

## JOURNAL OF THE HOUSE

## Fifty-eighth Legislative Assembly

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Bismarck, March 13, 2003

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

The prayer was offered by Rev. Clyde Leimberer, The Baptist Home, Bismarck.

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

A quorum was declared by the Speaker.

## CORRECTION AND REVISION OF THE JOURNAL

**MADAM SPEAKER:** Your **Committee on Correction and Revision of the Journal (Rep. Kretschmar, Chairman)** has carefully examined the Journal of the Forty Third Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 855, line 51 replace "failed to pass" with "passed"

Page 857, line 22 remove "on a recorded roll call vote"

Page 858, remove lines 44 through 50

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

## COMMUNICATION FROM GOVERNOR JOHN HOEVEN

This is to inform you that on March 13, 2003, I have signed the following: HB 1078, HB 1080, HB 1084, HB 1085, HB 1098, HB 1110, HB 1111, HB 1124, HB 1127, HB 1137, HB 1140, HB 1141, HB 1155, HB 1160, HB 1164, HB 1165, HB 1169, HB 1210, HB 1232, HB 1254, HB 1266, HB 1390, HB 1419, and HB 1441.

## SIXTH ORDER OF BUSINESS

**REP. BERG MOVED** that the amendments on the Sixth order of business to SB 2195, SB 2268, SB 2414 and SB 2415 be adopted, which motion prevailed.

SB 2195, SB 2268, SB 2414 and SB 2415, as amended, were placed on the Fourteenth order of business on the calendar.

## SECOND READING OF SENATE BILL

**SB 2173:** A BILL for an Act to amend and reenact sections 11-11.1-03 and 11-11.1-04 and subsection 29 of section 57-15-06.7 of the North Dakota Century Code, relating to property tax levy authority for tourism promotion by a job development authority or industrial development organization; 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 89 YEAS, 4 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Gullerson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemm; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Zaiser; Speaker Wentz

**NAYS:** Bellew; Delzer; Grosz; Wrangham

**ABSENT AND NOT VOTING:** Solberg

Engrossed SB 2173, as amended, passed and the title was agreed to.

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### SECOND READING OF SENATE BILL

**SB 2303:** A BILL for an Act to amend and reenact subsection 15 of section 57-02-08 of the North Dakota Century Code, relating to income limitations under the farm residence and farm buildings property tax exemptions; 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 NOT PASS, the roll was called and there were 24 YEAS, 69 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Boucher; Brusegaard; DeKrey; Devlin; Gulleon; Haas; Hawken; Hunskor; Kelsh, S.; Kempenich; Klein, F.; Metcalf; Mueller; Niemeier; Onstad; Sandvig; Schmidt; Thorpe; Uglem; Weisz; Williams; Zaiser

**NAYS:** Bellew; Belter; Berg; Bernstein; Boe; Boehning; Carlisle; Carlson; Clark; Delmore; Delzer; Dosch; Drovda; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Hanson; Headland; Herbel; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kerzman; Kingsbury; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Monson; Nelson; Nicholas; Norland; Nottestad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Severson; Sitte; Skarphol; Svedjan; Thoreson; Tieman; Timm; Wald; Warner; Warnke; Weiler; Wieland; Wikenheiser; Winrich; Wrangham; Speaker Wentz

**ABSENT AND NOT VOTING:** Solberg

Engrossed SB 2303, as amended, lost.

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### SECOND READING OF SENATE BILL

**SB 2359:** A BILL for an Act to provide for the designation of a regional human service center for program supervision in cases of multicounty program administration.

### ROLL CALL

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

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovda; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleon; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

**ABSENT AND NOT VOTING:** Solberg

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

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### SECOND READING OF SENATE BILL

**SB 2063:** A BILL for an Act to amend and reenact subsections 2 and 3 of section 16.1-08.1-01 of the North Dakota Century Code, relating to campaign contributions.

### 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 88 YEAS, 5 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleston; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Sandvig; Schmidt; Severson; Sitte; Svedjan; Thoreson; Thorpe; Tieman; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

**NAYS:** Bellew; Delzer; Ruby; Skarphol; Timm

**ABSENT AND NOT VOTING:** Solberg

SB 2063, as amended, passed and the title was agreed to.

