

JOURNAL OF THE SENATE

Fifty-seventh Legislative Assembly

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Bismarck, February 20, 2001

The Senate convened at 1:00 p.m., with President Dalrymple presiding.

The prayer was offered by Pastor John Luhmann, Bismarck Evangelical Church, Bismarck.

The roll was called and all members were present.

A quorum was declared by the President.

MOTION

SEN. CHRISTMANN MOVED that the rules be suspended, and after action taken on the Sixth order, all bills on that order be placed on the Eleventh order, as amended, for immediate second reading and final passage, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2313: SEN. ESPEGARD (Transportation Committee) MOVED that the amendments on SJ page 520 be adopted and then be placed on the Eleventh order with **DO NOT PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2313: A BILL for an Act to amend and reenact subsection 2 of section 39-06.1-06 of the North Dakota Century Code, relating to the fee for driving without a muffler.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 15 YEAS, 34 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Bercier; Christenson; Every; Kelsh; Krauter; Lindaas; Lyson; Mathern, D.; Mathern, T.; Nelson, C.; Nichols; O'Connell; Polovitz; Tallackson; Thane

NAYS: Andrist; Bowman; Christmann; Cook; Dever; Erbele; Espegard; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kilzer; Klein; Krebsbach; Kringstad; Kroeplin; Lee; Mutch; Nelson, G.; Nething; Robinson; Schobinger; Solberg; Stenehjem; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

Engrossed SB 2313 lost.

CONSIDERATION OF AMENDMENTS

SB 2316: SEN. KILZER (Government and Veterans Affairs Committee) MOVED that the amendments on SJ page 520 be adopted and then be placed on the Eleventh order with **DO NOT PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2316: A BILL for an Act to amend and reenact subsection 2 of section 16.1-08.1-02, subsection 1 of section 16.1-08.1-03, and subsection 1 of section 16.1-08.1-03.1 of the North Dakota Century Code, relating to campaign contribution statements.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 18 YEAS, 31 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Bercier; Christenson; Every; Heitkamp; Kelsh; Krauter; Kroeplin; Lindaas; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nichols; O'Connell; Polovitz; Robinson; Tallackson; Tomac

NAYS: Andrist; Bowman; Christmann; Cook; Dever; Erbele; Espegard; Fischer; Flakoll; Freborg; Grindberg; Holmberg; Kilzer; Klein; Krebsbach; Kringstad; Lee; Lyson; Nelson, G.; Nething; Schobinger; Solberg; Stenehjem; Thane; Tollefson; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

Engrossed SB 2316 lost.

CONSIDERATION OF AMENDMENTS

SB 2317: SEN. STENEHJEM (Transportation Committee) MOVED that the amendments on SJ page 521 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2317: A BILL for an Act to amend and reenact section 43-09-25 of the North Dakota Century Code, relating to licensing of nonresident electricians.

ROLL CALL

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

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espgaard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

Engrossed SB 2317 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2332: SEN. DEVER (Government and Veterans Affairs Committee) MOVED that the amendments on SJ pages 521-522 be adopted and then be placed on the Eleventh order with **DO NOT PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2332: A BILL for an Act to amend and reenact sections 16.1-08.1-02 and 16.1-08.1-03 of the North Dakota Century Code, relating to the reporting of expenditures made for political purposes by candidates and political parties.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 17 YEAS, 32 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Bercier; Christenson; Every; Heitkamp; Kelsh; Krauter; Kroeplin; Lindaas; Mathern, D.; Mathern, T.; Nelson, C.; Nichols; O'Connell; Polovitz; Robinson; Tallackson; Tomac

NAYS: Andrist; Bowman; Christmann; Cook; Dever; Erbele; Espgaard; Fischer; Flakoll; Freborg; Grindberg; Holmberg; Kilzer; Klein; Krebsbach; Kringstad; Lee; Lyson; Mutch; Nelson, G.; Nething; Schobinger; Solberg; Stenehjem; Thane; Tollefson; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

Engrossed SB 2332 lost.

