

JOURNAL OF THE HOUSE

Sixtieth Legislative Assembly

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Bismarck, April 10, 2007

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

The prayer was offered by Pastor Donna Dohrmann with Lutheran Church of the Cross, Bismarck.

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

A quorum was declared by the Speaker.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. SVEDJAN MOVED that the House do not concur in the Senate amendments to Engrossed HB 1005 as printed on HJ pages 1390-1391 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on Engrossed HB 1005: Reps. Nelson, Wieland, Kerzman.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. BELTER MOVED that the House do not concur in the Senate amendments to Engrossed HB 1049 as printed on HJ page 1451 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on Engrossed HB 1049: Reps. Weiler, Skarphol, Vig.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. SVEDJAN MOVED that the House do not concur in the Senate amendments to Reengrossed HB 1296 as printed on HJ pages 1325-1326 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on Reengrossed HB 1296: Reps. Wieland, Bellew, Metcalf.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. PORTER MOVED that the House do not concur in the Senate amendments to Engrossed HB 1311 as printed on HJ pages 1437-1438 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on Engrossed HB 1311: Reps. Porter, DeKrey, Hanson.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. PRICE MOVED that the House do not concur in the Senate amendments to Engrossed HB 1433 as printed on HJ pages 1408-1409 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on Engrossed HB 1433: Reps. Weisz, Klein, Schneider.

MOTION

REP. MONSON MOVED that HB 1127 be moved to the bottom of the Twelfth order, which motion prevailed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DEKREY MOVED that the House do concur in the Senate amendments to Engrossed HB 1319 as printed on HJ pages 1123-1125, which motion prevailed on a voice vote.

Engrossed HB 1319, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1319: A BILL for an Act to create and enact two new sections to chapter 12.1-05 of the North Dakota Century Code, relating to the use of and liability for deadly force; and to amend and reenact section 12.1-05-07 of the North Dakota Century Code, relating to the use of deadly force.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 80 YEAS, 13 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Boehning; Brandenburg; Carlisle; Carlson; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gulleeson; Haas; Hawken; Headland; Heller; Herbel; Hofstad; Hunsakor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Meyer, S.; Monson; Mueller; Nelson; Nottestad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

NAYS: Boe; Boucher; Charging; Gruchalla; Hanson; Hatlestad; Metcalf; Myxter; Onstad; Schmidt; Schneider; Thorpe; Vig

ABSENT AND NOT VOTING: Kempenich

Reengrossed HB 1319 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. R. KELSCH MOVED that the House do concur in the Senate amendments to Engrossed HB 1491 as printed on HJ page 1438, which motion prevailed on a voice vote.

Engrossed HB 1491, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1491: A BILL for an Act to create and enact a new section to chapter 15.1-21 of the North Dakota Century Code, relating to electronic course delivery; to provide for a legislative council report; and to provide an effective date.

ROLL CALL

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

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleeson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunsakor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

ABSENT AND NOT VOTING: Kempenich

Reengrossed HB 1491 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. D. JOHNSON MOVED that the House do concur in the Senate amendments to HCR 3034 as printed on HJ page 1341, which motion prevailed on a voice vote.

HCR 3034, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3034: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of addressing the current imbalance in the funding and governance of the North Dakota State Potato Council and of eliminating refunds from the potato assessment law.

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

Engrossed HCR 3034 passed and the title was agreed to on a voice vote.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. N. JOHNSON MOVED that the conference committee report on Engrossed HB 1403 as printed on HJ page 1501 be adopted, which motion prevailed on a voice vote.

Engrossed HB 1403, as amended, was placed on the Eleventh order.

MOTION

REP. BERG MOVED that HB 1403, which is on the Eleventh order, be laid over one legislative day, which motion prevailed.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. CLARK MOVED that the conference committee report on Engrossed HB 1417 as printed on HJ page 1475 be adopted, which motion prevailed on a voice vote.

Engrossed HB 1417, as amended, was placed on the Eleventh order.

SECOND READING OF HOUSE BILL

HB 1417: A BILL for an Act to create and enact chapter 51-33 of the North Dakota Century Code, relating to security freezes on consumer credit reports; to provide a penalty; to provide an effective date; and to declare an emergency.

ROLL CALL

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

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovda; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleon; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunsford; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kingsbury; Klein; Klemm; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

ABSENT AND NOT VOTING: Kempenich

Reengrossed HB 1417 passed, the title was agreed to, and the emergency clause was declared carried.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. KASPER MOVED that the conference committee report on Engrossed HB 1379 as printed on HJ page 1501 be adopted, which motion prevailed on a voice vote.

MOTION

REP. BERG MOVED that Rep. Drovda replace Rep. Kempenich on the House Conference Committee on SB 2225, which motion prevailed.

MOTION

REP. BERG MOVED that Rep. Carlisle replace Rep. Kempenich on the House Conference Committee on HB 1006, which motion prevailed.

MOTION

REP. BERG MOVED that the House Conference Committee on Engrossed SB 2284 be dissolved and that a new conference committee be appointed, which motion prevailed.

THE SPEAKER APPOINTED as a new Conference Committee on:

Engrossed SB 2284: Reps. DeKrey, Klemin, Delmore

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)

MR. PRESIDENT: The Speaker has signed: SB 2353.