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### SECOND READING OF SENATE BILL

**SB 2072:** A BILL for an Act to create and enact a new section to chapter 54-09 of the North Dakota Century Code, relating to fees to be paid to the secretary of state by government officials when performing their duties; and to amend and reenact sections 54-09-04 and 54-09-07 of the North Dakota Century Code, relating to fees charged by and service of process on the secretary of state.

### ROLL CALL

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

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleston; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

**ABSENT AND NOT VOTING:** Solberg

SB 2072, as amended, passed and the title was agreed to.

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### SECOND READING OF SENATE BILL

**SB 2197:** A BILL for an Act to create and enact a new section to chapter 15.1-09 of the North Dakota Century Code, relating to the payment of retention incentives by school boards.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 18 YEAS, 75 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Belter; Carlson; Delzer; Dosch; Froelich; Galvin; Grande; Grosz; Kasper; Martinson; Meier; Ruby; Sandvig; Sitte; Skarphol; Timm; Wald; Wrangham

**NAYS:** Aarsvold; Amerman; Bellew; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Clark; DeKrey; Delmore; Devlin; Drovdal; Eckre; Ekstrom; Froseth; Glassheim; Gulleston; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Schmidt; Severson; Svedjan; Thoreson; Thorpe; Tieman; Uglem; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Zaiser; Speaker Wentz

**ABSENT AND NOT VOTING:** Solberg

Engrossed SB 2197 lost.

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**SECOND READING OF SENATE BILL**

**SB 2215:** A BILL for an Act to amend and reenact subsections 7 and 8 of section 20.1-03-11 and sections 20.1-08-04.2 and 20.1-08-04.6 of the North Dakota Century Code, relating to the moose and elk hunting license raffles.

**ROLL CALL**

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

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleston; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Wrangham; Zaiser; Speaker Wentz

**ABSENT AND NOT VOTING:** Maragos; Solberg; Winrich

SB 2215, as amended, passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2220:** A BILL for an Act to amend and reenact sections 36-24-01 and 36-24-10 of the North Dakota Century Code, relating to poultry inspections.

**ROLL CALL**

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

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleston; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

**ABSENT AND NOT VOTING:** DeKrey; Maragos; Solberg

SB 2220, as amended, passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2227:** A BILL for an Act to amend and reenact section 20.1-03-07.2 of the North Dakota Century Code, relating to hunting by nonresident youths.

**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 27 YEAS, 64 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Brusegaard; Devlin; Froelich; Froseth; Galvin; Haas; Hawken; Headland; Johnson, D.; Johnson, N.; Kerzman; Klein, F.; Klein, M.; Maragos; Martinson; Monson; Nelson; Nicholas; Nottestad; Pollert; Sandvig; Schmidt; Severson; Sitte; Warner; Weisz; Speaker Wentz

**NAYS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Carlisle; Carlson; Clark; Delmore; Delzer; Dosch; Drovdal; Eckre; Ekstrom; Glassheim; Grande; Grosz; Gulleson; Hanson; Herbel; Hunskor; Iverson; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Meier; Metcalf; Mueller; Niemeier; Norland; Onstad; Pietsch; Porter; Potter; Price; Rennerfeldt; Ruby; Skarphol; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warnke; Weiler; Wieland; Wikenheiser; Winrich; Wrangham; Zaiser

**ABSENT AND NOT VOTING:** DeKrey; Solberg; Williams

SB 2227, as amended, lost.

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#### SECOND READING OF SENATE BILL

**SB 2419:** A BILL for an Act to amend and reenact subsection 5 of section 61-28-02, subsections 1 and 3 of section 61-28-06, section 61-28-07, and subsection 5 of section 61-28-08 of the North Dakota Century Code, relating to penalties for violating injunctive orders preventing Clean Water Act violations, to clarify the state's authority to seek injunctive relief against governmental entities that violate water quality standards of the state, and authority of the state to protect water quality from degradation; to provide a penalty; 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 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

**ABSENT AND NOT VOTING:** Maragos; Solberg

SB 2419, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

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#### SECOND READING OF SENATE BILL

**SB 2107:** A BILL for an Act to create and enact a new section to chapter 54-44.3 of the North Dakota Century Code, relating to confidentiality of central personnel division mediation service records.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 90 YEAS, 2 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Galvin; Glassheim; Grande; Grosz; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte;

Skarphol; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

**NAYS:** Devlin; Froseth

**ABSENT AND NOT VOTING:** Solberg; Wald

SB 2107 passed and the title was agreed to.