CONSIDERATION OF AMENDMENTS

SB 2336: SEN. CHRISTMANN (Finance and Taxation Committee) MOVED that the amendments on SJ page 522 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2336: A BILL for an Act to create and enact a new subdivision to subsection 1 of section 57-38-01.3 of the North Dakota Century Code, relating to a corporate income tax deduction for research and development expenditures at a certified research and development center in this state; 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 40 YEAS, 9 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Holmberg; Kilzer; Klein; Krebsbach; Kringstad; Kroepelin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, G.; Nething; Nichols; O'Connell; Robinson; Schobinger; Stenehjem; Tallackson; Thane; Tollefson; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

NAYS: Bercier; Christenson; Heitkamp; Kelsh; Krauter; Nelson, C.; Polovitz; Solberg; Tomac

Engrossed SB 2336 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2362: SEN. WARDNER (Government and Veterans Affairs Committee) MOVED that the amendments on SJ page 523 be adopted and then be placed on the Eleventh order with **DO NOT PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2362: A BILL for an Act to amend and reenact subsection 20 of section 54-52-01 and subsection 8 of section 54-52.6-01 of the North Dakota Century Code, relating to the definition of wages and salaries for purposes of the public employees retirement system; and to provide an appropriation.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 20 YEAS, 29 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Bercier; Christenson; Espegard; Every; Fischer; Heitkamp; Holmberg; Kelsh; Krauter; Kroepelin; Lindaas; Mathern, D.; Mathern, T.; Nelson, C.; Nichols; O'Connell; Polovitz; Robinson; Tallackson; Tomac

NAYS: Andrist; Bowman; Christmann; Cook; Dever; Erbele; Flakoll; Freborg; Grindberg; Kilzer; Klein; Krebsbach; Kringstad; Lee; Lyson; Mutch; Nelson, G.; Nething; Schobinger; Solberg; Stenehjem; Thane; Tollefson; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

Engrossed SB 2362 lost.

CONSIDERATION OF AMENDMENTS

SB 2376: SEN. KELSH (Natural Resources Committee) MOVED that the amendments on SJ page 523 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2376: A BILL for an Act to amend and reenact section 20.1-08-04.5 of the North Dakota Century Code, relating to the hunting of deer with muzzleloading firearms.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 41 YEAS, 8 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christenson; Cook; Espegard; Every; Fischer; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Krauter; Krebsbach; Kringstad; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Urlacher; Wanzek; Wardner; Watne

NAYS: Christmann; Dever; Erbele; Flakoll; Klein; Kroepelin; Robinson; Trenbeath

Engrossed SB 2376 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2378: SEN. TRENBEATH (Transportation Committee) MOVED that the amendments on SJ pages 523-524 be adopted and then be placed on the Eleventh order with **DO NOT PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2378: A BILL for an Act to create and enact a new paragraph to subdivision a of subsection 3 of section 39-06.1-10 and section 39-10-73 of the North Dakota Century Code, relating to passengers in a vehicle; and to amend and reenact section 39-06.1-09 of the North Dakota Century Code, relating to moving violations.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 20 YEAS, 29 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Bercier; Christenson; Erbele; Every; Freborg; Kelsh; Krebsbach; Kroepflin; Lee; Lindaas; Mathern, D.; Mathern, T.; Nelson, C.; Nething; O'Connell; Polovitz; Tallackson; Thane; Wanzek; Watne

NAYS: Andrist; Bowman; Christmann; Cook; Dever; Espegard; Fischer; Flakoll; Grindberg; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Kringstad; Lyson; Mutch; Nelson, G.; Nichols; Robinson; Schobinger; Solberg; Stenehjem; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wardner

Engrossed SB 2378 lost.

CONSIDERATION OF AMENDMENTS

SB 2390: SEN. O'CONNELL (Transportation Committee) MOVED that the amendments on SJ page 524 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2390: A BILL for an Act to amend and reenact section 39-10-26 of the North Dakota Century Code, relating to passing an authorized emergency vehicle.

