

JOURNAL OF THE HOUSE

Fifty-eighth Legislative Assembly

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Bismarck, March 17, 2003

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

The prayer was offered by Rep. Scot Kelsh and Carrie Weisz, a student from Halliday.

The roll was called and all members were present except Representatives Boe and Thorpe.

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 First Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 815, line 6 replace "Wentz with Aarsvold"

Page 815, line 13 replace "Madam with Mr."

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

SIXTH ORDER OF BUSINESS

REP. BERG MOVED that the amendments on the Sixth order of business to SB 2320 be adopted, which motion prevailed.

SB 2320, as amended, was placed on the Fourteenth order of business on the calendar.

POINT OF PERSONAL PRIVILEGE

REP. N. JOHNSON: Madam Speaker: I rise on a point of personal privilege and request that my remarks be printed in the Journal.

REQUEST

REP. N. JOHNSON REQUESTED that her remarks be printed in the Journal, which request was granted.

On behalf of Reps. Wald, Haas, F. Klein, and N. Johnson, we would like to congratulate the Dickinson High School Boys Basketball Team for winning the State Class A Boys Basketball Tournament on March 15, 2003 with a 42-34 victory over Williston High School.

Dickinson had been rated number one in the state by the press power poll the second half of the season and were favored. However, Dickinson High School has been rated number one and favored before but had never won a state title. Dickinson High School graduated it's first graduate in 1894. One hundred nineteen years later in 2003, Coach Dean Winczewski, the Coaching Staff, the Team and the loyal Dickinson High School fans won the first State Class A Boys Basketball Championship in the history of the school.

Dickinson won the tournament by playing tough defense, rebounding and scoring clutch baskets. They displayed a never give up attitude and came from behind to win in the semifinal game. The community is proud to be represented by these students, athletes and coaches.

Coach Dean Winczewski was awarded the "North Dakota Class A Boys Coach of the Year" by the other Class A Coaches.

Congratulations to Dickinson High School, Coach Dean Winczewski and the Dickinson High School Boys Basketball Team on winning the 2003 Class A Boys Basketball Championship.

POINT OF PERSONAL PRIVILEGE

REP. R. KELSCH: Madam Speaker: I rise on a point of personal privilege and request that my remarks be printed in the Journal.

REQUEST

REP. R. KELSCH REQUESTED that her remarks be printed in the Journal, which request was granted.

This past Saturday, two very fine girls high school basketball teams squared off for the right to be crowned the 2003 North Dakota Class A girls High School Basketball Champions.

In one corner stood the mighty Spartans from Fargo North; the decided favorite by all the basketball experts, the team with a 50 game winning streak and the defending state champions.

In the other corner were the Mandan Braves, a team that was the undeniable underdog. But, champions are not crowned in the media or by the experts. Champions are crowned in the arena and last Saturday evening, the Mandan Braves were not to be denied. The Braves went deep into their lineup, implemented a mind rattling full court press, showed their true spirit, and tenacity. When the final buzzer sounded, it was the Mandan Braves and their never say die attribute that prevailed.

On behalf of Reps. Porter, Galvin, Kreidt, Kerzman, Froelich and myself, we ask you to join us in a hearty congratulations to the new North Dakota Class A Girls Basketball Champions, the Mandan Braves and their coaches Greg Amundson, Marv Peterson, Mark Andreson and Thai Goecke. We are so very proud of the dedication that these young women have shown in pursuit of their goal.

The Mandan Braves Championship Girls Basketball Team joins the Championship Mandan Braves Swim and Dive Team in the trophy case for 2002-2003.

SECOND READING OF SENATE BILL

SB 2414: A BILL for an Act to require the superintendent of public instruction to provide information on the No Child Left Behind Act; and to declare an emergency.

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; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsch, 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; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

NAYS: Gulleson; Solberg

ABSENT AND NOT VOTING: Boe; Thorpe

SB 2414, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2057: A BILL for an Act to create and enact a new section to chapter 15-39.1 of the North Dakota Century Code, relating to the purchase of service credit by employers under the teachers' fund for retirement; and to amend and reenact subsection 9 of section 15-39.1-04, sections 15-39.1-10.3, 15-39.1-10.6, 15-39.1-15, 15-39.1-16, 15-39.1-18, 15-39.1-19.1, and 15-39.1-20, and subsection 11 of section 15-39.1-24 of the North Dakota Century Code, relating to definition of salary, dual membership, benefit limitations, withdrawal, benefit options, disability retirement, discontinuance of retirement benefits, and acceptance of rollovers under the teacher's fund for retirement.