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### SECOND READING OF SENATE BILL

**SB 2109:** A BILL for an Act to repeal section 52-08-12 of the North Dakota Century Code, relating to distribution of workforce training funds by the state board for vocational and technical education to state board of higher education institutions.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 90 YEAS, 3 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Devlin; Dosch; Drovda; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleon; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Sandvig; Schmidt; Severson; Sitte; Skarphol; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Zaiser; Speaker Wentz

**NAYS:** Delzer; Ruby; Wrangham

**ABSENT AND NOT VOTING:** Solberg

SB 2109 passed and the title was agreed to.

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### SECOND READING OF SENATE BILL

**SB 2177:** A BILL for an Act to amend and reenact section 15.1-21-03 of the North Dakota Century Code, relating to instructional time for high school units.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 86 YEAS, 5 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Clark; DeKrey; Delmore; Devlin; Dosch; Drovda; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grosz; Gulleon; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Sandvig; Schmidt; Severson; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

**NAYS:** Bellew; Carlson; Grande; Ruby; Sitte

**ABSENT AND NOT VOTING:** Delzer; Skarphol; Solberg

SB 2177 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2231:** A BILL for an Act to amend and reenact sections 49-21-01, 49-21-01.3, 49-21-04, 49-21-05, 49-21-07, 49-21-08.1, 49-21-10.1, 49-21-20, and 49-21-23 of the North Dakota Century Code, relating to definitions, price changes, price schedules, dialing parity, refunds, penalties, and cost recovery for telecommunications services and telecommunications companies; and to repeal section 49-21-19 of the North Dakota Century Code, relating to telephone directory notices.

**ROLL CALL**

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

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleston; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemmin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

**ABSENT AND NOT VOTING:** Maragos; Solberg

SB 2231 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2318:** A BILL for an Act to amend and reenact section 54-02-11 of the North Dakota Century Code, relating to designation of the North Dakota art museum.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 86 YEAS, 7 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Carlisle; Carlson; Clark; DeKrey; Delmore; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleston; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemmin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Potter; Price; Rennerfeldt; Sandvig; Schmidt; Severson; Sitte; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

**NAYS:** Bellew; Brusegaard; Delzer; Froelich; Porter; Ruby; Skarphol

**ABSENT AND NOT VOTING:** Solberg

SB 2318 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2385:** A BILL for an Act to create and enact two new sections to chapter 4-38 of the North Dakota Century Code, relating to organic food standards; to amend and reenact section 4-38-02 of the North Dakota Century Code, relating to certifying agents; to repeal sections 4-38-01, 4-38-03, 4-38-04, 4-38-05, and 4-38-06 of the North Dakota Century Code, relating to organic food standards; and to provide a penalty.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 33 YEAS, 60 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Boe; Boehning; Boucher; Delmore; Eckre; Ekstrom; Froelich; Froseth; Glassheim; Gulleson; Hanson; Hunskor; Johnson, D.; Kelsh, S.; Kerzman; Kingsbury; Kreidt; Kroeber; Metcalf; Mueller; Nelson; Nicholas; Niemeier; Onstad; Sandvig; Schmidt; Thorpe; Uglem; Warner; Winrich; Zaiser

**NAYS:** Bellew; Belter; Berg; Bernstein; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delzer; Devlin; Dosch; Drovdal; Galvin; Grande; Grosz; Haas; Hawken; Headland; Herbel; Iverson; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kempenich; Klein, F.; Klein, M.; Klemin; Koppelman; Kretschmar; Maragos; Martinson; Meier; Monson; Norland; Nottestad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Severson; Sitte; Skarphol; Svedjan; Thoreson; Tieman; Timm; Wald; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Wrangham; Speaker Wentz

**ABSENT AND NOT VOTING:** Solberg

SB 2385 lost.

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### SECOND READING OF SENATE BILL

**SB 2138:** A BILL for an Act to amend and reenact section 54-03-03 of the North Dakota Century Code, relating to filing certificates of election and appointments with the legislative assembly and making the roll of members of the legislative assembly.

### ROLL CALL

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

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

**ABSENT AND NOT VOTING:** Clark; Solberg

SB 2138 passed and the title was agreed to.