ROLL CALL

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

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroepflin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

Engrossed SB 2390 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2420: SEN. HOLMBERG (Appropriations Committee) MOVED that the amendments on SJ pages 524-525 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2420: A BILL for an Act to authorize the state historical society of North Dakota to reimburse Pembina County for certain land in Pembina County; to repeal chapter 15 of the 1893 Session Laws, relating to authorizing the state to acquire a parcel of land in Pembina County; and to provide an appropriation.

ROLL CALL

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

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroepflin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

Engrossed SB 2420 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2424: SEN. WARDNER (Government and Veterans Affairs Committee) MOVED that the amendments on SJ pages 525-526 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2424: A BILL for an Act to create and enact two new sections to chapter 55-01 of the North Dakota Century Code, relating to the state historical society; to amend and reenact sections 1-08-04.1 and 11-11-53, subsection 7 of section 23-06-27, section 38-14.1-10, subdivision u of subsection 1 of section 38-14.1-14, subsection 2 of section 38-14.1-21, subsection 1 of section 38-14.1-30, subdivision d of subsection 2 of section 38-14.1-37, sections 46-05-01, 54-01-13.1, and 54-02-07, subsection 2 of section 54-06-04, subdivision w of subsection 1 of section 54-07-01.2, sections 54-17.3-05, 54-17.3-07, 54-24-09, 55-01-01, 55-01-02, 55-01-02.1, 55-01-03, 55-01-04, 55-01-05, 55-01-06, 55-01-07, 55-01-10, 55-01-11, 55-02-01, 55-02-01.1, 55-02-01.2, 55-02-01.3, 55-02-03, 55-02-04, 55-02-05, 55-02-06, 55-02-07, 55-02-07.1, 55-02-08, 55-02-09, 55-02.1-02, 55-02.1-05, 55-03-01, 55-03-01.1, 55-03-02, 55-03-03, 55-03-04, and 55-06-01, subsections 9 and 10 of section 55-08-01.3, sections 55-10-02, 55-10-07, 55-10-08, 55-10-09, 55-10-10, 55-10-12, and 57-02-08.7 of the North Dakota Century Code, relating to the duties and responsibilities of the state historical board and the state historical society and changing references from the superintendent of the state historical board to the director of the state historical society; to repeal sections 55-01-08, 55-02-02, 55-10-03, 55-10-04, 55-10-05, and 55-10-06 of the North Dakota Century Code, relating to the maintenance of the Roosevelt cabin, the transfer of property from the state historical society board to the North Dakota park service, and to the designation of historical sites; 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 49 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espgaard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroepelin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

Engrossed SB 2424 passed, the title was agreed to, and the emergency clause was declared carried.

MOTION

SEN. CHRISTMANN MOVED that SB 2444, which is on the Sixth order, be laid over one legislative day, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2449: SEN. FISCHER (Natural Resources Committee) MOVED that the amendments on SJ page 526 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2449: A BILL for an Act to create and enact a new section to chapter 20.1-03 of the North Dakota Century Code, relating to restrictions on guides and outfitters; and to amend and reenact subsection 17 of section 20.1-02-05 of the North Dakota Century Code, relating to the powers of the director of the game and fish department.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 48 YEAS, 1 NAY, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espgaard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroepelin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger;

Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

NAYS: Andrist

Engrossed SB 2449 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2308, as engrossed: SEN. KRINGSTAD (Appropriations Committee) MOVED that the amendments on SJ page 546 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2308: A BILL for an Act to amend and reenact section 53-06.1-18 of the North Dakota Century Code, relating to compulsive gambling prevention, awareness, crisis intervention, rehabilitation, and treatment services; and to provide an appropriation.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 44 YEAS, 5 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroepelin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

NAYS: Erbele; Mutch; Schobinger; Solberg; Stenehjem

Reengrossed SB 2308 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2217: SEN. COOK (Political Subdivisions Committee) MOVED that the amendments on SJ pages 539-544 be adopted and then be placed on the Eleventh order with **DO PASS**.

REQUEST

SEN. COOK REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to SB 2217, which request was granted.