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

ABSENT AND NOT VOTING: Boe; Thorpe

SB 2057 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2059: A BILL for an Act to create and enact two new sections to chapter 39-03.1 of the North Dakota Century Code, relating to Internal Revenue Code compliance and employer service purchases under the highway patrolmen's retirement system; to amend and reenact section 39-03.1-08.2, subsection 2 of section 39-03.1-09, and sections 39-03.1-14.1 and 39-03.1-28 of the North Dakota Century Code, relating to the purchase of additional service credit, employer payment of employee contributions multiple plan membership, and confidentiality requirements under the highway patrolmen's retirement system; and to repeal section 39-03.1-11.1 of the North Dakota Century Code, relating to benefit limitations under the highway patrolmen's retirement system.

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; Bernstein; 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; Solberg; Svedjan; Thoreson; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

ABSENT AND NOT VOTING: Berg; Boe; Thorpe

Engrossed SB 2059 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2175: A BILL for an Act to amend and reenact section 40-08-15 of the North Dakota Century Code, relating to the compensation of a mayor.

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 89 YEAS, 3 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boehning; Boucher; Carlisle; Carlson; Clark; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; 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; Solberg; Svedjan; Thoreson; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

NAYS: Brusegaard; DeKrey; Glassheim

ABSENT AND NOT VOTING: Boe; Thorpe

SB 2175 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2200: A BILL for an Act to amend and reenact section 15-62.2-03.3 of the North Dakota Century Code, relating to the student financial assistance and scholars programs.

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

NAYS: Keiser

ABSENT AND NOT VOTING: Boe; Thorpe

SB 2200 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2208: A BILL for an Act to amend and reenact sections 40-04.1-05, 40-08-10, and 40-09-11 of the North Dakota Century Code, relating to the meeting dates of city governing bodies.

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

ABSENT AND NOT VOTING: Boe; Thorpe

SB 2208 passed and the title was agreed to.

MOTION

REP. BERG MOVED that SB 2415 be laid over one legislative day, which motion prevailed.

MOTION

REP. BERG MOVED that they suspend the rules and move the deadline for rereferred bills to Appropriations Committee to March 19, 2003, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2237: A BILL for an Act to amend and reenact subsection 12 of section 20.1-02-05 of the North Dakota Century Code, relating to the power of the director of the game and fish department to issue special crossbow hunting permits.

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 88 YEAS, 2 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Belter; Berg; Bernstein; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Devlin; Dosch; Drovda; 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; Skarphol; Solberg; Svedjan; Thoreson; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Zaiser; Speaker Wentz

NAYS: Bellew; Ruby

ABSENT AND NOT VOTING: Boe; Delzer; Thorpe; Wrangham

Engrossed SB 2237 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2270: A BILL for an Act to amend and reenact sections 40-16-04 and 40-16-05 of the North Dakota Century Code, relating to preparation and publication of the city financial statement.

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; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovda; 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; Solberg; Svedjan; Thoreson; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

ABSENT AND NOT VOTING: Boe; Thorpe

SB 2270 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2274: A BILL for an Act to amend and reenact sections 10-30.5-05 and 54-34.3-05 of the North Dakota Century Code, relating to the duties of the director of the department of commerce division of economic development and finance.

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; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovda; 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; Solberg; Svedjan; Thoreson; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

ABSENT AND NOT VOTING: Boe; Thorpe

SB 2274 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2312: A BILL for an Act to provide for a manufactured home installation program.

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, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovda; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleson; Haas; Hanson; Hawken; Headland; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; 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; Solberg; Svedjan; Thoreson; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

ABSENT AND NOT VOTING: Boe; Herbel; Kingsbury; Thorpe

Engrossed SB 2312 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2401: A BILL for an Act to amend and reenact sections 20.1-01-08 and 20.1-01-09 and subsection 3 of section 20.1-05-04 of the North Dakota Century Code, relating to the use of flashlights in taking raccoons.

