons who may solemnize a marriage; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 83 YEAS, 13 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Axtman; Belter; Berg; Bernstein; Boucher; Brandenburg; Brusegaard; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grosz; Grumbo; Gulleson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.;

Kempenich; Kerzman; Kilzer; Klein; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Murphy; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

NAYS: Boehm; Byerly; Delzer; Grande; Johnsen, C.; Kliniske; Monson; Olson; Poolman; Price; Renner; Skarphol; Thorpe

ABSENT AND NOT VOTING: Brown

Engrossed SB 2359, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4012: A concurrent resolution for the amendment of sections 1 and 5 of article V of the Constitution of North Dakota, relating to the election of executive branch officers.

ROLL CALL

The question being on the final adoption of the amended resolution, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 51 YEAS, 45 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Bernstein; Brandenburg; Callahan; Christenson; Clark; DeKrey; Delmore; Fairfield; Gerntholz; Grumbo; Gunter; Hanson; Hawken; Jacobs; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Klein; Kliniske; Koppelman; Kretschmar; Kunkel; Mahoney; Maragos; Mickelson; Murphy; Nelson; Nicholas; Nichols; Nottestad; Oban; Poolman; Price; Rose; Sabby; Sandvig; Schmidt; Skarphol; Stenehjem; Svedjan; Sveen; Thoreson; Wald; Wardner; Warner; Weisz; Wentz; Speaker Timm

NAYS: Axtman; Belter; Berg; Boehm; Boucher; Brusegaard; Byerly; Carlisle; Carlson; Christopherson; Coats; Dalrymple; Delzer; Devlin; Dorso; Drovdal; Freier; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Gulleson; Hausauer; Henegar; Huether; Jensen; Johnsen, C.; Kempenich; Kilzer; Kroeplin; Lloyd; Martinson; Monson; Niemeier; Olson; Renner; Rennerfeldt; Soukup; Thompson; Thorpe; Tollefson; Torgerson; Wilkie

ABSENT AND NOT VOTING: Brown

Engrossed SCR 4012, as amended, was declared adopted on a recorded roll call vote.

SECOND READING OF SENATE BILL

SB 2029: A BILL for an Act to create and enact a new section to chapter 15-40.1 of the North Dakota Century Code, relating to payments for students having limited English language skills.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 56 YEAS, 40 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Berg; Bernstein; Brandenburg; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Delmore; Devlin; Dorso; Galvin; Glassheim; Grande; Grumbo; Gunter; Hausauer; Hawken; Huether; Jensen; Johnsen, C.; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kilzer; Kliniske; Koppelman; Kretschmar; Kroeplin; Mahoney; Maragos; Martinson; Mickelson; Nelson; Nicholas; Niemeier; Nottestad; Oban; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thoreson; Thorpe; Wardner; Warner

NAYS: Axtman; Boehm; Boucher; Brusegaard; Byerly; Dalrymple; DeKrey; Delzer; Drovdal; Fairfield; Freier; Froseth; Gerntholz; Gorder; Grosz; Gulleson; Hanson; Henegar; Jacobs; Johnson, D.; Kempenich; Klein; Kunkel; Lloyd; Monson; Murphy; Nichols; Olson; Poolman; Price; Renner; Rennerfeldt; Thompson; Tollefson; Torgerson; Wald; Weisz; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Brown

Reengrossed SB 2029, as amended, passed and the title was agreed to.

MOTION

REP. WALD MOVED that the House reconsider its action whereby Engrossed SCR 4012 passed.

REQUEST

REP. CARLSON REQUESTED a recorded roll call vote on the motion to reconsider the action whereby Engrossed SCR 4012 passed, which request was granted.

ROLL CALL

The question being on the motion to reconsider the action whereby Engrossed SCR 4012 passed, the roll was called and there were 45 YEAS, 51 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Axtman; Belter; Berg; Boehm; Boucher; Brandenburg; Brusegaard; Byerly; Carlisle; Carlson; Christopherson; Dalrymple; Devlin; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Gorder; Grande; Gullerson; Hanson; Henegar; Huether; Jacobs; Johnsen, C.; Kempenich; Kilzer; Kroeplin; Lloyd; Martinson; Monson; Nelson; Niemeier; Renner; Rennerfeldt; Sabby; Skarphol; Soukup; Thompson; Thorpe; Tollefson; Wald; Wilkie

NAYS: Aarsvold; Bernstein; Callahan; Christenson; Clark; Coats; DeKrey; Delmore; Delzer; Fairfield; Glassheim; Grosz; Grumbo; Gunter; Hausauer; Hawken; Jensen; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Klein; Kliniske; Koppelman; Kretschmar; Kunkel; Mahoney; Maragos; Mickelson; Murphy; Nicholas; Nichols; Nottestad; Oban; Olson; Poolman; Price; Rose; Sandvig; Schmidt; Stenehjem; Svedjan; Sveen; Thoreson; Torgerson; Wardner; Warner; Weisz; Wentz; Speaker Timm

ABSENT AND NOT VOTING: Brown

So the motion to reconsider the action whereby Engrossed SCR 4012 passed, failed.

MOTION

REP. BELTER MOVED that the House reconsider its action whereby the amendments to Engrossed SB 2353, as printed on HJ pages 903-904, were adopted on March 14, 1997, which motion prevailed.

MOTION

REP. BELTER MOVED that Engrossed SB 2353 be rereferred to the **Finance and Taxation Committee**, which motion prevailed. Pursuant to Rep. Belter's motion, Engrossed SB 2353 was rereferred.

SECOND READING OF SENATE CONCURRENT RESOLUTIONS ON CONSENT CALENDAR

SCR 4057: A concurrent resolution urging Congress to complete the Garrison Diversion project, to provide water for eastern North Dakota, and to meet the other water needs of the state.

SCR 4058: A concurrent resolution expressing the consensus of the Legislative Assembly and urging the United States Army Corps of Engineers to design and construct the emergency outlet for Devils Lake.

ROLL CALL

The question being on the final adoption of the resolutions, which have been read, the roll was called and there were 94 YEAS, 2 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Delzer; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grosz; Grumbo; Gullerson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

NAYS: Devlin; Murphy

ABSENT AND NOT VOTING: Brown

SCR 4057 and SCR 4058 were declared adopted on a recorded roll call vote.

MOTION

REP. POOLMAN MOVED that the House reconsider its action whereby the House did not concur in the Senate amendments to Engrossed HB 1135, which motion prevailed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. POOLMAN MOVED that the House do concur in the Senate amendments to Engrossed HB 1135 and that the Conference Committee on Engrossed HB 1135 be dissolved, which motion prevailed.