ROLL CALL

The question being on the motion to adopt the amendments to SB 2217, the roll was called and there were 35 YEAS, 14 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Fischer; Flakoll; Freborg; Grindberg; Holmberg; Kilzer; Klein; Krebsbach; Kringstad; Kroepelin; Lee; Lyson; Mutch; Nelson, G.; Nething; Polovitz; Schobinger; Solberg; Stenehjem; Thane; Tollefson; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

NAYS: Bercier; Every; Heitkamp; Kelsh; Krauter; Lindaas; Mathern, D.; Mathern, T.; Nelson, C.; Nichols; O'Connell; Robinson; Tallackson; Tomac

The motion to adopt the amendments to SB 2217 passed.

SECOND READING OF SENATE BILL

SB 2217: A BILL for an Act to create and enact two new sections to chapter 14-02.4 of the North Dakota Century Code, relating to the authority of the department of labor to receive discriminatory practices complaints; to amend and reenact sections 14-02.4-02, 14-02.4-19, 14-02.4-20, 14-02.4-21, 14-02.5-02, 14-02.5-03, 14-02.5-04, 14-02.5-05, 14-02.5-07, 14-02.5-08, 14-02.5-10, and 14-02.5-45 of the North Dakota Century Code, relating to discriminatory practices and the authority of the department of labor; to repeal section 14-02.4-12.1 of the North Dakota Century Code, relating to discriminatory housing practices; and to provide a penalty.

ROLL CALL

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

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

Engrossed SB 2217 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2220: SEN. ROBINSON (Appropriations Committee) MOVED that the amendments on SJ page 545 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2220: A BILL for an Act to amend and reenact subsection 2 of section 27-20-49 of the North Dakota Century Code, relating to costs and expenses of transporting juveniles for medical care and treatment.

ROLL CALL

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

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

NAYS: Mathern, D.; Solberg; Stenehjem

Engrossed SB 2220 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2267: SEN. WANZEK (Education Committee) MOVED that the amendments on SJ page 545 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2267: A BILL for an Act to create and enact a new section to chapter 15-47 of the North Dakota Century Code or in the alternative to create and enact a new section to chapter 15.1-18 of the North Dakota Century Code, relating to teacher unavailability.

MOTION

SEN. G. NELSON MOVED the previous question, which motion prevailed.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 25 YEAS, 24 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; Christmann; Cook; Dever; Erbele; Fischer; Flakoll; Freborg; Grindberg; Kilzer; Klein; Krebsbach; Kringstad; Lee; Mutch; Nelson, G.; Nething; Schobinger; Solberg; Stenehjem; Thane; Trenbeath; Wanzek; Watne

NAYS: Bercier; Christenson; Espegard; Every; Heitkamp; Holmberg; Kelsh; Krauter; Kroeplin; Lindaas; Lyson; Mathern, D.; Mathern, T.; Nelson, C.; Nichols; O'Connell; Polovitz; Robinson; Tallackson; Tollefson; Tomac; Traynor; Urlacher; Wardner

Engrossed SB 2267 passed and the title was agreed to.

POINT OF PERSONAL PRIVILEGE

SEN. KRAUTER REQUESTED that his remarks be printed in the Journal, which request was granted.

REMARKS OF SENATOR KRAUTER

On Friday, February 16, 2001, the Hettinger Black Devils wrestling team won the 2001 Class B dual wrestling tournament with a score of 31-29 over an excellent team, the Linton Lions.

On Saturday, February 17, 2001, the Hettinger Black Devils wrestling team followed up their dual win by winning the 2001 Class B individual wrestling title. This is an accomplishment that is not often found in North Dakota, winning as a team and winning on an individual basis, in the same season.

This was accomplished by hard work lead by a very successful coach, Mr. Randy Burwick. This coach motivated a team to winning status. Most notably was the first place showing in the 112 pound class by Jeb Boxrud and the first place showing in the 275 pound class by Josh Epperly.