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 88 YEAS, 4 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovda; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Keiser; 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; Solberg; Svedjan; Thoreson; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser

NAYS: Kasper; Kelsch, R.; Skarphol; Speaker Wentz

ABSENT AND NOT VOTING: Boe; Thorpe

Engrossed SB 2401 passed and the title was agreed to.

MOTION

REP. BERG MOVED that SB 2193 be laid over two legislative days, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2216: A BILL for an Act to create and enact a new section to chapter 15.1-06 of the North Dakota Century Code, relating to conduct by school students and staff.

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 55 YEAS, 37 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Berg; Boucher; Brusegaard; Delmore; Dosch; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Johnson, D.; Johnson, N.; Kelsch, R.; Kelsh, S.; Kerzman; Kingsbury; Klein, M.; Klemm; Kreidt; Kretschmar; Kroeber; Maragos; Meier; Metcalf; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Porter; Potter; Price; Sandvig; Schmidt; Solberg; Uglem; Warner; Warnke; Wikenheiser; Williams; Winrich; Zaiser; Speaker Wentz

NAYS: Bellew; Belter; Bernstein; Boehning; Carlisle; Carlson; Clark; DeKrey; Delzer; Devlin; Drovdal; Grande; Grosz; Iverson; Kasper; Keiser; Kempenich; Klein, F.; Koppelman; Martinson; Monson; Pietsch; Pollert; Rennerfeldt; Ruby; Severson; Sitte; Skarphol; Svedjan; Thoreson; Tieman; Timm; Wald; Weiler; Weisz; Wieland; Wrangham

ABSENT AND NOT VOTING: Boe; Thorpe

Engrossed SB 2216 passed and the title was agreed to.

HOUSE MEMORIAL SERVICE

REP. BERG MOVED that the House be on a Special Order of Business, which motion prevailed

Invocation:

Rep. Dale C. Severson
District 23
Cooperstown, ND

Musical Selection:

Battle Hymn of Republic
Rep. John Warner

MOTION

REP. M. KLEIN MOVED that a committee of four be appointed to escort the families and friends of the deceased into the chamber, which motion prevailed. The Chair appointed Reps. Ruby, Niemeier, Warner and Nottestad to such committee.

MOTION

REP. BERG MOVED moved that the House be on the Ninth order of business, which motion prevailed.

FIRST READING OF HOUSE MEMORIAL RESOLUTION

Memorial Resolutions Committee introduced:

HMR 7001: A memorial resolution for deceased members of the House of Representatives of North Dakota.

Was read the first time.

MOTION

REP. BERG MOVED that the rules be suspended, that HMR 7001 not be printed, not be referred to committee, be read in its entirety, be printed in the Journal, and placed on the calendar for second reading and final passage, which motion prevailed.

Memorial Resolutions Committee introduced:

HOUSE MEMORIAL RESOLUTION NO. 7001

A memorial resolution for deceased members of the House of Representatives of North Dakota.

WHEREAS, God has welcomed to their eternal home our former colleagues:

Bernie Anderson, who served in the 45th Legislative Assembly, from District 27, died February 20, 2003;

Charles C. Anderson, who served in the 47th through the 49th Legislative Assemblies, from District 7, died September 21, 2001;

Frank Bassingthwaite, who served in the 36th and 37th Legislative Assemblies, from District 18, died January 2, 2002;

Reuel E. Harrison, who served in the 39th Legislative Assembly, from District 23, died March 19, 2002;

Weldon Haugen, who served in the 31st Legislative Assembly, from District 46, died March 20, 2002;

LeRoy "Roy" Hausauer, who served in the 42nd through the 55th Legislative Assemblies, from District 25, died September 24, 2002;

Ruth E. Holm, who served in the 53rd and 54th Legislative Assemblies, from District 21, died July 31, 2002;

John M. Howard, who served in the 51st and 52nd Legislative Assemblies, from District 14, and in the 53rd and 54th Legislative Assemblies, from District 29, died February 5, 2002;

Karnes Johnson, who served in the 39th through the 44th Legislative Assemblies, from District 39, died July 27, 2002;