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 2276.

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

MR. SPEAKER: The President has appointed Sen. Fischer to replace Sen. Erbele on the Conference Committee on SB 2186.

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

MR. SPEAKER: Your signature is respectfully requested on: SB 2111, SB 2125, SB 2154, SB 2204, SB 2236, SB 2247, SB 2274, SB 2277, SB 2411, SCR 4001.

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

MR. SPEAKER: The Senate has adopted the conference committee report and subsequently passed: SB 2016, SB 2109, SB 2137, SB 2262, SB 2352.

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

MR. SPEAKER: The President has signed: SB 2037, SB 2222, SB 2246, SB 2251, SB 2389, SB 2406.

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

MR. SPEAKER: The President has signed: HB 1010, HB 1088, HB 1092, HB 1157, HB 1219, HB 1348, HB 1402, HB 1422, HB 1456, HB 1505.

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

MR. SPEAKER: Your signature is respectfully requested on: SB 2276.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)

MR. PRESIDENT: The Speaker has appointed Rep. Carlisle to replace Rep. Kempenich on the Conference Committee on HB 1006.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)

MR. PRESIDENT: The Speaker has appointed Rep. Drovdal to replace Rep. Kempenich on the Conference Committee on SB 2225.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)

MR. PRESIDENT: The House does not concur in the Senate amendments to HB 1005, HB 1049, HB 1296, HB 1311, and HB 1433 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1005: Reps. Nelson; Wieland; Kerzman

HB 1049: Reps. Weiler; Skarphol; Vig

HB 1296: Reps. Wieland; Bellew; Metcalf

HB 1311: Reps. Porter; DeKrey; Hanson

HB 1433: Reps. Weisz; Klein; Schneider

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)

MR. PRESIDENT: The House has concurred in the Senate amendments and subsequently passed: HB 1319, HB 1491, and HCR 3034.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)

MR. PRESIDENT: The House has adopted the conference committee report: HB 1379.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)

MR. PRESIDENT: The House has adopted the conference committee report and subsequently passed: HB 1417.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)

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

SB 2284: Reps. DeKrey; Klemin; Delmore

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

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

HB 1001: Sens. Christmann; Holmberg; Seymour

HB 1012: Sens. Wardner; Krebsbach; Tallackson

HB 1019: Sens. Grindberg; Christmann; Mathern

HB 1243: Sens. Oehlke; Dever; Horne

HB 1469: Sens. Freborg; Urlacher; Pomeroy

HB 1515: Sens. Tollefson; Urlacher; Heitkamp

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

MR. SPEAKER: The Senate has amended and subsequently failed: HB 1320.

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

MR. SPEAKER: The Senate has adopted the conference committee report and subsequently passed: SB 2011, SB 2021, SB 2022, SB 2093, SB 2100, SB 2161, SB 2341.

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

MR. SPEAKER: The Senate has adopted the conference committee report and subsequently passed: HB 1065, HB 1270, HB 1334, HB 1507, HB 1513.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)

MR. PRESIDENT: The Speaker has signed: HB 1218, HB 1309, HB 1322, HB 1340, HB 1344, HB 1392, HB 1429, HB 1461, HB 1465, HB 1499.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)

MR. PRESIDENT: The Speaker has signed: HCR 3021, HCR 3046.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bills were delivered to the Governor for approval on April 10, 2007: HB 1218, HB 1309, HB 1322, HB 1340, HB 1344, HB 1392, HB 1429, HB 1461, HB 1465, HB 1499.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following resolutions were delivered to the Secretary of State for filing on April 10, 2007: HCR 3021, HCR 3046.

ANNOUNCEMENT

SPEAKER DELZER ANNOUNCED that the House stand in recess until 4:00 p.m..

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

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. HAAS MOVED that the House do not concur in the Senate amendments to Engrossed HB 1107 as printed on HJ page 1470 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on Engrossed HB 1107: Reps. Haas, Dahl, Potter.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. SVEDJAN MOVED that the House do not concur in the Senate amendments to Reengrossed HB 1197 as printed on HJ page 1123 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on Reengrossed HB 1197: Reps. Carlson, Klemin, Kerzman.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. PRICE MOVED that the House do not concur in the Senate amendments to Engrossed HB 1290 as printed on HJ pages 1283-1284 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on Engrossed HB 1290: Reps. Price, Uglen, Conrad.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. WEISZ MOVED that the House do not concur in the Senate amendments to HB 1359 as printed on HJ pages 1406-1407 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1359: Reps. Weisz, Owens, Schmidt.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DEKREY MOVED that the House do not concur in the Senate amendments to HB 1466 as printed on HJ pages 1466-1467 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1466: Reps. Koppelman, Kretschmar, Onstad.

MOTION

REP. BERG MOVED that the House Conference Committee on SB 2260 be dissolved and that a new conference committee be appointed, which motion prevailed.

THE SPEAKER APPOINTED as a new Conference Committee on:

SB 2260: Reps. DeKrey, Koppelman, Kroeber

MOTION

REP. BERG MOVED that the House Conference Committee on HB 1149 be dissolved and that a new conference committee be appointed, which motion prevailed.