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### SECOND READING OF SENATE BILL

**SB 2269:** A BILL for an Act to create and enact two new sections to chapter 12.1-23 North Dakota Century Code, relating to the unlawful manufacture, distribution, and use of theft detection shielding devices or deactivators; and to provide a penalty.

### ROLL CALL

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

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

**ABSENT AND NOT VOTING:** Solberg

SB 2269 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2118:** A BILL for an Act to amend and reenact sections 1-02-35, 54-11-01, and 54-11-04 of the North Dakota Century Code, relating to warrants, duties, and records of the state treasurer; and to repeal section 54-11-03 of the North Dakota Century Code, relating to the redemption of warrants by the state treasurer.

**ROLL CALL**

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

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

**ABSENT AND NOT VOTING:** Solberg

SB 2118, as amended, passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2168:** A BILL for an Act to amend and reenact section 60-01-34 of the North Dakota Century Code, relating to the assumption of lost property or money by a finder.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 91 YEAS, 1 NAY, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Sandvig; Schmidt; Severson; Sitte; Skarphol; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

**NAYS:** Ruby

**ABSENT AND NOT VOTING:** Dosch; Solberg

SB 2168, as amended, passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2190:** A BILL for an Act to amend and reenact sections 5-01-08 and 5-02-06 of the North Dakota Century Code, relating to persons under twenty-one years of age and licensed premises where alcohol beverages are sold.

**ROLL CALL**

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

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

**ABSENT AND NOT VOTING:** Dosch; Maragos; Solberg

SB 2190, as amended, passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2252:** A BILL for an Act to amend and reenact sections 43-07-04, 43-07-14, 43-07-15, and 43-07-19 of the North Dakota Century Code, relating to contractor's license, license complaints, hearings, revocations, civil penalties, remedies, and service of process; to provide for a legislative council study; 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 85 YEAS, 7 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; Delmore; Delzer; Devlin; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Sandvig; Severson; Sitte; Skarphol; Svedjan; Thoreson; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

**NAYS:** Boe; DeKrey; Kerzman; Ruby; Schmidt; Thorpe; Weisz

**ABSENT AND NOT VOTING:** Dosch; Solberg

Engrossed SB 2252, as amended, passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2169:** A BILL for an Act to amend and reenact section 15.1-09-36 of the North Dakota Century Code, relating to prohibiting a school board from charging fees for textbooks and to student fees for the use of musical instruments.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 84 YEAS, 5 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Berg; Bernstein; Boe; Boehning; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Nelson; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt;

Severson; Sitte; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

**NAYS:** Amerman; Bellew; Gulleson; Mueller; Potter

**ABSENT AND NOT VOTING:** Boucher; Dosch; Nicholas; Skarphol; Solberg

Engrossed SB 2169 passed and the title was agreed to.

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#### SECOND READING OF SENATE BILL

**SB 2185:** A BILL for an Act to repeal sections 44-01-08, 44-01-09, and 44-01-10 of the North Dakota Century Code, relating to bonds of public officers other than those furnished by the state bonding fund.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 92 YEAS, 1 NAY, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, M.; Klemmin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

**NAYS:** Klein, F.

**ABSENT AND NOT VOTING:** Solberg

SB 2185 passed and the title was agreed to.

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#### SECOND READING OF SENATE BILL

**SB 2204:** A BILL for an Act to amend and reenact sections 28-21-04.1, 32-09.1-07, 32-09.1-20, and 32-09.1-21 of the North Dakota Century Code, relating to the expiration of a garnishment.

#### ROLL CALL

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

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemmin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

**ABSENT AND NOT VOTING:** Johnson, N.; Solberg

SB 2204 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2267:** A BILL for an Act to create and enact a new subsection to section 6-08.4-01 and a new section to chapter 6-08.4 of the North Dakota Century Code, relating to banking definitions and branch restrictions; and to amend and reenact sections 6-08.4-02, 6-08.4-03, 6-08.4-05, and 6-08.4-06 of the North Dakota Century Code, relating to approval by federal regulatory authorities, authority of a bank to branch interstate, notice and filing requirements, and powers of banks operating through interstate branches.