Ray Juhola, who served in the 27th Legislative Assembly, from District 26, died February 24, 2001;

Doug Payne, who served in the 49th through the 52nd Legislative Assemblies, from District 51, and in the 53rd and 54th Legislative Assemblies, from District 11, died November 28, 2001;

Dave Robinson, who served in the 32nd Legislative Assembly, from District 46, died September 15, 2001; and

WHEREAS, we now pause to mourn the passing of our former House colleagues and to honor their memories; and

WHEREAS, these legislators rendered outstanding service to the people of the state by their contributions to public service;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA:

That we express our sorrow on their passing and our appreciation, on behalf of the people of North Dakota, of the loyal and devoted service of our former colleagues; and

BE IT FURTHER RESOLVED, that for the perpetuation of their memory this token of respect and sympathy by their successors in trust be printed in the Journal of the House of Representatives and that the Secretary of State present enrolled copies of this resolution to the surviving families of these deceased representatives.

SECOND READING OF HOUSE MEMORIAL RESOLUTION

HMR 7001: A memorial resolution for deceased members of the House of Representatives of North Dakota.

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

HMR 7001 was declared adopted on a voice vote.

Musical Selection:

Lux Aeternam from the Requiem by John Rutter

Sanctus from the Requiem by John Rutter

Minot Chamber Chorale

Memorial Resolution:

Rep. Carol A. Niemeier

Rep. Dan Ruby

Secretary of State Alvin Jaeger

Group Song

Rep. Amy Warnke

Rep. Tom Brusegaard

Reading:
Rep. Ralph Metcalf

Benediction:
Rep. Dale C. Severson

Musical Selection:
The Lord Bless you and Keep you
Minot Chamber Chorale

The families and friends of the deceased were escorted from the Chamber by Reps. M. Klein, Mueller, Haas, and Kingsbury.

MOTION

REP. MONSON MOVED that the Special Order of Business be dissolved, which motion prevailed.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has passed, the emergency clause carried, unchanged: HB 1163.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has amended and subsequently passed: HB 1362.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1362

Page 1, line 2, after the fifth comma insert "45-10.1-01.2"

Page 33, line 8, remove the underscored colon

Page 33, line 9, remove "(1) An" and overstrike "original and two" and insert immediately thereafter ":

(1) Three"

Page 34, line 11, replace "Exempt" with "Confidential" and replace "of" with "or"

Page 34, line 13, replace "an exempt record as defined by subsection 5 of section" with "confidential"

Page 34, line 14, remove "44-04-17.1" and remove "take reasonable precautions to"

Page 34, line 15, remove "the secretary of state determines to"

Page 34, line 16, remove "be a closed record"

Page 102, line 22, remove the underscored colon

Page 102, line 23, remove "(1) An" and overstrike "original and two" and insert immediately thereafter ":

(1) Three"

Page 103, line 13, replace "Exempt" with "Confidential"

Page 103, line 15, replace "an exempt record as defined by subsection 5 of section" with "confidential"

Page 103, line 16, remove "44-04-17.1" and remove "take reasonable precautions to"

Page 103, line 17, remove "the secretary of state determines to"

Page 103, line 18, remove "be a closed record"

Page 130, line 15, remove the underscored colon

Page 130, line 16, remove "(1) An" and overstrike "original and two" and insert immediately thereafter ":

(1) Three"

Page 132, line 5, replace "Exempt" with "Confidential"

Page 132, line 7, replace "an exempt record as defined by subsection 5 of section" with "confidential"

Page 132, line 8, remove "44-04-17.1" and remove "take reasonable precautions to"

Page 132, line 9, remove "the secretary of state determines to"

Page 132, line 10, remove "be a closed record"

Page 138, after line 10, insert:

"SECTION 119. Section 45-10.1-01.2 of the North Dakota Century Code is created and enacted as follows:

45-10.1-01.2. Applicability of chapters 45-12 through 45-21.

1. In any case not provided for in this chapter, chapters 45-12 through 45-21 govern.
2. If applying chapters 45-12 through 45-21 to a limited partnership, all references in chapters 45-12 through 45-21 to a "partnership" refer to a "limited partnership".
3. If any provision of this chapter conflicts with chapters 45-12 through 45-21, the provision of this chapter takes precedence."