THE SPEAKER APPOINTED as a new Conference Committee on:

HB 1149: Reps. Damschen, DeKrey, Hunskor

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)

MR. PRESIDENT: The House does not concur in the Senate amendments to HB 1107, HB 1197, HB 1290, HB 1359, and HB 1466 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1107: Reps. Haas; Dahl; Potter

HB 1197: Reps. Carlson; Klemin; Kerzman

HB 1290: Reps. Price; Uglen; Conrad

HB 1359: Reps. Weisz; Owens; Schmidt

HB 1466: Reps. Koppelman; Kretschmar; Onstad

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)

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

HB 1149: Reps. Damschen; DeKrey; Hunskor

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)

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

SB 2260: Reps. DeKrey; Koppelman; Kroeber

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, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 8:30 a.m., Wednesday, April 11, 2007, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

HB 1029, as engrossed: Your conference committee (Sens. Cook, Oehlke, Horne and Reps. Froseth, Owens, Schmidt) recommends that the **HOUSE ACCEDE** to the Senate amendments on HJ pages 857-858 and place HB 1029 on the Seventh order.

Engrossed HB 1029 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

HB 1166, as engrossed: Your conference committee (Sens. Nething, G. Lee, Bakke and Reps. Owens, Weisz, Delmore) recommends that the **HOUSE ACCEDE** to the Senate amendments on HJ page 1001 and place HB 1166 on the Seventh order.

Engrossed HB 1166 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

HB 1278, as engrossed: Your conference committee (Sens. Hacker, Wanzek, Potter and Reps. Vigesaa, Dosch, Thorpe) recommends that the **SENATE RECEDE** from the Senate amendments on HJ page 1001, adopt amendments as follows, and place HB 1278 on the Seventh order:

That the Senate recede from its amendments as printed on page 1001 of the House Journal and page 762 of the Senate Journal and that Engrossed House Bill No. 1278 be amended as follows:

Page 2, line 11, replace "sixty" with "fifty"

Renumber accordingly

Engrossed HB 1278 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2011: Your conference committee (Sens. Bowman, Holmberg, Lindaas and Reps. Thoreson, Kempenich, Williams) recommends that the **SENATE ACCEDE** to the House amendments on SJ pages 1192-1193 and place SB 2011 on the Seventh order.

SB 2011 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2016, as engrossed: Your conference committee (Sens. Grindberg, Wardner, Lindaas and Reps. Carlson, Skarphol, Glassheim) recommends that the **HOUSE RECEDE** from the House amendments on SJ pages 1067-1070, adopt amendments as follows, and place SB 2016 on the Seventh order:

That the House recede from its amendments as printed on pages 1067-1070 of the Senate Journal and pages 1177-1179 of the House Journal and that Engrossed Senate Bill No. 2016 be amended as follows:

Page 1, line 2, after the second semicolon insert "to provide statements of legislative intent; to provide for a legislative council study;"

Page 2, line 21, replace "380,667" with "60,667"

Page 2, line 22, replace "(5,000,000)" with "(4,880,000)"

Page 2, line 28, replace "40,903,707" with "40,703,707"

Page 2, line 30, replace "\$2,465,328" with "\$2,665,328"

Page 3, line 2, replace "867,484" with "1,167,484"

Page 3, line 4, replace "603,556" with "503,556"

Page 3, line 9, replace "\$8,262,448" with "\$8,062,448"

Page 3, line 11, replace "2,716,273" with "2,916,273"

Page 3, line 24, replace "1,250,667" with "930,667"

Page 3, line 25, replace "329,514" with "449,514"

Page 3, line 31, replace "88,782,734" with "88,582,734"

Page 4, line 2, replace "13,979,901" with "13,779,901"

Page 4, line 5, replace "7,494,122" with "7,794,122"

Page 4, line 6, replace "3,929,400" with "3,829,400"

Page 4, line 10, replace "54,723,504" with "54,923,504"

Page 4, line 12, replace "7,831,945" with "8,031,945"

Page 4, after line 29, insert:

"SECTION 6. LEGISLATIVE INTENT - DEPARTMENT OF EMERGENCY SERVICES ADVISORY COMMITTEE. It is the intent of the legislative assembly that the adjutant general consider changing the membership of the department of emergency services advisory committee to remove representatives of the information technology department and the infragard and include representatives of the North Dakota healthcare association and North Dakota sheriffs association.

SECTION 7. LEGISLATIVE INTENT - HOMELAND SECURITY FUNDING. It is the intent of the legislative assembly that political subdivisions place a greater influence on allocations of federal homeland security funding to emergency medical services and hospitals.

SECTION 8. LEGISLATIVE COUNCIL STUDY. The legislative council shall consider studying, during the 2007-08 interim, the department of emergency services, including the division of homeland security and the division of state radio. The study should include a review of the allocation of federal homeland security funding, the operation of state radio, and potential changes to the 911 fee structure to continue salary equity funding provided in the 2007-09 biennium. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-first legislative assembly.

SECTION 9. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-FIRST LEGISLATIVE ASSEMBLY. The total general fund appropriation line item in section 3 of this Act includes \$2,781,970 for the one-time funding items identified in this section. This amount is not part of the agency's base budget to be used in preparing the 2009-11 executive budget. The adjutant general shall report to the appropriations committees of the sixty-first legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2007, and ending June 30, 2009.