Engrossed HB 1135, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1135: A BILL for an Act to amend and reenact sections 43-17-31, 43-17-32.1, subsection 1 of section 43-17.1-05, and section 43-17.1-05.1 of the North Dakota Century Code, relating to grounds for disciplinary action, suspensions, complaints, and reports under the board of medical examiners; and to provide a penalty.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 94 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brusegaard; Byerly; Callahan; Carlisle; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Devlin; Dorso; Drovdal; Fairfield; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grosz; Grumbo; Guleson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Brown; Carlson; Delzer

Engrossed HB 1135, as amended, passed and the title was agreed to.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2009: Reps. Soukup, Gerntholz, Huether.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2068: Reps. Kretschmar, Stenehjem, Callahan.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2013: Reps. Kunkel, Lloyd, Aarsvold.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2032: Reps. Monson, Drovdal, Brandenburg.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2088: Reps. Tollefson, Martinson, Huether.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2153: Reps. Hawken, Kretschmar, Fairfield.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KRETSCHMAR MOVED that the House do not concur in the Senate amendments to Engrossed HB 1112 as printed on HJ page 1028 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1112: Reps. Stenehjem, Kretschmar, S. Kelsh.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. OLSON MOVED that the House do not concur in the Senate amendments to Engrossed HB 1182 as printed on HJ page 1006 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1182: Reps. DeKrey, Nottestad, S. Kelsh.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. BELTER MOVED that the House do not concur in the Senate amendments to Engrossed HB 1274 as printed on HJ page 906 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1274: Reps. Belter, Renner, Warner.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KRETSCHMAR MOVED that the House do not concur in the Senate amendments to HB 1453 as printed on HJ page 1029 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1453: Reps. DeKrey, Kretschmar, Callahan.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. BERG MOVED that the House do concur in the Senate amendments to Reengrossed HB 1330 as printed on HJ page 988, which motion prevailed.

Reengrossed HB 1330, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1330: A BILL for an Act to amend and reenact section 54-06-08.2 of the North Dakota Century Code, relating to payments by credit card to state agencies, boards, commissions, the judicial branch, and political subdivisions.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 94 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brusegaard; Byerly; Callahan; Carlisle; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Dorso; Drovdal; Fairfield; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleson; Gunter; Hanson; Hausauer; Hawken; Henegar; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kroeplin; Kunkel; Lloyd; Maragos; Martinson; Mickelson; Monson; Murphy; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Oban; Olson; Poolman; Price; Renner; Rennerfeldt; Rose; Sabby; Sandvig; Schmidt; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Thorpe; Tollefson; Torgerson; Wald; Wardner; Warner; Weisz; Wentz; Wilkie; Speaker Timm

ABSENT AND NOT VOTING: Brown; Freier; Mahoney

Reengrossed HB 1330, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. OLSON MOVED that the House do concur in the Senate amendments to Engrossed HB 1058 as printed on HJ page 1005, which motion prevailed.

Engrossed HB 1058, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1058: A BILL for an Act to amend and reenact sections 20.1-13-05, 61-28-02, 61-28-03, 61-28-05, and 61-28-07 of the North Dakota Century Code, relating to the powers, procedures, and composition of the state water pollution control board.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 69 YEAS, 26 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Axtman; Belter; Berg; Bernstein; Boehm; Boucher; Brusegaard; Byerly; Carlson; Christenson; Christopherson; Clark; Coats; Dalrymple; DeKrey; Dorso; Froseth; Galvin; Gernholz; Gorder; Grande; Grosz; Gunter; Hanson; Hausauer; Hawken; Huether; Jacobs; Jensen; Johnsen, C.; Johnson, D.; Keiser; Kelsch, R.; Kilzer; Klein; Kliniske; Koppelman; Kretschmar; Kunkel; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Nelson; Nicholas; Nottestad; Olson; Poolman; Price; Renner; Rennerfeldt; Sabby; Schmidt; Skarphol; Soukup; Stenehjerm; Svedjan; Sveen; Thompson; Thoreson; Tollefson; Torgerson; Wald; Wardner; Weisz; Wentz; Speaker Timm

NAYS: Aarsvold; Brandenburg; Callahan; Carlisle; Delmore; Delzer; Devlin; Drovdal; Fairfield; Glassheim; Grumbo; Gulleon; Henegar; Kelsh, S.; Kempenich; Kerzman; Kroeplin; Murphy; Nichols; Niemeier; Oban; Rose; Sandvig; Thorpe; Warner; Wilkie

ABSENT AND NOT VOTING: Brown; Freier

Engrossed HB 1058, as amended, passed and the title was agreed to.

MOTION

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

MOTION

REP. FREIER MOVED that the House be on the Fifth and Sixteenth orders of business and at the conclusion of those orders, the House stand adjourned until 9:00 a.m., Wednesday, March 26, 1997, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2003, as engrossed: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (18 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2003 was placed on the Sixth order on the calendar.

Page 1, line 2, after the semicolon insert "to provide a contingent appropriation; to authorize the industrial commission to issue and sell bonds for capital projects; to provide an appropriation;", replace "section" with "sections", and after "54-02-11" insert "and 54-17.2-23"

Page 1, line 3, after "gallery" insert "and limitation on state building authority lease payments"

Page 1, line 15, replace "23,563,400" with "22,813,400"

Page 1, line 16, replace "379,607,398" with "378,857,398"

Page 2, line 8, replace "193,908,639" with "193,158,639"

Page 2, line 11, replace "717,665" with "711,278"

Page 2, line 27, replace "Virtual university" with "Tribal community college IVN grants"

Page 2, line 28, replace "11,906,116" with "11,899,729"

Page 2, line 30, replace "8,301,230" with "8,294,843"

Page 3, line 3, replace "4,127,109" with "4,081,904"

Page 3, line 6, replace "5,828,058" with "5,782,853"

Page 3, line 8, replace "5,478,058" with "5,432,853"

Page 3, line 10, replace "8,263,058" with "8,217,853"

Page 3, line 11, replace "8,613,058" with "8,567,853"

Page 3, line 15, replace "1,197,043" with "1,183,386"

Page 3, line 18, replace "1,408,374" with "1,394,717"

Page 3, line 20, replace "1,408,374" with "1,394,717"

Page 3, line 22, replace "3,373,074" with "3,359,417"

Page 3, line 23, replace "3,373,074" with "3,359,417"

Page 3, line 27, replace "1,477,524" with "1,462,540"

Page 3, line 29, replace "71,929" with "3,071,929"

Page 3, line 30, replace "1,760,268" with "4,745,284"

Page 4, line 1, replace "0" with "3,000,000"

Page 4, line 2, replace "1,760,268" with "1,745,284"

Page 4, line 4, replace "1,942,568" with "1,927,584"

Page 4, line 5, replace "1,942,568" with "4,927,584"

Page 4, line 9, replace "29,207,492" with "28,875,130"

Page 4, line 11, replace "4,407,305" with "4,857,305"

Page 4, line 12, replace "35,132,166" with "35,249,804"

Page 4, line 13, replace "2,500,000" with "2,950,000"

Page 4, line 14, replace "32,632,166" with "32,299,804"

Page 4, line 16, replace "89,352,166" with "89,019,804"