**ROLL CALL**

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

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Guleson; Haas; Hanson; Hawken; Headland; Herbel; Hunsakor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

**ABSENT AND NOT VOTING:** Solberg

SB 2267 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2272:** A BILL for an Act to create and enact a new section to chapter 23-20.1 of the North Dakota Century Code, relating to x-ray operators.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 91 YEAS, 1 NAY, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Guleson; Haas; Hanson; Hawken; Headland; Herbel; Hunsakor; Iverson; Johnson, D.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

**NAYS:** Brusegaard

**ABSENT AND NOT VOTING:** Johnson, N.; Solberg

Engrossed SB 2272 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2287:** A BILL for an Act to provide for a legislative council study of licensure of accredited business accountants.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 72 YEAS, 20 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Clark; Delmore; Devlin; Dosch; Drovda; Eckre; Ekstrom; Froelich; Froseth; Glassheim; Gullerson; Hanson; Hawken; Herbel; Hunskor; Iverson; Johnson, D.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kingsbury; Klein, M.; Klemm; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Porter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Svedjan; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weisz; Wieland; Wikenheiser; Williams; Wrangham; Speaker Wentz

**NAYS:** Belter; Carlisle; Carlson; DeKrey; Delzer; Galvin; Grande; Grosz; Haas; Headland; Kempenich; Klein, F.; Meier; Pollert; Potter; Skarphol; Thoreson; Weiler; Winrich; Zaiser

**ABSENT AND NOT VOTING:** Johnson, N.; Solberg

Engrossed SB 2287 passed and the title was agreed to.

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### SECOND READING OF SENATE BILL

**SB 2383:** A BILL for an Act to authorize the state board of higher education to convey certain land in Ramsey County, North Dakota, to the city of Devils Lake.

### ROLL CALL

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

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovda; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gullerson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Kasper; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemm; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

**ABSENT AND NOT VOTING:** Johnson, N.; Keiser; Solberg

SB 2383 passed and the title was agreed to.

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### SECOND READING OF SENATE BILL

**SB 2332:** A BILL for an Act to amend and reenact section 15.1-24-05 of the North Dakota Century Code, relating to law enforcement reports to schools of minors' tobacco citations.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 74 YEAS, 17 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Clark; DeKrey; Delmore; Devlin; Dosch; Drovda; Eckre; Ekstrom; Froseth; Galvin; Glassheim; Grande; Gullerson; Haas; Hanson; Hawken; Herbel; Hunskor; Iverson; Johnson, D.; Kelsch, R.; Kelsh, S.; Kempenich; Kingsbury; Klein, M.; Klemm; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Porter; Potter; Price; Rennerfeldt; Sandvig; Severson; Sitte; Svedjan; Thoreson; Thorpe; Tieman; Uglem; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Zaiser; Speaker Wentz

**NAYS:** Bellew; Belter; Carlson; Delzer; Froelich; Grosz; Headland; Kasper; Kerzman; Klein, F.; Pollert; Ruby; Schmidt; Skarphol; Timm; Wald; Wrangham

**ABSENT AND NOT VOTING:** Johnson, N.; Keiser; Solberg

SB 2332 passed and the title was agreed to.

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**SECOND READING OF SENATE CONCURRENT RESOLUTION**

**SCR 4025:** A concurrent resolution urging Congress to promote development of North Dakota's wind energy resource by appropriating funds to provide a two and one-half cents per kilowatt hour wind energy production tax credit.

The question being on the final passage of the resolution, which has been read, and has committee recommendation of DO PASS.

SCR 4025 passed and the title was agreed to on a verification vote.

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**SECOND READING OF SENATE CONCURRENT RESOLUTION**

**SCR 4035:** A concurrent resolution directing the Legislative Council to study legislative alternatives to foster and promote economic development in areas on or near the Indian reservations in North Dakota, including rural areas near Indian reservations.

The question being on the final passage of the resolution, which has been read, and has committee recommendation of DO NOT PASS.

SCR 4035 passed and the title was agreed to on a verification vote.

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**MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)**

**MR. PRESIDENT:** The House has passed unchanged: SB 2053, SB 2280, SB 2388.

**MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)**

**MR. PRESIDENT:** The House has amended and subsequently passed: SB 2111, SB 2149, SB 2180, SB 2302.

**MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)**

**MR. PRESIDENT:** The House has amended and subsequently failed: SB 2171.

**MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)**

**MR. PRESIDENT:** The Speaker has signed: SB 2079, SB 2093, SB 2094, SB 2114, SB 2120, SB 2121, SB 2122, SB 2123, SB 2136, SB 2142, SB 2145, SB 2158, SB 2179, SB 2205, SB 2206, SB 2286, SB 2289.

**MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)**

**MR. PRESIDENT:** The Speaker has signed and your signature is respectfully requested on: HCR 3002, HCR 3012, HCR 3013, HCR 3021, HCR 3026, HCR 3043, HCR 3051.

**MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)**

**MR. PRESIDENT:** The Speaker has signed and your signature is respectfully requested on: HB 1029, HB 1036, HB 1072, HB 1074, HB 1075, HB 1076, HB 1128, HB 1157, HB 1178, HB 1184, HB 1220, HB 1288, HB 1297, HB 1306, HB 1319, HB 1345, HB 1359, HB 1380, HB 1386, HB 1436, HB 1437.

**DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following bill was delivered to the Governor for approval on March 13, 2003: HB 1393.

**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)**

**MR. SPEAKER:** The Senate has passed, the emergency clause carried, unchanged: HB 1093.

**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)**

**MR. SPEAKER:** The Senate has failed to pass: HB 1405.

**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)**

**MR. SPEAKER:** The Senate has amended and subsequently passed: HB 1043, HB 1106, HB 1279, HB 1378.

**SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1043**

Page 2, line 12, remove the overstrike over "~~the commissioner of higher education or~~"

Page 2, line 13, remove the overstrike over "~~the commissioner's designee;~~"

Page 2, line 15, after "eight" insert "the attorney general or the attorney general's designee; the secretary of state or the secretary of state's designee; the tax commissioner or the commissioner's designee; the chief justice of the supreme court or the chief justice's designee"

Page 2, line 17, replace "one member" with "two members"

Page 2, remove line 19

Page 2, line 20, remove "by elected officials."

Page 2, line 25, replace "member" with "members" and replace "is" with "are"

Page 2, line 27, remove the overstrike over "are" and remove "is"

Renumber accordingly

#### **SENATE AMENDMENTS TO HOUSE BILL NO. 1106**

Page 1, line 4, after "reenact" insert "subsection 3 of section 57-02-08.1 and"

Page 1, line 5, after the first "to" insert "homestead tax credit forms,"

Page 1, line 6, after "owners" insert a comma

Page 1, after line 16, insert:

**"SECTION 2. AMENDMENT.** Subsection 3 of section 57-02-08.1 of the North Dakota Century Code is amended and reenacted as follows:

3. All forms necessary to effectuate this section must be prescribed ~~and, designed, and made available~~ by the tax commissioner ~~who shall distribute annually an adequate supply of them to each county director of tax equalization.~~ The county directors of tax equalization shall make these forms available upon request."

Renumber accordingly

#### **SENATE AMENDMENTS TO HOUSE BILL NO. 1279**

Page 7, line 3, remove "the North Dakota hearing aid society to"

Renumber accordingly

#### **SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1378**

Page 1, line 5, replace "require" with "urge"

Page 1, line 7, remove "The institution selected by the board shall present its report to the"

Page 1, remove line 8

Renumber accordingly

#### **MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)**

**MR. SPEAKER:** The Senate has passed unchanged: HCR 3077.

#### **MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)**

**MR. SPEAKER:** The Senate has passed unchanged: HB 1081, HB 1145, HB 1270, HB 1276, HB 1355.

#### **MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)**

**MR. SPEAKER:** The Senate has concurred in the House amendments and subsequently passed: SB 2038, SB 2080, SB 2115, SB 2046, and SCR 4002.

#### **REPORT OF STANDING COMMITTEE**

**SB 2057: Government and Veterans Affairs Committee (Rep. M. Klein, Chairman)** recommends **DO PASS** (12 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2057 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2059, as engrossed: Government and Veterans Affairs Committee (Rep. M. Klein, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2059 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2085, as engrossed: Human Services Committee (Rep. Price, Chairman)** recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2085 was rereferred to the **Appropriations Committee**.

**REPORT OF STANDING COMMITTEE**

**SB 2175: Political Subdivisions Committee (Rep. Froseth, Chairman)** recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2175 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2193: Natural Resources Committee (Rep. Nelson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2193 was placed on the Sixth order on the calendar.