Computer-aided dispatch project	\$980,000
Motorola lease purchase payment (general fund portion)	1,084,970
Special assessments	92,000
Deferred maintenance	625,000
Total	\$2,781,970"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2016 - Summary of Conference Committee Action

	EXECUTIVE BUDGET	SENATE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	HOUSE VERSION	COMPARISON TO HOUSE
Adjutant General						
Total all funds	\$88,782,734	\$88,782,734	(\$200,000)	\$88,582,734	\$88,582,734	\$0
Less estimated income	74,802,833	74,802,833		74,802,833	74,802,833	
General fund	\$13,979,901	\$13,979,901	(\$200,000)	\$13,779,901	\$13,799,901	\$0
Department of Emergency Services						
Total all funds	\$54,623,504	\$54,723,504	\$200,000	\$54,923,504	\$54,923,504	\$0
Less estimated income	46,891,559	46,891,559		46,891,559	46,891,559	

General fund	\$7,731,945	\$7,831,945	\$200,000	\$8,031,945	\$8,031,945	\$0
Bill Total						
Total all funds	\$143,406,238	\$143,506,238	\$0	\$143,506,238	\$143,506,238	\$0
Less estimated income	<u>121,694,392</u>	<u>121,694,392</u>		<u>121,694,392</u>	<u>121,694,392</u>	
General fund	\$21,711,846	\$21,811,846	\$0	\$21,811,846	\$21,811,846	\$0

Senate Bill No. 2016 - Adjutant General - Conference Committee Action

	EXECUTIVE BUDGET	SENATE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	HOUSE VERSION	COMPARISON TO HOUSE
Salaries and wages	\$4,466,546	\$4,466,546		\$4,466,546	\$4,466,546	
Operating expenses	3,898,828	3,898,828		3,898,828	3,898,828	
Capital assets	1,250,667	1,250,667	(\$320,000)	930,667	930,667	
Grants	329,514	329,514	120,000	449,514	449,514	
Civil Air Patrol	160,163	160,163		160,163	160,163	
Tuition, recruiting, and retention	2,407,500	2,407,500		2,407,500	2,407,500	
Air Guard contract	9,480,731	9,480,731		9,480,731	9,480,731	
Army Guard contract	66,433,863	66,433,863		66,433,863	66,433,863	
Veterans' Cemetery	<u>354,922</u>	<u>354,922</u>		<u>354,922</u>	<u>354,922</u>	
Total all funds	\$88,782,734	\$88,782,734	(\$200,000)	\$88,582,734	\$88,582,734	\$0
Less estimated income	<u>74,802,833</u>	<u>74,802,833</u>		<u>74,802,833</u>	<u>74,802,833</u>	
General fund	\$13,979,901	\$13,979,901	(\$200,000)	\$13,779,901	\$13,779,901	\$0
FTE	176.00	176.00	0.00	176.00	176.00	0.00

Dept. 540 - Adjutant General - Detail of Conference Committee Changes

	REMOVES FUNDING FOR PAYOFF OF SPECIAL ASSESSMENTS ¹	PROVIDES FUNDING FOR PAYMENT OF SPECIAL ASSESSMENTS ²	PROVIDES FUNDING FOR ARMORY LEASE PAYMENTS OR MAINTENANCE ³	TOTAL CONFERENCE COMMITTEE CHANGES
Salaries and wages				
Operating expenses				
Capital assets	(\$470,000)	\$150,000		(\$320,000)
Grants			\$120,000	120,000
Civil Air Patrol				
Tuition, recruiting, and retention				
Air Guard contract				
Army Guard contract				
Veterans' Cemetery				
Total all funds	(\$470,000)	\$150,000	\$120,000	(\$200,000)
Less estimated income				
General fund	(\$470,000)	\$150,000	\$120,000	(\$200,000)
FTE	0.00	0.00	0.00	0.00

¹ This amendment removes one-time funding from the general fund of \$470,000 included in the executive budget for the payoff of special assessments.

² This amendment provides funding from the general fund of \$150,000 for special assessment annual installments and delinquent balances. Of the \$150,000, \$58,000 is considered base funding and \$92,000 is considered one-time funding.

³ This amendment provides funding from the general fund of \$120,000 for increasing lease payments or providing deferred maintenance grants to political subdivision-owned armories as determined appropriate by the Adjutant General.

This amendment also adds a section identifying one-time funding for the 2007-09 biennium.

Senate Bill No. 2016 - Department of Emergency Services - Conference Committee Action

	EXECUTIVE BUDGET	SENATE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	HOUSE VERSION	COMPARISON TO HOUSE
Salaries and wages	\$7,494,122	\$7,494,122	\$300,000	\$7,794,122	\$7,794,122	
Operating expenses	3,829,400	3,829,400	(100,000)	3,829,400	3,829,400	
Capital assets	1,525,347	1,525,347		1,525,347	1,525,347	
Grants	40,794,635	40,794,635		40,794,635	40,794,635	
Radio communications	<u>980,000</u>	<u>980,000</u>		<u>980,000</u>	<u>980,000</u>	
Total all funds	\$54,623,504	\$54,723,504	\$200,000	\$54,923,504	\$54,923,504	\$0
Less estimated income	<u>46,891,559</u>	<u>46,891,559</u>		<u>46,891,559</u>	<u>46,891,559</u>	
General fund	\$7,731,945	\$7,831,945	\$200,000	\$8,031,945	\$8,031,945	\$0
FTE	56.00	56.00	0.00	56.00	56.00	0.00