Page 4, line 17, replace "91,852,166" with "91,969,804"

Page 4, line 21, replace "20,589,385" with "20,342,645"

Page 4, line 23, replace "6,277,072" with "2,777,072"

Page 4, line 24, replace "28,771,957" with "25,025,217"

Page 4, line 25, replace "4,850,000" with "1,350,000"

Page 4, line 26, replace "23,921,957" with "23,675,217"

Page 4, line 28, replace "42,591,957" with "42,345,217"

Page 4, line 29, replace "47,441,957" with "43,695,217"

Page 5, line 2, replace "5,849,613" with "5,768,890"

Page 5, line 5, replace "7,786,222" with "7,705,499"

Page 5, line 7, replace "7,676,222" with "7,595,499"

Page 5, line 9, replace "11,668,522" with "11,587,799"

Page 5, line 10, replace "11,778,522" with "11,697,799"

Page 5, line 14, replace "3,866,764" with "3,826,432"

Page 5, line 17, replace "4,510,367" with "4,470,035"

Page 5, line 19, replace "4,360,367" with "4,320,035"

Page 5, line 21, replace "5,790,367" with "5,750,035"

Page 5, line 22, replace "5,940,367" with "5,900,035"

Page 5, line 26, replace "2,004,481" with "1,981,057"

Page 5, line 29, replace "2,356,906" with "2,333,482"

Page 5, line 31, replace "2,356,906" with "2,333,482"

Page 6, line 2, replace "3,041,906" with "3,018,482"

Page 6, line 3, replace "3,041,906" with "3,018,482"

Page 6, line 7, replace "6,037,692" with "5,938,012"

Page 6, line 9, replace "842,098" with "2,342,098"

Page 6, line 10, replace "7,659,458" with "9,059,778"

Page 6, line 11, replace "0" with "1,500,000"

Page 6, line 12, replace "7,659,458" with "7,559,778"

Page 6, line 14, replace "12,195,190" with "12,095,510"

Page 6, line 15, replace "12,195,190" with "13,595,510"

Page 6, line 19, replace "2,646,453" with "2,609,734"

Page 6, line 23, replace "3,922,790" with "3,886,071"

Page 6, line 25, replace "3,922,790" with "3,886,071"

Page 6, line 27, replace "5,472,790" with "5,436,071"

Page 6, line 28, replace "5,472,790" with "5,436,071"

Page 7, line 1, replace "1,002,968" with "987,980"

Page 7, line 4, replace "1,224,598" with "1,209,610"

Page 7, line 6, replace "1,224,598" with "1,209,610"

Page 7, line 8, replace "1,435,698" with "1,420,710"

Page 7, line 9, replace "1,435,698" with "1,420,710"

Page 7, line 13, replace "416,323" with "409,299"

Page 7, line 17, replace "692,881" with "685,857"

Page 7, line 19, replace "545,395" with "538,371"

Page 7, line 21, replace "595,395" with "588,371"

Page 7, line 22, replace "742,881" with "735,857"

Page 7, line 26, replace "16,218,818" with "16,049,721"

Page 7, line 28, replace "20,923,863" with "20,754,766"

Page 7, line 30, replace "7,915,263" with "7,746,166"

Page 8, line 1, replace "303,071,691" with "301,940,369"

Page 8, line 2, replace "210,419,731" with "232,219,731"

Page 8, line 4, replace "606,267,554" with "626,936,232"

Page 8, line 22, replace "68,009" with "158,009"

Page 8, line 23, replace "1,666,391" with "1,679,891"

Page 8, line 24, replace "1,504,559" with "1,399,559"

Page 8, line 26, replace "164,931" with "169,431"

Page 8, line 28, replace "523,572" with "448,572"

Page 9, line 2, replace "6,428,093" with "6,356,093"

Page 9, after line 10, insert:

"SECTION 5. CONTINGENT APPROPRIATION - NORTH DAKOTA STATE UNIVERSITY AND NORTH DAKOTA STATE COLLEGE OF SCIENCE. There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$750,000, and from special funds derived from other income not in the existing budgets, the sum of \$250,000, or so much of the sums as may be necessary, to North Dakota state university and North Dakota state college of science for the purpose of operating the Fargo skills center, for the biennium beginning July 1, 1997, and ending June 30, 1999. The general fund appropriation provided for in this section may only be spent upon certification to the state treasurer that North Dakota state university and North Dakota state college of science have received commitments to provide the \$200,000 of special funds derived from other income not in the existing budgets for the project.

SECTION 6. PROJECT AUTHORIZATIONS. The industrial commission, acting as the North Dakota building authority, shall arrange for the funding of the projects authorized in this section, hereby declared to be in the public interest, through the issuance of evidences of indebtedness under chapter 54-17.2, during the biennium beginning July 1, 1997, and ending June 30, 1999. The proceeds of the evidences of indebtedness and other available funds are hereby appropriated during the biennium beginning July 1, 1997, and ending June 30, 1999, for the following projects:

University of North Dakota	Renovation and addition to the Ed James Wing of the Medical School building	\$3,000,000
North Dakota state university	Animal research facility	5,000,000
North Dakota state college of science	Bute gym remodeling	1,700,000
Minot state university	Moore hall renovation	4,000,000
Department of corrections and rehabilitation	Youth correctional center - Gymnasium renovation	1,400,000

The industrial commission shall issue evidences of indebtedness under this section with the condition that lease rental payments need not begin until July 1, 1999. This authority of the industrial commission to issue evidences of indebtedness ends June 30, 1999, but the industrial commission may continue to exercise all other powers granted to it under chapter 54-17.2 and this Act and to comply with any covenants entered into before that date.

The university of North Dakota may obtain and utilize any available funds received from federal, public, or private sources which are hereby appropriated to the university of North Dakota to assist in the renovation and addition to the Ed James wing

of the medical school building at the university of North Dakota, for the biennium beginning July 1, 1997, and ending June 30, 1999.

North Dakota state university may obtain and utilize federal funds to assist in the construction of an animal research facility at North Dakota state university. There is hereby appropriated to North Dakota state university the sum of \$5,000,000, or so much of the sum as may be necessary, from any federal or other funds that may become available for this project, for the biennium beginning July 1, 1997, and ending June 30, 1999.

SECTION 7. LOCAL RESPONSIBILITY. Of the total construction authorized by this Act, a total of \$1,300,000 must be available from non-general fund sources to assist in the construction costs or retirement of the evidences of indebtedness, issued for the project costs associated with construction of the projects authorized by this Act:

North Dakota state university project	\$1,000,000
North Dakota state college of science project	300,000

Unless the moneys are available at an earlier date, payment or payments must be made in six equal annual installments, beginning after fiscal year 1999. Prepayment may be made on any or all of these amounts. Payments of local matching amounts must be deposited in a special industrial commission account from which the industrial commission, acting as the North Dakota building authority, shall use the funds in making principal and interest payments."