Page 1, line 13, remove "The limitation on the amount of bonds that may be issued for construction of an"

Page 1, remove lines 14 and 15

Page 1, line 16, remove "from Devils Lake."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2200: Education Committee (Rep. R. Kelsch, Chairman)** recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2200 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2208: Political Subdivisions Committee (Rep. Froseth, Chairman)** recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2208 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2216, as engrossed: Education Committee (Rep. R. Kelsch, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING). Engrossed SB 2216 was placed on the Sixth order on the calendar.

Page 1, line 6, replace "On or before July 1," with:

1. The board of each school district shall require that all students and employees of the district, while on school property, involved in a school-related activity or in attendance at a school-sponsored event, conduct themselves in a manner that promotes respect for all individuals.
2. The board of each school district shall annually review its grievance policies and procedures to ensure that all requirements of federal civil rights laws have been met."

Page 1, remove lines 7 through 10

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2237, as engrossed: Natural Resources Committee (Rep. Nelson, Chairman)** recommends **DO PASS** (10 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING). Engrossed SB 2237 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2242, as engrossed: Natural Resources Committee (Rep. Nelson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO**

**PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2242 was placed on the Sixth order on the calendar.

Page 1, line 2, after "nonresidents" insert "; and to provide an expiration date"

Page 1, line 20, after "hunting" insert "in Richland and Sargent Counties" and after the underscored period insert:

**"SECTION 2. EXPIRATION DATE.** This Act is effective through December 31, 2007, and after that date is ineffective."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2251, as engrossed: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2251 was placed on the Sixth order on the calendar.

Page 3, line 29, replace "or have" with ", nor may", after "action" insert "be brought", and after "them" insert a comma

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2270: Political Subdivisions Committee (Rep. Froseth, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2270 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2274: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2274 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2297, as engrossed: Human Services Committee (Rep. Price, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2297 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "and" and after "appropriation" insert "; and to provide for an exemption"

Page 3, after line 7, insert:

**"SECTION 4. EXEMPTION.** The appropriation contained in section 5 of chapter 250 of the 2001 Session Laws is not subject to the provisions of section 54-44.1-11. Any unexpended funds from this appropriation are available, in addition to any other moneys appropriated, for grants for the purpose of funding city, county, and state employee tobacco education and cessation programs under section 3 of this Act, for the biennium beginning July 1, 2003, and ending June 30, 2005."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2312, as engrossed: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2312 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2319, as engrossed: Agriculture Committee (Rep. Nicholas, Chairman)** recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2319 was rereferred to the **Appropriations Committee**.

#### REPORT OF STANDING COMMITTEE

**SB 2330, as engrossed: Human Services Committee (Rep. Price, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2330 was placed on the Fourteenth order on the calendar.

Page 1, line 2, replace "services medical assistance waivers" with "living"

Page 1, line 4, replace "**services medical assistance waivers**" with "**living**"

Page 1, line 5, after "Any" insert "aged or disabled", remove "a", and replace "service" with "living"

Page 1, line 6, remove "medical assistance waiver for the aged and disabled"

Page 1, line 7, replace "The" with "To the extent permitted by any applicable waiver, the"

Page 1, line 9, after "selects" insert ", not to exceed the cost of the service"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2340: Government and Veterans Affairs Committee (Rep. M. Klein, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2340 was placed on the Sixth order on the calendar.

Page 1, line 12, replace "The legislative council, in publishing and maintaining state laws, may not alter the" with "In arranging the laws for publication and in publishing and maintaining the laws, the legislative council may change statutory references to numbers and"

Page 1, remove line 13

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2363, as engrossed: Natural Resources Committee (Rep. Nelson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (10 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING). Engrossed SB 2363 was placed on the Sixth order on the calendar.

Page 2, line 2, replace "one hundred" with "fifty"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2401, as engrossed: Natural Resources Committee (Rep. Nelson, Chairman)** recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2401 was placed on the Fourteenth order on the calendar.

#### MOTION

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

#### MOTION

**REP. MONSON MOVED** that the House be on the Fifth, Seventh, Ninth, Twelfth, and Sixteenth orders of business and at the conclusion of those orders, the House stand adjourned until 12:30 p.m., Friday, March 14, 2003, which motion prevailed.

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

**BRADLEY C. FAY, Chief Clerk**