Dept. 542 - Department of Emergency Services - Detail of Conference Committee Changes

	PROVIDES FUNDING FOR SALARY EQUITY AND PAY GRADE ADJUSTMENTS ¹	REMOVES FUNDING FOR MAPPING PROJECT ²	TOTAL CONFERENCE COMMITTEE CHANGES
Salaries and wages	\$300,000		\$300,000
Operating expenses		(\$100,000)	(100,000)
Capital assets			
Grants			
Radio communications			
Total all funds	\$300,000	(\$100,000)	\$200,000
Less estimated income			
General fund	\$300,000	(\$100,000)	\$200,000
FTE	0.00	0.00	0.00

¹ This amendment provides funding of \$300,000 from the general fund for salary equity increases and pay grade adjustments for State Radio employees based on a compensation plan established by the Adjutant General.

² This amendment removes funding of \$100,000 from the general fund added by the Senate for a mapping project.

This amendment also:

- Adds a section of legislative intent regarding the Department of Emergency Services Advisory Committee.
- Adds a section of legislative intent regarding homeland security funding.
- Adds a section providing for a Legislative Council study.
- Adds a section identifying one-time funding for the 2007-09 biennium.

Engrossed SB 2016 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2021, as reengrossed: Your conference committee (Sens. Krebsbach, Wardner, Tallackson and Reps. Wald, Klein, Aarsvold) recommends that the **HOUSE RECEDE** from the House amendments on SJ pages 1241-1242, adopt amendments as follows, and place SB 2021 on the Seventh order:

That the House recede from its amendments as printed on pages 1241 and 1242 of the Senate Journal and pages 1300-1302 of the House Journal and that Reengrossed Senate Bill No. 2021 be amended as follows:

Page 1, line 2, remove "to provide an appropriation for the labor commissioner;"

Page 1, line 3, remove "and" and after "report" insert "; to provide a continuing appropriation; and to create and enact a new section to chapter 65-02 of the North Dakota Century Code, relating to implementation of occupational health and preventive medicine programs"

Page 1, remove lines 19 through 23

Page 2, remove lines 1 through 3

Page 2, after line 12, insert:

"SECTION 6. A new section to chapter 65-02 of the North Dakota Century Code is created and enacted as follows:

Occupational health and preventive medicine programs - Continuing appropriation. Upon approval of the board, the organization may establish and implement programs to advance occupational health and preventive medicine in this state and to protect the integrity of the fund. These programs may include the provision of education or training, consultation, grants, scholarships, or other incentives that promote superior care and treatment of the workforce in this state. Funds in the workforce and insurance fund are appropriated to the organization on a continuing basis for the purpose of funding the programs implemented under this section."

ReNUMBER accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2021 - Summary of Conference Committee Action

	EXECUTIVE BUDGET	SENATE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	HOUSE VERSION	COMPARISON TO HOUSE
Labor Commissioner						
Total all funds	\$0	\$1,072,319	(\$1,072,319)	\$0	\$0	\$0
Less estimated income		<u>1,072,319</u>	<u>(1,072,319)</u>			
General fund	\$0	\$0	\$0	\$0	\$0	\$0
Workforce Safety and Insurance						
Total all funds	\$50,020,989	\$53,273,732	\$0	\$53,273,732	\$53,273,732	\$0
Less estimated income	<u>50,020,989</u>	<u>53,273,732</u>		<u>53,273,732</u>	<u>53,273,732</u>	
General fund	\$0	\$0	\$0	\$0	\$0	\$0
Bill Total						
Total all funds	\$50,020,989	\$54,346,051	(\$1,072,319)	\$53,273,732	\$53,273,732	\$0
Less estimated income	<u>50,020,989</u>	<u>54,346,051</u>	<u>(1,072,319)</u>	<u>53,273,732</u>	<u>53,273,732</u>	
General fund	\$0	\$0	\$0	\$0	\$0	\$0

Senate Bill No. 2021 - Labor Commissioner - Conference Committee Action

	EXECUTIVE BUDGET	SENATE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	HOUSE VERSION	COMPARISON TO HOUSE
Salaries and wages		\$966,399	(\$966,399)			
Operating expenses		<u>105,920</u>	<u>(105,920)</u>			
Total all funds	\$0	\$1,072,319	(\$1,072,319)	\$0	\$0	\$0
Less estimated income		<u>1,072,319</u>	<u>(1,072,319)</u>			
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	5.00	(5.00)	0.00	0.00	0.00

Dept. 406 - Labor Commissioner - Detail of Conference Committee Changes

	REMOVES FUNDING AND FTE POSITIONS FOR OFFICE OF INDEPENDENT REVIEW ¹	TOTAL CONFERENCE COMMITTEE CHANGES
Salaries and wages	(\$966,399)	(\$966,399)
Operating expenses	<u>(105,920)</u>	<u>(105,920)</u>
Total all funds	(\$1,072,319)	(\$1,072,319)
Less estimated income	<u>(1,072,319)</u>	<u>(1,072,319)</u>
General fund	\$0	\$0
FTE	(5.00)	(5.00)

¹ This amendment removes the appropriation to the Labor Commissioner of \$1,072,319 from the Workforce Safety and Insurance fund for implementing the provisions of Senate Bill No. 2292 relating to the administration of the Office of Independent Review due to the defeat of the bill. This amendment also removes the authorization of 5 new FTE positions for the Labor Commissioner, 4 FTE positions transferred from Workforce Safety and Insurance, and 1 new FTE position. The appropriation and FTE position were also removed by the House.