Page 9, line 22, replace "funds" with "fund dollars" and replace "this" with "chapter 3 of the 1995 Session Laws"

Page 9, line 23, remove "Act"

Page 10, line 6, replace "\$3,500,000" with "\$450,000"

Page 10, line 7, replace "constructing a health and wellness center at North Dakota state university" with "financing a revenue-producing parking lot, curb, gutter, sidewalks, and ring road in connection with the rural technology center at the university of North Dakota"

Page 10, line 11, replace "9" with "12"

Page 10, line 13, replace "health and wellness center at North Dakota state" with "parking lot, curb, gutter, sidewalks, and ring road in connection with the rural technology center at the university of North Dakota"

Page 10, line 14, remove "university and providing equipment for the facility"

Page 10, line 17, after "funds" insert "contained in section 3 of chapter 3 of the 1995 Session Laws for Bute gymnasium at the North Dakota state college of science"

Page 10, remove lines 18 and 19

Page 10, line 20, remove "of the 1995 Session Laws for the north central research center,"

Page 10, line 28, replace "13" with "16"

Page 12, after line 31, insert:

"SECTION 19. ACCEPTANCE OF GIFTS. Notwithstanding any other provisions of law, the dean of the university of North Dakota medical school may accept and receive gifts, grants, bequests, and donations that are hereby appropriated for use by the university of North Dakota medical school."

Page 13, line 8, replace the first "state art gallery" with "North Dakota museum of art" and replace the second "state art gallery" with "North Dakota museum of art"

Page 13, after line 8, insert:

"SECTION 21. AMENDMENT. Section 54-17.2-23 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

54-17.2-23. State building authority lease payments - Limitation. The general fund amount of lease payments for a biennium associated with capital construction projects financed by the industrial commission acting as the state building authority may not exceed the amount equal to a portion of sales, use, and motor vehicle excise tax collections equal to ~~eleven~~ ten percent of an amount, determined by multiplying the quotient of one percent divided by the general sales tax rate that was in effect when the taxes were collected, times the net sales, use, and motor vehicle excise tax collections under chapters 57-39.2, 57-40.2, and 57-40.3."

Page 13, line 9, replace "improvement" with "improvements" and replace "item" with "items"

Page 13, line 10, replace "subdivision" with "subdivisions", after "7" insert "and 11", and replace "includes" with "include"

Page 13, line 11, replace ", which is" with "and \$1,500,000 for a student center addition at Minot state university are", remove "an", and replace "measure" with "measures"

Re-number accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 215 - NORTH DAKOTA UNIVERSITY SYSTEM

ALL FUNDS CHANGES

	ENGGROSSED BILL	REMOVE RISK MANAGEMENT PREMIUMS	RURAL TECHNOLOGY CENTER PARKING LOT*	TRANSFER TECHNOLOGY FUNDING TO THE FARGO SKILLS CENTER*	UNIVERSITY OF NORTH DAKOTA - WILLISTON GYMNASIUM RENOVATION*	MINOT STATE UNIVERSITY STUDENT CENTER ADDITION4	REMOVE HEALTH AND WELLNESS CENTER AT NORTH DAKOTA STATE UNIVERSITY	HOUSE VERSION
University System systemwide salary and technology pools	\$379,607,398			\$ (750,000)				\$378,857,398
University System office	11,906,116	\$(6,387)						11,899,729
Bismarck State College	8,613,058	(45,205)						8,567,853
University of North Dakota - Lake Region	3,373,074	(13,657)						3,359,417
University of North Dakota - Williston	1,942,568	(14,984)			\$3,000,000			4,927,584
University of North Dakota	91,852,166	(332,362)	\$450,000					91,969,804
University of North Dakota Medical Center	20,923,863	(169,097)						20,754,766
North Dakota State University	47,441,957	(246,740)		1,000,000				44,695,217
State College of Science	11,778,522	(80,723)						11,697,799
Dickinson State University	5,940,367	(40,332)						5,900,035
Mayville State University	3,041,906	(23,424)						3,018,482
Minot State University	12,195,190	(99,680)				\$1,500,000		13,595,510
Valley City State University	5,472,790	(36,719)						5,436,071
Minot State University - Bottineau	1,435,698	(14,988)						1,420,710
Forest Service	742,881	(7,024)						735,857
Total	\$606,267,554	\$(1,131,322)	\$450,000	\$250,000	\$3,000,000	\$1,500,000		\$606,836,232

GENERAL FUND CHANGES

	ENGGROSSED BILL	REMOVE RISK MANAGEMENT PREMIUMS	TRANSFER TECHNOLOGY FUNDING TO THE FARGO SKILLS CENTER	HOUSE VERSION
University System systemwide salary and technology pools	\$193,908,639		\$ (750,000)	\$193,158,639
University System office	8,301,230	\$(6,387)		8,294,843
Bismarck State College	5,478,058	(45,205)		5,432,853
University of North Dakota - Lake Region	1,408,374	(13,657)		1,394,717
University of North Dakota - Williston	1,760,268	(14,984)		1,745,284
University of North Dakota	32,632,166	(332,362)		32,299,804
University of North Dakota Medical Center	7,915,263	(169,097)		7,746,166
North Dakota State University	23,921,957	(246,740)	750,000	24,425,217
State College of Science	7,676,222	(80,723)		7,595,499
Dickinson State University	4,360,367	(40,332)		4,320,035
Mayville State University	2,356,906	(23,424)		2,333,482
Minot State University	7,659,458	(99,680)		7,559,778
Valley City State University	3,922,790	(36,719)		3,886,071
Minot State University - Bottineau	1,224,598	(14,988)		1,209,610

Forest Service	545,395	(7,024)	0	538,371
Total	\$303,071,691	\$(1,131,322)	\$ 0	\$301,940,369

1 Authorizes the State Board of Higher Education to issue \$450,000 of revenue bonds for the construction of a parking lot at the University of North Dakota. The amendment also appropriates up to \$450,000 of proceeds from the sale of the bonds to the University of North Dakota.

2 Adds a section providing a contingent appropriation of \$750,000 from the general fund and \$250,000 of other funds for the Fargo Skills Center.

3 Provides \$3,000,000 of other funds to University of North Dakota - Williston for the renovation and addition to the gymnasium.

4 Provides \$1,500,000 of other funds to Minot State University for an addition to the student center. The funds are in addition to the \$2,000,000 of revenue bonds authorized in Section 3 of Chapter 20 of the 1993 Session Laws, for an addition to the student center.

The amendment also:

- Adds a section allowing the dean of the University of North Dakota Medical Center to accept gifts, grants, bequests, and donations for use by the University of North Dakota Medical Center.
- Adds language allowing the College of Science to carry over funds appropriated by the 1995 Legislative Assembly for the Bute gymnasium project.
- Changes the \$100,000 general fund appropriation for the Western Governors Association virtual university project to a \$100,000 grant to tribal community colleges for IVN costs.