Page 142, line 31, replace "An original and two" with "Three"

Page 150, line 6, replace "Exempt" with "Confidential"

Page 150, line 8, replace "an exempt record as defined by subsection 5 of section" with "confidential"

Page 150, line 9, remove "44-04-17.1" and remove "take reasonable precautions to"

Page 150, line 10, remove "the secretary of state determines to"

Page 150, line 11, remove "be a closed record"

Page 175, line 7, remove the underscored colon

Page 175, line 8, remove "(1) An" and overstrike "original and two" and insert immediately thereafter ":

(1) Three"

Page 182, line 1, replace "Exempt" with "Confidential"

Page 182, line 3, replace "an exempt record as defined by subsection 5 of section" with "confidential"

Page 182, line 4, remove "44-04-17.1" and remove "take reasonable precautions to"

Page 182, line 5, remove "the secretary of state determines to"

Page 182, line 6, remove "be a closed record"

Renumber accordingly

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has passed unchanged: HB 1095, HB 1113, HB 1117, HB 1214, HB 1224, HB 1334, HB 1383, HB 1444, HB 1480, HCR 3069.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has failed to pass: HB 1049, HB 1114, HB 1120, HB 1176.

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 2084, SB 2156, and SB 2238.

MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)
MR. PRESIDENT: The House has amended and subsequently passed: SB 2195, SB 2268.

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 1046, HB 1100, HB 1143.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bills were delivered to the Governor for approval on March 17, 2003: HB 1029, HB 1036, HB 1072, HB 1074, HB 1075, HB 1076, HB 1128, HB 1157, HB 1178, HB 1183, HB 1184, HB 1205, HB 1220, HB 1273, HB 1288, HB 1297, HB 1306, HB 1319, HB 1345, HB 1359, HB 1380, HB 1386, HB 1436, HB 1437.

REPORT OF STANDING COMMITTEE

SB 2041, as reengrossed: Judiciary Committee (Rep. DeKrey, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Reengrossed SB 2041 was placed on the Sixth order on the calendar.

Page 1, line 3, remove the first "and", replace "section" with "sections", and after "12-60-16.2" insert ", 12-60-16.9, and 12-60-18"

Page 1, line 4, after "information" insert "and fees for criminal history record checks; and to provide a continuing appropriation"

Page 3, after line 10, insert:

"SECTION 3. AMENDMENT. Section 12-60-16.9 of the North Dakota Century Code is amended and reenacted as follows:

12-60-16.9. Criminal history record information - Fee for record check - Continuing appropriation. The bureau shall impose a fee of ~~twenty~~ twenty-five dollars for each record check. The bureau shall waive the fee for any criminal justice agency or court, and shall impose a fee of three dollars for each record check for a nonprofit organization that is organized and operated in this state exclusively for charitable purposes for the exclusive benefit of minors. Five dollars of the fee for each record check must be deposited in the criminal justice information sharing fund. The funds deposited into the criminal justice information sharing fund are appropriated to the information technology department on a continuing basis for the purpose of funding the criminal justice information sharing activities authorized by the criminal justice information sharing board under section 1 of this Act.

SECTION 4. AMENDMENT. Section 12-60-18 of the North Dakota Century Code is amended and reenacted as follows:

12-60-18. Money collected paid into general fund. Except as provided in section 12-60-16.9, all moneys collected or received, including all rewards for the apprehension or conviction of any criminal earned or collected by the superintendent, the chief of the bureau, his assistants, or any employee of his office, shall be paid into the general fund of the state.

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2065, as reengrossed: Education Committee (Rep. R. Kelsch, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed SB 2065 was placed on the Sixth order on the calendar.

Page 1, line 21, remove "The superintendent of public instruction may not administer the"

Page 1, remove line 22

Page 2, remove lines 1 through 6

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2070: Judiciary Committee (Rep. DeKrey, Chairman) recommends **DO PASS** (10 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). SB 2070 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2119: Education Committee (Rep. R. Kelsch, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (8 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). SB 2119 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact subsection 2 of section 15-62.2-00.1 of the North Dakota Century Code, relating to eligible institutions under the student financial assistance program.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 2 of section 15-62.2-00.1 of the North Dakota Century Code is amended and reenacted as follows:

2. "Eligible institution" means an accredited public or ~~nonprofit~~ private postsecondary institution offering a program of at least two academic years in length in this state."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2150, as engrossed: Transportation Committee (Rep. Weisz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (11 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2150 was placed on the Sixth order on the calendar.