Senate Bill No. 2021 - Workforce Safety and Insurance - Conference Committee Action

	EXECUTIVE BUDGET	SENATE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	HOUSE VERSION	COMPARISON TO HOUSE
Workforce Safety and Insurance	\$50,020,989	\$53,273,732		\$53,273,732	\$53,273,732	
Total all funds	\$50,020,989	\$53,273,732	\$0	\$53,273,732	\$53,273,732	\$0
Less estimated income	<u>50,020,989</u>	<u>53,273,732</u>		<u>53,273,732</u>	<u>53,273,732</u>	
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	223.14	233.14	4.00	237.14	237.14	0.00

Dept. 485 - Workforce Safety and Insurance - Detail of Conference Committee Changes

	RESTORES THE FTE POSITIONS	TOTAL CONFERENCE COMMITTEE CHANGES
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Workforce Safety and

Insurance		
Total all funds	\$0	\$0
Less estimated income		
General fund	\$0	\$0
FTE	4.00	4.00

This amendment:

- Creates a new section to North Dakota Century Code (NDCC) Chapter 65-02 relating to occupational health and preventive medicine programs. This section was also added by the House.
- Retains quarterly reports to the Budget Section on the agency's status of implementing the performance audit recommendations of the State Auditor as provided for in the Senate version of the bill. The House had changed the reporting requirements to semiannual reports to the Budget Section.
- Does not include a new section to NDCC Chapter 65-02 relating to employee awards and incentives as added by the House.

Reengrossed SB 2021 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2022: Your conference committee (Sens. Krebsbach, Wardner, Krauter and Reps. Carlisle, Kempenich, Kroeber) recommends that the **SENATE ACCEDE** to the House amendments on SJ pages 1196-1197 and place SB 2022 on the Seventh order.

SB 2022 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2093, as engrossed: Your conference committee (Sens. J. Lee, Dever, Nelson and Reps. Grande, Dahl, Wolf) recommends that the **HOUSE RECEDE** from the House amendments on SJ pages 1039-1041, adopt amendments as follows, and place SB 2093 on the Seventh order:

That the House recede from its amendments as printed on pages 1039-1041 of the Senate Journal and pages 1127-1129 of the House Journal and that Engrossed Senate Bill No. 2093 be amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact section 11-10-16, subsection 2 of section 44-08-04, and sections 44-08-04.4, 44-08-05.1, and 54-44.4-11 of the North Dakota Century Code, relating to payment of travel expenses of state and county officers and employees and purchasing card authority; and to provide a penalty.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 11-10-16 of the North Dakota Century Code is amended and reenacted as follows:

11-10-16. Statement to claim mileage. ~~Before~~ Unless the expense was incurred by the use of a purchasing card, before an allowance for mileage or travel expense may be paid by a county, the ~~person~~ individual for whose travel the claim is made shall file with the county auditor an itemized statement verified by affidavit showing the number of miles traveled, the mode of travel, the days of traveling, the purpose of the travel, and the destination. ~~Before a claim for mileage is allowed or paid, the claimant shall file the statement and affidavit with the board of county commissioners which shall decide whether to allow the claim.~~

SECTION 2. AMENDMENT. Subsection 2 of section 44-08-04 of the North Dakota Century Code is amended and reenacted as follows:

2. ~~Expenses for~~ For travel within the state ~~must be reimbursed at~~, the following rates for each quarter of any twenty-four-hour period must be used:

- a. First quarter is from six a.m. to twelve noon and the sum must be five dollars. First quarter reimbursement may not be made if travel began after seven a.m.
- b. Second quarter is from twelve noon to six p.m. and the sum must be seven dollars and fifty cents.
- c. Third quarter is from six p.m. to twelve midnight and the sum must be twelve dollars and fifty cents.
- d. Fourth quarter is from twelve midnight to six a.m. and the sum must be the actual lodging expenses not to exceed fifty dollars plus any additional applicable state or local taxes. A political subdivision may reimburse an elective or appointive officer, employee, representative, or agent for actual lodging expenses.

SECTION 3. AMENDMENT. Section 44-08-04.4 of the North Dakota Century Code is amended and reenacted as follows:

44-08-04.4. Prepayment of travel expenses of state officers and employees. Any travel expense, including airline tickets and registration fees, that must be incurred more than five weeks in advance of approved travel ~~of to meet necessary deadlines or to obtain low rates, may be purchased by the state or any elected or appointed officer, employee, representative, or agent of this state to meet necessary deadlines or to obtain low rates must be purchased prepaid by the state.~~ No state entity may require an officer, employee, representative, or agent of the state to pay these expenses.