DEPARTMENT 405 - INDUSTRIAL COMMISSION

HOUSE - This amendment incorporates the following provisions of House Bill No. 1029 into Senate Bill No. 2003:

	BONDING	OTHER FUNDS	TOTAL
University of North Dakota	\$3,000,000		\$3,000,000
Renovation and addition to the Ed James wing of the medical school building			
North Dakota State University	5,000,000	\$5,000,000	10,000,000
Animal research facility			
North Dakota State College of Science	1,700,000		1,700,000
Bute gym remodeling			
Minot State University	4,000,000		4,000,000
Moore Hall renovation			
Department of Corrections and Rehabilitation	1,400,000		1,400,000
Youth Correctional Center - Gymnasium renovation			
Total	\$15,100,000	\$5,000,000	\$20,100,000

The amendment provides for the following local responsibility amounts on the projects listed above:

North Dakota state university project	\$1,000,000
North Dakota state college of science project	<u>300,000</u>
Total	\$1,300,000

The amendment also adds a section changing the current guidelines which limit the State Building Authority general fund lease payments to an amount equal to 11 percent of a one percent sales, use, and motor vehicle excise tax to an amount equal to 10 percent of a one percent sales, use, and motor vehicle excise tax.

REPORT OF STANDING COMMITTEE

SB 2005, as engrossed: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (16 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2005 was placed on the Sixth order on the calendar.

Page 1, line 11, replace "34,963" with "33,888"

Page 1, line 13, replace "465,373" with "464,298"

Page 1, line 15, replace "264,979" with "263,904"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 316 - INDIAN AFFAIRS COMMISSION

HOUSE - This amendment makes the following changes:

	1997-99 EXECUTIVE RECOMMENDATION	SENATE CHANGES	ENGROSSED BILL	REMOVE RISK MANAGEMENT PREMIUMS	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$230,410		\$230,410			\$230,410
Operating expenses	34,963		34,963	\$(1,075)	\$(1,075)	33,888
Grants	<u>145,500</u>	\$ 54,000	<u>200,000</u>			<u>200,000</u>
Total all funds	\$410,873	\$ 54,500	\$465,373	\$(1,075)	\$(1,075)	\$464,298
Less estimated income	<u>394</u>	<u>200,000</u>	<u>200,394</u>			<u>200,394</u>
General fund	\$410,479	\$(145,500)	\$264,979	\$(1,075)	\$(1,075)	\$263,904
FTE	3.00	0.00	3.00		0.00	3.00

REPORT OF STANDING COMMITTEE

SB 2007, as engrossed: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (22 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2007 was placed on the Sixth order on the calendar.

Page 1, line 14, replace "1,827,906" with "1,797,976"

Page 1, line 17, replace "7,351,993" with "7,322,063"

Page 1, line 18, replace "5,304,809" with "5,283,559"

Page 1, line 19, replace "2,047,184" with "2,038,504"

Page 1, line 23, replace "81,186" with "79,611"

Page 2, line 1, replace "451,313" with "449,738"

Page 2, line 3, replace "424,968" with "423,393"

Page 2, line 4, replace "2,472,152" with "2,461,897"

Page 2, line 5, replace "5,331,154" with "5,309,904"

Page 2, line 6, replace "7,803,306" with "7,771,801"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 313 - VETERANS' HOME

HOUSE - This amendment reduces the operating expenses line item by \$29,930, \$8,680 from the general fund, to remove risk management premiums.

DEPARTMENT 321 - VETERANS' AFFAIRS

HOUSE - This amendment changes the operating expenses line item as follows:

	GENERAL FUND
Add funds for computer telephone hookup	\$ 1,500
Remove funds for risk management premiums	<u>(3,075)</u>
Net change	\$(1,575)

REPORT OF STANDING COMMITTEE

SB 2011, as engrossed: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (20 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). Engrossed SB 2011 was placed on the Sixth order on the calendar.

Page 1, line 9, replace "1,977,042" with "1,871,111"

Page 1, line 13, replace "23,880,225" with "23,774,294"

Page 1, line 14, replace "23,630,225" with "23,649,294"

Page 1, line 15, replace "250,000" with "125,000"

Page 1, line 17, replace "\$22,089,483" with "\$21,983,552"

Page 2, after line 18, insert:

"SECTION 7. ADDITIONAL INFORMATION. Included in the program-based performance budget appropriation in section 1 of this Act is anticipated funding for the following: \$17,925,294 for salaries and wages; \$4,637,000 for operating expenses; \$755,000 for equipment; \$32,000 for capital improvements; and \$425,000 for grants. These amounts are provided for informational purposes only."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 504 - HIGHWAY PATROL

HOUSE - The funding for developing a comprehensive public communications plan of \$250,000 from the general fund provided in the executive budget and the Senate version is changed to \$125,000 from the general fund and \$125,000 of other funds for developing the plan.

Operating expenses in the administration program are reduced by \$105,931 from the highway fund relating to the removal of risk management premiums.

A section is added providing information on object-code amounts appropriated to the Highway Patrol, as a performance budgeting pilot agency.

REPORT OF STANDING COMMITTEE

SB 2012, as engrossed: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (20 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). Engrossed SB 2012 was placed on the Sixth order on the calendar.

Page 1, line 2, after "transportation" insert "; to limit expenditures on certain streets; to create and enact a new section to chapter 24-02 of the North Dakota Century Code, relating to cooperating with other states; to amend and reenact subsection 3 of section 24-02-37, sections 24-02-37.1, 39-12-02, and 54-06-09 of the North Dakota Century Code, relating to the special road fund, special trip permits, and state employee vehicle usage; to repeal section 24-02-37.1 of the North Dakota Century Code, relating to the special road advisory committee; and to provide an effective date"

Page 1, line 9, replace "24,084,794" with "22,383,770"

Page 1, line 12, replace "382,681,779" with "384,910,803"

Page 1, line 14, replace "452,824,778" with "453,352,778"

Page 1, after line 23, insert:

"SECTION 4. LEGISLATIVE INTENT - BUDGET SECTION REPORT. It is the intent of the legislative assembly that the department of transportation evaluate the continued use of its 1978 model cessna airplane. The evaluation should include an analysis of the costs of continued maintenance and repair of the airplane and options for replacement of the airplane which may include selling or trading the airplane and leasing or purchasing a new or used airplane. The department shall present a report on its evaluation to the budget section by November 1998.

SECTION 5. EXPENDITURES FOR SCHAFER STREET LIMITED. No funds from any source may be used to widen Schafer street in the city of Bismarck. However, funds may be used to maintain or improve the street.

SECTION 6. A new section to chapter 24-02 of the North Dakota Century Code is created and enacted as follows:

Intergovernmental cooperation - Infrastructure bank. The director may contract and cooperate with other states, with political subdivisions of this state, and with the United States government to establish, maintain, and operate a multistate infrastructure bank pursuant to section 350 of the National Highway System Designation Act of 1995 [Pub. L. 104-59; 109 Stat. 568, 618-622]; the Department of Transportation and Related Agencies Appropriations Act of 1997 [Pub. L. 104-205, Title I]. The director may transfer and commit to the multistate infrastructure bank state and federal-aid highway funds, up to a maximum of ten percent of eligible federal-aid highway funds and the required state matching funds. All funds and revenue allocated or generated under this section must be used for purposes of funding eligible projects as determined by agreement of the members of the multistate infrastructure bank and as authorized by state and federal law.