Page 1, line 10, after "furnish" insert ", upon request and payment of a fee of three dollars," and after "information" insert "from the commercial driver's license information system"

Page 1, line 11, after the first "employer" insert an underscored comma, after "or" insert "a", after the second "employer" insert "if the person has given written consent to the prospective employer for this information", and remove "upon"

Page 1, line 12, remove "request and payment of a fee of three dollars"

Page 8, line 22, after "vehicle" insert ", and either conviction results in the revocation, cancellation, or suspension of an operator's license, including a commercial driver's license"

Page 8, line 26, after "vehicle" insert ", and either conviction results in the revocation, cancellation, or suspension of an operator's license, including a commercial driver's license"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2151: Judiciary Committee (Rep. DeKrey, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2151 was referred to the **Appropriations Committee**.

REPORT OF STANDING COMMITTEE

SB 2157, as engrossed: Judiciary Committee (Rep. DeKrey, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2157 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2192, as engrossed: Judiciary Committee (Rep. DeKrey, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS**

(12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2192 was placed on the Sixth order on the calendar.

Page 1, line 9, remove "through a"

Page 1, line 10, remove "public safety answering point"

Page 1, line 16, overstrike "or" and after the second "provider" insert ", or person"

Page 1, line 19, overstrike "or" and after the second comma insert "or person"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2194, as reengrossed: 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). Reengrossed SB 2194 was placed on the Sixth order on the calendar.

Page 1, line 9, remove "a minimum of forty hours per month"

Page 2, line 2, replace "the program" with "medical assistance"

Page 2, line 7, replace "40" with "42"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2211, as engrossed: Judiciary Committee (Rep. DeKrey, Chairman) recommends **DO PASS** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2211 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2212, as engrossed: Judiciary Committee (Rep. DeKrey, Chairman) recommends **DO PASS** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2212 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2222, as reengrossed: Agriculture Committee (Rep. Nicholas, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed SB 2222 was placed on the Sixth order on the calendar.

Page 3, line 1, replace "No eligible facility may receive" with "The agricultural products utilization commission may not distribute"

Page 3, line 9, replace "thirty-five" with "forty"

Page 3, line 16, after "**incentives**" insert "- Report to budget section"

Page 3, line 19, remove the overstrike over "4-"

Page 3, line 28, replace "five" with "six"

Page 4, line 2, replace "two" with "three" and remove "fifty"

Page 4, after line 3, insert:

"2. The agricultural products utilization commission shall determine the amount of production incentives to which a plant is entitled under this section by multiplying the number of gallons of ethanol produced by the plant and marketed to a distributor or wholesaler by forty cents. The commission shall forward the production incentives to the plant upon receipt of an affidavit by the plant indicating that the ethanol is to be sold at retail to consumers. The affidavit must be accompanied by an affidavit from a wholesaler or retailer indicating that the ethanol is to be sold at retail to consumers. Within ninety days after the conclusion of the plant's fiscal year, the plant shall submit to the budget section of the legislative council a

statement by a certified public accountant indicating whether the plant produced a profit from its operation in the preceding fiscal year, after deducting the payments received under this section."

Page 4, line 12, replace "thirty-five" with "forty"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2228, as engrossed: Judiciary Committee (Rep. DeKrey, Chairman) recommends **DO PASS** (10 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). Engrossed SB 2228 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2240, as engrossed: Natural Resources Committee (Rep. Nelson, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). Engrossed SB 2240 was placed on the Sixth order on the calendar.

Page 1, line 3, after "projects" insert "; and to declare an emergency"

Page 3, after line 12, insert:

"SECTION 6. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2245: Human Services Committee (Rep. Price, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (9 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). SB 2245 was placed on the Sixth order on the calendar.

Page 1, line 9, replace "two" with "twenty-five"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2246: Human Services Committee (Rep. Price, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (9 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). SB 2246 was placed on the Sixth order on the calendar.