SECTION 4. AMENDMENT. Section 44-08-05.1 of the North Dakota Century Code is amended and reenacted as follows:

44-08-05.1. Payments - Requirements for approval Purchasing card authority - ~~Penalty - Action for violations.~~

1. Any public officer or employee who has the power to approve a payment ~~for a department, agency, or institution~~ for travel expenses or any other ~~state~~ expenditure of public funds shall determine before approving the payment:
 - a. That the expenditure for travel or other expenditures were for lawful and official purposes.
 - b. If for employee travel reimbursement, ~~that the travel actually occurred and that~~ the sums claimed for travel expenses are actually due the individual who is seeking reimbursement, allowance, or payment.
 - c. If the payment is for expenditure other than travel expense, that the expenditure is lawful and that the payment contains no false claims.

~~For purchases made with the use of a purchasing card authorized under section 54-44.4-11, an~~

2. The director of the office of management and budget, the state board of higher education, the governing body of any political subdivision, and the board of any school district may establish and administer a purchasing card system for use by its officers, employees, representatives, or agents. If the director of the office of management and budget establishes a cooperative purchasing contract under section 54-44.4-13, each participating government entity is responsible for its purchasing card system.
3. An employee of the office of management and budget designated by the director of the office of management and budget, on behalf of all state agencies, may review and approve payments under this section made with a purchasing card and make payments pursuant thereto. The director of the office of management and budget may designate the state agencies that are required to use the purchasing card system.
4. Any public officer or employee who ~~willfully fraudulently~~ willfully fraudulently uses a purchasing card or knowingly approves a payment ~~with knowledge it contains~~ with knowledge it contains for false or unlawful claims or ~~that it~~ which does not otherwise meet the

~~requirements of this section for approval is guilty of theft and punishable under chapter 12-1-23 may be subject to criminal prosecution under title 12.1. Any public officer or employee who, without the use of ordinary care and diligence, negligently uses a purchasing card or approves a payment for a department, agency, or institution containing false or unlawful claims or which does not otherwise meet the requirements of this section for approval is personally liable for any funds improperly expended. The director of the office of management and budget, members of the office of the budget, state auditor Any public officer, employee, or any other person individual who has knowledge of an actual or possible violation of this section shall make such that information known to the attorney general or the appropriate state's attorney. The attorney general or appropriate state's attorney shall investigate any alleged violation and, if a violation appears to exist, shall prosecute under chapter 12-1-23. If there is probable cause to believe that a violation has occurred, the attorney general or appropriate state's attorney shall initiate a criminal prosecution under title 12.1 or bring a civil suit against the public officer or employee for the recovery of such the funds as may actually have been improperly paid against the payee and officer or employee who approved the payment in violation of the above requirements or shall bring both such criminal action and civil suit. The officer or employee who approves any payment negligently has the right of subrogation against the payee of the payment in the event public funds have been improperly paid to the payee, or may initiate a prosecution and a civil suit.~~

SECTION 5. AMENDMENT. Section 54-44.4-11 of the North Dakota Century Code is amended and reenacted as follows:

54-44.4-11. Small purchases.

1. A procurement not exceeding the amount established by written directive of the director of the office of management and budget ~~under section 54-44.4-02~~ or by the state board of higher education under subsection 5 of section 15-10-17 may be made in accordance with small purchase procedures.
2. A small purchase need not be made through competitive sealed bidding or competitive sealed proposals. However, small purchases must be made with competition that is practicable under the circumstances.
3. Procurement requirements may not be artificially divided as to constitute a small purchase under this section.
4. ~~The director of the office of management and budget may establish and administer, including by contract with a provider, a system of procurement for commodities agencies are authorized to purchase under this section. If the director establishes a purchasing card system under this subsection, the director may designate which agencies are required to use the purchasing card system for purchasing commodities under this section."~~

Renumber accordingly

Engrossed SB 2093 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2100, as engrossed: Your conference committee (Sens. Lyson, Olafson, Marcellais and Reps. Hatlestad, Porter, Schneider) recommends that the **SENATE ACCEDE** to the House amendments on SJ pages 907-908 and place SB 2100 on the Seventh order.

Engrossed SB 2100 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2109, as engrossed: Your conference committee (Sens. J. Lee, Dever, Warner and Reps. Pietsch, Price, Potter) recommends that the **HOUSE RECEDE** from the House amendments on SJ page 832, adopt amendments as follows, and place SB 2109 on the Seventh order:

That the House recede from its amendments as printed on page 832 of the Senate Journal and page 911 of the House Journal and that Engrossed Senate Bill No. 2109 be amended as follows:

Page 1, line 4, after the semicolon insert "to provide for a legislative council study;"

Page 1, line 8, remove the overstrike over "~~during the~~"

Page 1, line 9, remove the overstrike over "~~period between August 1,~~", after "2005" insert "2007", remove the overstrike over "~~, and July 31,~~", after "2007" insert "2009", and remove the overstrike over the fourth overstruck comma

Page 2, line 3, remove the overstrike over "~~during the period between August 1,~~", after "2005" insert "2007", and remove the overstrike over "~~, and~~"

Page 2, line 4, remove the overstrike over "~~July 31,~~" and after "2007" insert "2009"

Page 2, after line 7, insert:

"SECTION 3. LEGISLATIVE COUNCIL STUDY - LONG-TERM CARE. During the 2007-08 interim, the legislative council shall study the state's long-term care system including capacity, geographical boundaries for determining capacity, the need for home and community-based services, a methodology to identify areas of the state which are in need of additional skilled nursing facility beds, access, workforce, reimbursement, and payment incentives. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-first legislative assembly."