SECTION 7. AMENDMENT. Subsection 3 of section 24-02-37 of the North Dakota Century Code is amended and reenacted as follows:

3. ~~The state treasurer shall deposit the moneys in the state highway fund in an interest-bearing account at the Bank of North Dakota. The state treasurer shall deposit any Any income derived from the deposit of the moneys in a special fund in the state treasury known as the special road fund. Moneys, and any earnings on the moneys, in the special road fund may be used, within the limits of legislative appropriation, exclusively for the construction and maintenance of access roads to and roads within recreational, tourist, and historical areas as designated by the commissioner with the advice of the special road advisory committee. Requests by political subdivisions or state agencies for funding from the special road fund must be made to the commissioner on forms designated by the commissioner. The commissioner may require the political subdivision or state agency to contribute to the cost of the project as a condition of any expenditure authorized from the special road fund.~~

SECTION 8. AMENDMENT. Section 24-02-37.1 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

24-02-37.1. Special road advisory committee - Special road fund. The special road advisory committee consists of one member of the senate transportation committee and one member of the senate appropriations committee appointed by the chairman of the legislative council and one member of the house of representatives transportation committee and one member of the house of representatives appropriations committee appointed by the chairman of the legislative council and also the director of the game and fish department, the director of the parks and recreation department, the director of the department of economic development and finance, and the commissioner.

The special road fund is a special fund in the state treasury that consists of moneys deposited in the fund through June 30, 1997. Moneys, and any earnings on the moneys, in the special road fund may be used, within the limits of legislative appropriation, exclusively for the construction and maintenance of access roads to and roads within recreational, tourist, and historical areas as designated by the commissioner with the advice of the special road advisory committee. Requests by political subdivisions or state agencies for funding from the special road fund must be made to the commissioner on forms designated by the commissioner. The commissioner may require the political subdivision or state agency to contribute to the cost of the project as a condition of any expenditure authorized from the special road fund. The state treasurer shall transfer any moneys remaining in the fund on June 30, 1999, to the state highway fund.

The committee shall meet at the call of the commissioner, who is chairman of the committee, to review requests for funding from the special road fund and to advise the commissioner regarding funding requested projects. The commissioner shall provide staff services to the committee. All final decisions regarding funding requested projects are in the sole discretion of the commissioner. The members of the commission who are members of the legislative assembly must be compensated by the department, from moneys appropriated from the special road fund, for attendance at committee meetings at the rate provided in section 54-35-10 and are entitled to reimbursement for expenses incurred in attending the meetings in the amounts provided by law for other state officers.

SECTION 9. AMENDMENT. Section 39-12-02 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

39-12-02. Special permits for vehicles of excessive size and weight issued - Contents - Fees.

1. The highway patrol and local authorities in their respective jurisdictions, upon application and payment of the appropriate charges and for good cause shown, may issue a special written permit authorizing the applicant to operate or move a vehicle, mobile home or modular unit of a size or weight exceeding the maximum specified by this chapter, upon a highway under the jurisdiction of the body granting the permit. Every ~~such~~ permit may designate the route to be traversed, and may contain any other restrictions or conditions deemed necessary by the body granting ~~such~~ the permit. Every ~~such~~ permit must be carried in the vehicle to which it refers and must be opened to inspection by any peace officer or agent of the superintendent of the highway patrol unless prior approval is obtained from

the highway patrol. It is a violation of ~~the provisions of this chapter for any person to violate any of the terms or conditions of such special~~ the permit. All permits for the movement of excessive size and weight on state highways must be single trips only. The highway patrol and local authorities may adopt rules governing the movement of oversize and overweight vehicles.

2. An appropriate charge must be made for each permit and all funds collected hereunder by the highway patrol must be deposited in the state highway fund ~~and are hereby appropriated~~ for use in the construction and maintenance of highways and operating expenses of the department of transportation. ~~For each permit for the movement of a mobile home or modular unit, the fee is ten dollars.~~ Official or publicly owned vehicles may not be required to pay charges for permits. The minimum fee for selected charges is as follows:
 - a. The fee for a seasonal permit, harvest and wintertime, is fifty dollars per year.
 - b. The fee for a non-self-issuing interstate permit is ten dollars.
 - c. The fee for special mobile equipment is twenty-five dollars per trip.
 - d. The fee for engineering is twenty-five dollars.
 - e. The fee for filing a permit is five dollars.
 - f. The fee for a single trip permit is twenty dollars.
3. The director of tax equalization of the county of destination must be furnished a copy of the permit for the movement of an overdimensional mobile home.

SECTION 10. AMENDMENT. Section 54-06-09 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

54-06-09. Mileage and travel expense of state officers and employees.

1. State officials, whether elective or appointive, and their deputies, assistants, and clerks, or other state employees, entitled by law to be reimbursed for mileage or travel expense, must be allowed and paid for mileage and travel expense the following amounts:
 - 4- a. The sum of twenty-five cents per mile [1.61 kilometers] for each mile [1.61 kilometers] actually and necessarily traveled in the performance of official duty when such travel is by motor vehicle or twenty-seven cents per mile [1.61 kilometers] if the travel is by truck, the use of which is required by the employing subdivision, agency, bureau, board, or commission. The sum of thirty-five cents per mile [1.61 kilometers] for each mile [1.61 kilometers] actually and necessarily traveled in the performance of official duty when such travel is by private airplane. Mileage by private aircraft must be computed by actual air mileage when only one state employee or official is traveling; if two or more state employees or officials are traveling by private aircraft, the actual mileage must be based on the road mileage between the geographical points. Reimbursement for private airplane travel must be calculated as follows:
 - a- (1) If reimbursement is for one properly authorized and reimbursable passenger, reimbursement must be paid on a per-mile basis as provided in this subsection.
 - b- (2) If reimbursement is claimed for a chartered private aircraft, reimbursement may not exceed the cost of regular coach fare on a commercial flight, if one is scheduled between the point of departure, point of destination, and return, for each properly authorized and reimbursable passenger on the charter flight; or, where there is no such regularly scheduled commercial flight, the actual cost of the charter.