Page 2, line 25, replace "five" with "two"

Page 2, line 27, after the underscored period insert "Any damages awarded under this subsection must be reduced by the amount of any late fees for the same payment which have been collected by the public authority under section 4 of this Act."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2253: 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). SB 2253 was placed on the Sixth order on the calendar.

Page 1, line 1, after "reenact" insert "section 12-60-16.9 and"

Page 1, line 2, after "to" insert "criminal history record information fees and"

Page 1, after line 3, insert:

"SECTION 1. AMENDMENT. Section 12-60-16.9 of the North Dakota Century Code is amended and reenacted as follows:

12-60-16.9. Criminal history record information - Fee for record check.
~~The~~ For each criminal history record check conducted, the bureau shall impose a fee of
~~twenty dollars for each in an amount equal to the actual cost of conducting the record~~

check. The bureau shall waive the fee for any criminal justice agency or court, and shall impose a fee of three dollars for each record check for a nonprofit organization that is organized and operated in this state exclusively for charitable purposes for the exclusive benefit of minors."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2271, as engrossed: Judiciary Committee (Rep. DeKrey, Chairman) recommends **DO PASS** (10 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). Engrossed SB 2271 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2277: Political Subdivisions Committee (Rep. Froseth, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2277 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2299, as engrossed: Government and Veterans Affairs Committee (Rep. M. Klein, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2299 was placed on the Sixth order on the calendar.

Page 4, line 13, replace "committee" with "subcommittee"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2315, as reengrossed: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **DO NOT PASS** (11 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). Reengrossed SB 2315 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2335, as engrossed: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). Engrossed SB 2335 was rereferred to the **Appropriations Committee**.

REPORT OF STANDING COMMITTEE

SB 2337, as engrossed: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2337 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2344: Government and Veterans Affairs Committee (Rep. M. Klein, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2344 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2346, as engrossed: Political Subdivisions Committee (Rep. Froseth, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). Engrossed SB 2346 was placed on the Sixth order on the calendar.

Page 4, replace lines 5 and 6 with:

~~"3. "Division" means the training section of the bureau of criminal investigation."~~

Page 4, line 7, remove "3."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2349, as engrossed: Human Services Committee (Rep. Price, Chairman) recommends **DO NOT PASS** (11 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2349 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2361, as engrossed: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION** (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2361 was placed on the Sixth order on the calendar.

Page 1, line 3, after the semicolon insert "to provide an appropriation;"

Page 1, line 8, after the boldfaced dash insert "**Appropriation -**"

Page 1, line 13, replace "After deduction by the tax department of a" with "Notwithstanding any other provision of law, up to twelve thousand dollars received from contributions to the silver-haired education association during the biennium beginning July 1, 2003, and ending June 30, 2005, must be deposited in the tax commissioner's operating fund and is appropriated to the tax commissioner for the purpose of defraying the"

Page 1, line 14, remove "reasonable amount for" and replace ", the" with ". The"

Re-number accordingly

REPORT OF STANDING COMMITTEE

SB 2393, as engrossed: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO PASS** (8 YEAS, 3 NAYS, 3 ABSENT AND NOT VOTING). Engrossed SB 2393 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2407, as engrossed: Transportation Committee (Rep. Weisz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2407 was placed on the Sixth order on the calendar.

Page 3, line 11, remove "the tire pressure"

Page 3, line 12, replace "per" with "for each" and after "inch" insert "[2.54 centimeters]"

Page 3, line 17, remove "the tire pressure"

Page 3, line 18, replace "per" with "for each" and after "inch" insert "[2.54 centimeters]"

Re-number accordingly

REPORT OF STANDING COMMITTEE

SCR 4007, as engrossed: Government and Veterans Affairs Committee (Rep. M. Klein, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SCR 4007 was placed on the Sixth order on the calendar.

Page 1, line 8, replace the first "of" with "on" and remove ", unlike the People's Republic of China"

Page 1, line 9, remove "and Russia,"

Re-number accordingly

MOTION

REP. MONSON MOVED that the absent members 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 1:00 p.m., Tuesday, March 18, 2003, which motion prevailed.

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

BRADLEY C. FAY, Chief Clerk