Renumber accordingly

Engrossed SB 2109 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2137, as engrossed: Your conference committee (Sens. Hacker, Olafson, Warner and Reps. Klemin, Kretschmar, Pinkerton) recommends that the **SENATE ACCEDE** to the House amendments on SJ pages 866-867 and place SB 2137 on the Seventh order.

Engrossed SB 2137 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2161, as engrossed: Your conference committee (Sens. Lyson, Olafson, Marcellais and Reps. Carlisle, Carlson, Williams) recommends that the **SENATE ACCEDE** to the House amendments on SJ page 1076 and place SB 2161 on the Seventh order.

Engrossed SB 2161 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2262, as engrossed: Your conference committee (Sens. Nething, Olafson, Nelson and Reps. Boehning, Kretschmar, Onstad) recommends that the **HOUSE RECEDE** from the House amendments on SJ pages 849-986, adopt amendments as follows, and place SB 2262 on the Seventh order:

That the House recede from its amendments as printed on page 867 of the Senate Journal and pages 849 and 986 of the House Journal and that Engrossed Senate Bill No. 2262 be amended as follows:

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

Page 2, line 8, replace "A minor" with "An individual under the age of twenty-one"

Page 2, line 9, replace "minor" with "individual" and replace "minor's" with "individual's"

Page 2, line 10, replace "minor" with "individual"

Page 2, line 19, after "state" insert "before any harm to others or damage to property occurs"

Page 2, after line 19, insert:

"SECTION 2. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

Engrossed SB 2262 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2341, as reengrossed: Your conference committee (Sens. Grindberg, Krebsbach, Seymour and Reps. Carlisle, Thoreson, Glassheim) recommends that the **SENATE ACCEDE** to the House amendments on SJ page 1119 and place SB 2341 on the Seventh order.

Reengrossed SB 2341 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2352, as engrossed: Your conference committee (Sens. Dever, Erbele, Heckaman and Reps. Hofstad, Porter, Kaldor) recommends that the **HOUSE RECEDE** from the House amendments on SJ pages 1043-1044, adopt amendments as follows, and place SB 2352 on the Seventh order:

That the House recede from its amendments as printed on pages 1043 and 1044 of the Senate Journal and on pages 1105 and 1106 of the House Journal and that Engrossed Senate Bill No. 2352 be amended as follows:

Page 1, line 1, replace "provide for" with "create and enact a new section to chapter 12.1-31 of the North Dakota Century Code, relating to" and after "tattooing" insert ", branding, subdermal implantation, scarifying,"

Page 1, replace lines 4 through 9 with:

"SECTION 1. A new section to chapter 12.1-31 of the North Dakota Century Code is created and enacted as follows:

Tattooing, branding, subdermal implants, scarifying, and body piercing - Minors.

1. As used in this section:

- a. "Brand" means the use of heat, cold, or any chemical compound to imprint permanent markings on an individual's skin.
- b. "Pierce" means the puncture of any part of an individual's body, except for noncartilaginous perimeter or lobe of the ear, to insert studs, pins, rings, chains, or other jewelry or adornment.
- c. "Scarify" means to cut, tear, or abrade an individual's skin for the purpose of creating permanent mark or design on the skin.
- d. "Subdermal implant" means to insert a foreign object beneath the skin to decorate an individual's body. The term does not include implantations for medical purposes.
- e. "Tattoo" means to mark the skin of an individual by insertion of permanent colors through puncture of the skin."

Page 1, line 10, after "tattoo" insert ", brand, subdermal implant, scarify,"

Page 1, line 11, after "tattooing" insert ", branding, subdermal implanting, scarifying,"

Page 1, line 15, after the second underscored comma insert "branding, self-branding, scarifying, self-scarifying, subdermal implantation, self-subdermal implantation,"

Page 1, line 17, after "tattooing" insert ", branding, subdermal implantation, scarifying,"

Page 1, line 18, after "tattooing" insert ", branding, subdermal implantation, scarifying,"

ReNUMBER accordingly

Engrossed SB 2352 was placed on the Seventh order of business on the calendar.

REPORT OF STANDING COMMITTEE

SB 2418, as reengrossed: Appropriations Committee (Rep. Svedjan, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO**

PASS (23 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Reengrossed SB 2418 was placed on the Sixth order on the calendar.

In addition to the amendments adopted by the House as printed on pages 1448 and 1449 of the House Journal, Reengrossed Senate Bill No. 2418 is further amended as follows:

Page 1, line 5, replace "general" with "permanent oil tax trust"

Page 1, line 8, remove "general fund" and after "appropriation" insert "from the permanent oil tax trust fund"

Page 1, line 10, replace "general fund" with "state"

Page 1, line 11, after the first "project" insert "authorized in this section"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

In addition, this amendment changes the funding for the state share of the Veterans' Home construction project from the general fund to the permanent oil tax trust fund.

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

Buell J. Reich, Chief Clerk