- b. Except as provided in subdivision a, when travel is by rail or certificated air taxi commercial operator or other common carrier, including regularly scheduled flights by airlines, the amount actually and necessarily expended therefor in the performance of official duties.
2. No reimbursement may be paid for leased private aircraft, except for leased or rented private aircraft from a recognized fixed base aviation operator who is in the business of leasing and renting private aircraft and is located on an airport open for public use.
3. If only one person ~~shall engage~~ engages in such travel in a motor vehicle exceeding at any geographical point one hundred fifty miles [241.40 kilometers] beyond the borders of this state, reimbursement must be limited to eighteen cents per mile [1.61 kilometers] for the out-of-state portion of the travel beyond the first one hundred fifty miles [241.40 kilometers].
4. An official, deputy, assistant, clerk, or other employee, when required to travel by motor vehicle or truck in the performance of official duty, shall use a state-owned vehicle whenever possible unless exempted under section 24-02-03.3. When official travel is by motor vehicle or airplane owned by the state or by any department or political subdivision thereof, no allowance may be made or paid for such mileage.
- ~~2.~~ ~~Except as provided in subsection 1, when travel is by rail or certificated air taxi commercial operator or other common carrier, including regularly scheduled flights by airlines, the amount actually and necessarily expended therefor in the performance of official duties.~~
3. 5. Notwithstanding the other provisions of this section, state employees permanently located outside the state or on assignments outside the state for an indefinite period of time, exceeding at least thirty consecutive days, must be allowed and paid twenty-five cents per mile [1.61 kilometers] for each mile [1.61 kilometers] actually and necessarily traveled in the performance of official duty when such travel is by motor vehicle, and the one-hundred-fifty-mile [241.40-kilometer] restriction imposed by subsection 4 3 does not apply.
6. Before any allowance for any such mileage or travel expenses may be made, the official, deputy, assistant, clerk, or other employee shall file with the employee's department, institution, board, commission, or agency an itemized statement showing the mileage traveled, the hour of departure and return, the days when and how traveled, the purpose thereof, and such other information and documentation as may be prescribed by rule of the employee's department, institution, board, commission, or agency. The statement must be submitted to the employee's department, institution, board, commission, or agency for approval and must be paid only when approved by the employee's department, institution, board, commission, or agency.

SECTION 11. REPEAL. Section 24-02-37.1 of the 1995 Supplement to the North Dakota Century Code is repealed.

SECTION 12. EFFECTIVE DATE. Section 11 of this Act becomes effective on July 1, 1999."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 801 - DEPARTMENT OF TRANSPORTATION

HOUSE - This amendment makes the following changes:

Changes by line item include:

	SENATE VERSION	REDUCE ADMINISTRATIVE COSTS	REMOVE RISK MANAGEMENT PREMIUMS	INCREASE HIGHWAY CONSTRUCTION	TOTAL CHANGES	HOUSE VERSION
Salaries and wages	\$ 82,900,450					\$ 82,900,450
Operating expenses	79,300,558					77,599,534
Equipment	21,597,257					21,597,257
Capital improvements	243,554,813	\$ (1,200,000)				245,783,837
Grants	25,471,700	1,200,000	501,024	\$528,000	2,229,024	25,471,700
Total special funds	\$452,824,778	\$ 0*	\$ 0*	\$528,000*	\$ 528,000	\$453,352,778
FTE	1,042.00				0.00	1,042.00

Changes by program include:

	SENATE VERSION	REDUCE ADMINISTRATIVE COSTS	REMOVE RISK MANAGEMENT PREMIUMS	INCREASE HIGHWAY CONSTRUCTION	TOTAL CHANGES	HOUSE VERSION
Administration	\$ 24,084,794					\$ 22,383,770
Motor vehicle	6,525,312					6,525,312
Driver's license	8,870,358					8,870,358
Highways	382,661,779	1,200,000	501,024	\$528,000	2,229,024	384,910,803
Fleet services	30,662,535					30,662,535
Total special funds	\$452,824,778	\$ 0*	\$ 0*	\$528,000*	\$ 528,000	\$453,352,778

* Operating expenses in the administration program are reduced by \$1,200,000 for savings resulting from anticipated program efficiencies and the funding is added in the highways program for highway construction and maintenance costs.

* Funding for risk management premiums is removed and funding is added in the highways program for highway construction and maintenance costs.

* Adds funding for highway construction and maintenance costs resulting from additional highway fund revenue which is generated by increasing special permit fees.

Sections are added which:

Provide that the department evaluate the cost-effectiveness of the continued use of one of its airplanes and report to the Budget Section regarding the department's options.

Preclude any funding to be used to widen Schafer Street in Bismarck.

Increase special permit fees for oversize and overweight vehicles. The fee increases are estimated to generate up to \$528,000 to the highway fund during the 1997-99 biennium.

Provide that state employees use state vehicles, whenever possible, when traveling by car or truck on state business.

Discontinue, on July 1, 1997, the deposit of interest earned on the highway fund into the special road fund for the construction and maintenance of roads relating to recreational, tourist, and historical areas. The interest earned will remain in the highway fund. This will result in an estimated increase of \$2.2 million of revenue to the highway fund during the 1997-99 biennium. The special road fund and the Special Road Advisory Committee will remain in effect until June 30, 1999, to advise the expenditure of moneys remaining in the special road fund on June 30, 1997.

REPORT OF STANDING COMMITTEE

SB 2353, as engrossed: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). Engrossed SB 2353 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "two" with "a" and replace "sections" with "section"

Page 1, line 2, remove "a wireless 911"

Page 1, line 3, remove "service fee," and replace the second comma with "of telecommunications providers"

Page 1, line 4, replace "sections" with "section" and remove ", 57-40.6-05, and 57-40.6-06"

Page 1, line 5, after "service" insert "definitions"

Page 2, remove lines 4 through 31

Page 3, line 26, replace "an eleven-member" with "a nine-member"

Page 4, line 1, replace "911 association" with "wireless telephone service industry"

Page 4, line 2, after "Dakota" insert "association of" and after "telephone" insert "cooperatives, one representative of counties with public safety answering points"

Page 4, line 3, remove "association, two members of the North Dakota house of representatives" and replace the second "two" with "one representative of counties served by state radio 911"

Page 4, line 4, remove "members of the North Dakota senate"

Page 4, line 7, remove "The legislative council is responsible for paying the expenses of"

Page 4, remove line 8

Page 4, line 9, remove "services to the committee."

Page 4, replace lines 11 through 16 with:

- "2. The advisory committee shall study the feasibility of implementing an automatic number identification and automated location identification system. The study must include the estimated cost of the system and a proposed funding plan.
3. The committee shall submit a report of its work to the budget section of the legislative council by August 1998."

Renumber accordingly

SIGNING OF BILLS AND RESOLUTIONS

The Speaker signed the following enrolled bills: HB 1084, HB 1089, HB 1146.

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 1084, HB 1089, HB 1146.

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1440.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1440

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

Page 2, line 1, replace "The" with "Beginning September 1, 1997, the"

Page 2, line 2, replace "appoint" with "submit to the governor a list of three names of potential candidates for each of the employer member positions and the medical association position. From each list the governor shall select an individual to fill the member position of"

- Page 2, line 3, replace "to be" with ". An organization that is statewide in scope and which through its affiliates embraces a cross section and a majority of organized labor in this state shall submit to the governor a list of three names of potential candidates for one of the three employee positions. The governor shall select an individual to fill this organized labor employee member position, and the governor shall appoint two individuals to fill the remaining two employee positions. The subsequent board is" and replace "September 1, 1997" with "January 1, 1998"
- Page 2, line 4, replace "On and after September 1, 1997" with "After December 31, 1997", replace "must consist" with "consists", and replace "seven" with "ten"
- Page 2, line 6, replace "Five" with "Six"
- Page 2, line 13, replace "One member is an employee representative" with "Three members represent employees; at least one member must have received workers' compensation benefits; and at least one member must represent organized labor"
- Page 2, line 14, after "One" insert "nonvoting"
- Page 2, line 15, replace "four-year" with "six-year", remove "five", after "the" insert "initial board", after the second "members" insert ", an employee representative and two employer representatives shall serve only through December 31, 1998; an employee representative and two employer representatives shall serve only through December 31, 2000; and an employee representative, two employer representatives, and the medical association representative shall serve only through December 31, 2002."
- Page 2, line 16, remove "appointed by the state advisory council shall serve shorter initial terms"
- Page 2, line 17, remove "in order" and replace "at least one, but not" with "three members"
- Page 2, line 18, remove "more than two, member's", replace "July first" with "December thirty-first of", and after "each" insert "even-numbered year, and beginning January first of each odd-numbered"
- Page 2, line 22, after the underscored period insert "The governor shall appoint the replacement member for a departing employer representative or medical association representative from a list of three candidates submitted by the board. The governor shall select the replacement member for the departing organized labor employee representative from a list of three names of potential candidates submitted by an organization that is statewide in scope and which through its affiliates embraces a cross section and a majority of organized labor in this state, and the governor shall select the replacement member for a departing nonorganized labor employee representative."
- Page 2, line 26, remove "same" and replace "and manner as provided for legislative council committee" with "of sixty-two dollars and fifty cents per day for days spent in attendance at board meetings or other business as approved by the board"
- Page 2, line 27, remove "members under section 54-35-10"
- Page 2, line 28, remove ", but the mileage allowance must equal the federal"
- Page 2, line 29, remove "internal revenue service mileage allowance"
- Page 3, line 1, after "**Board**" insert "- **Powers and**" and after the underscored period insert "The board may authorize the bureau to transfer moneys between line items within the bureau's budget."
- Page 3, line 5, replace "Provide" with "Present"
- Page 3, line 6, replace "provided" with "presented"
- Page 3, line 7, replace "the budget of the bureau as required under section 7 of this Act" with ", with the assistance of the bureau, a bureau budget, beginning with the July 1, 1999, through June 30, 2001, biennium. The bureau shall present the budget to the governor for inclusion in the governor's budget. If the governor makes adjustments to the budget, the board may concur in the adjustments or may present testimony to the appropriations committees of the legislative assembly, requesting amendments to the

budget to remove adjustments made by the governor. The deadline for submission of the budget is the same as the deadline for all executive agencies"

Page 3, line 9, replace ", including adoption of rules, establishment of fees," with "while"

Page 3, remove line 10

Page 3, line 11, remove "workers' compensation fund, provision of rehabilitation services, and"

Page 3, line 13, replace "Make appropriate recommendations and proposals for consideration by the" with "Incorporate principles of continuous improvement goalsetting, a procedure for implementing a team-oriented continuous improvement program throughout all operations of the bureau. The program must include a number of challenging, measurable goals to ensure the bureau maintains focus on improving those areas most important to its primary mission."

Page 3, remove line 14

Page 3, line 15, after "rules" insert "creating bylaws for the board and"

Page 3, line 20, after "**audit**" insert "**- Bureau development of performance measurements**"

Page 3, line 22, replace "conduct" with "complete"

Page 3, line 23, replace "primary functions and operations" with "departments"

Page 3, line 25, replace "scope of the performance audit must be determined by the state auditor in" with "firm also shall conduct a performance audit of the board to determine whether the board is operating within section 5 of this Act and within the board's bylaws"

Page 3, line 26, remove "conjunction with the independent audit firm"

Page 3, line 28, remove "of directors", remove "if requested by", and replace "committee, the" with "auditor"

Page 3, line 29, remove "audit firm", remove ", and", replace "on" with "and", remove "as a result of the audit," and remove the second "a"

Page 3, line 30, remove "special subcommittee of" and remove the underscored period

Page 3, remove line 31

Page 4, line 1, remove "management" and remove "budget and the state auditor's office. The director, the chairman of the board"

Page 4, remove line 2

Page 4, line 3, remove "report on any action taken as a result of the audit"

Page 4, line 5, replace "chairman of the board of directors" with "director"

Page 4, line 6, after the underscored period insert "The bureau shall develop and maintain comprehensive, objective performance measurements. These measurements must be evaluated as part of the independent audit performed under this section."

Page 4, remove lines 7 through 25

Page 4, line 28, replace "8" with "7"

ReNUMBER accordingly

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)
MR. SPEAKER: The Senate has amended and subsequently failed to pass: HB 1187.

MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)
MADAM PRESIDENT: The House has amended and subsequently passed: SB 2030, SB 2047, SB 2160, SB 2194, SB 2218, SB 2290, SB 2315, SB 2324.

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

MADAM PRESIDENT: The House has passed unchanged: SCR 4057, SCR 4058.

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

MADAM PRESIDENT: The House has amended, subsequently passed, and the emergency clause carried: SB 2359.

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

MADAM PRESIDENT: The House has amended and failed to pass: SB 2278, SB 2320.

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

MADAM PRESIDENT: The House has reconsidered its action whereby it did not concur with the Senate amendments to HB 1135 and wishes to inform you that the House does now concur with the Senate amendments to HB 1135 and subsequently passed the same. Also, the House has dissolved the House Conference Committee on HB 1135.

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

MADAM PRESIDENT: The House has concurred in the Senate amendments and subsequently passed: HB 1058, HB 1330.

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

MR. SPEAKER: The Senate does not concur in the House amendments to SB 2344 and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2344: Sens. Watne; Andrist; Berg

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

MADAM PRESIDENT: The House does not concur in the Senate amendments to HB 1112, HB 1182, HB 1270, and HB 1453 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1112: Reps. Stenehjem; Kretschmar; S. Kelsh

HB 1182: Reps. DeKrey; Nottestad; S. Kelsh

HB 1270: Reps. Belter; Renner; Warner

HB 1453: Reps. DeKrey; Kretschmar; Callahan

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

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

SB 2009: Reps. Soukup; Gerntholz; Huether

SB 2013: Reps. Kunkel; Lloyd; Aarsvold

SB 2032: Reps. Monson; Drovdal; Brandenburg

SB 2068: Reps. Kretschmar; Stenehjem; Callahan

SB 2088: Reps. Tollefson; Martinson; Huether

SB 2153: Reps. Hawken; Kretschmar; Fairfield

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

ROY GILBREATH, Chief Clerk