But, Mr. President and members of the Senate, the most exciting award at the State Class B Wrestling Tournament was the Hettinger Black Devils receiving the Spirit Award for the sixth consecutive year.

Congratulations to the Hettinger Black Devils on their "Triple Crown".

MOTION

SEN. CHRISTMANN MOVED that the Senate stand in recess for ten minutes, which motion prevailed.

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

CONSIDERATION OF AMENDMENTS

SB 2277: SEN. LEE (Political Subdivisions Committee) MOVED that the amendments on SJ page 546 be adopted and then be placed on the Eleventh order with **DO NOT PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2277: A BILL for an Act to create and enact a new section to chapter 16.1-01 of the North Dakota Century Code, relating to projections of election results before the closing of the polls.

MOTION

SEN. WARDNER MOVED that Engrossed SB 2277 be amended as follows, which motion failed on a voice vote.

Page 1, line 2, replace "projections of election results before the closing of the polls" with "impeding movement at a polling place"

Page 1, line 6, replace "**Projections of election results**" with "**Impeding movement at a polling place**" and replace "No person may publicly by radio," with "An individual may not approach another individual who is attempting to enter or exit or who is within a polling place for the purpose of exit polling or interviewing the individual. The prohibition in this section applies to each polling place and to within one hundred feet [30.48 meters] of any entrance or exit of a polling place"

Page 1, remove line 7

Page 1, line 8, remove "election results"

Renumber accordingly

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 18 YEAS, 31 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Bercier; Bowman; Christmann; Cook; Fischer; Freborg; Klein; Krauter; Lyson; Mutch; Nelson, C.; Nelson, G.; Solberg; Stenehjem; Thane; Urlacher; Wardner; Watne

NAYS: Andrist; Christenson; Dever; Erbele; Espgaard; Every; Flakoll; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Mathern, D.;

Mathern, T.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Tallackson; Tollefson; Tomac; Traynor; Trenbeath; Wanzek

Engrossed SB 2277 lost.

CONSIDERATION OF AMENDMENTS

SB 2288: SEN. ESPEGARD (Transportation Committee) MOVED that the amendments on SJ page 546 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2288: A BILL for an Act to provide for the insurance commissioner to submit a report to the legislative council regarding motor vehicle insurance independent medical examinations.

ROLL CALL

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

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espesgard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroepelin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjerm; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

Engrossed SB 2288 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2315: SEN. LEE (Political Subdivisions Committee) MOVED that the amendments on SJ pages 546-547 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2315: A BILL for an Act to create and enact a new section to chapter 58-13 of the North Dakota Century Code, relating to immunity from liability; and to amend and reenact sections 58-13-01, 58-13-03, 58-13-04, and 58-13-05 of the North Dakota Century Code, relating to pounds and poundmasters.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 45 YEAS, 3 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Dever; Erbele; Espesgard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kroepelin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Stenehjerm; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Wanzek; Wardner; Watne

NAYS: Cook; Solberg; Urlacher

ABSENT AND NOT VOTING: Kringstad

Engrossed SB 2315 passed and the title was agreed to.

MOTION

SEN. CHRISTMANN MOVED that SB 2414 be moved to the top of the calendar, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2414: A BILL for an Act to amend and reenact subsection 1 of section 50-09-29 and paragraph 7 of subdivision d of subsection 6 of section 50-29-04 of the North Dakota Century Code, relating to temporary assistance for needy families benefits and children's health insurance program benefits.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 29 YEAS, 20 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Bercier; Christenson; Cook; Dever; Erbele; Espgaard; Every; Flakoll; Freborg; Heitkamp; Kelsh; Kilzer; Klein; Krauter; Kroepflin; Lindaas; Mathern, D.; Mathern, T.; Nelson, C.; Nichols; O'Connell; Polovitz; Robinson; Tallackson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek

NAYS: Andrist; Bowman; Christmann; Fischer; Grindberg; Holmberg; Krebsbach; Kringstad; Lee; Lyson; Mutch; Nelson, G.; Nething; Schobinger; Solberg; Stenehjem; Thane; Tollefson; Wardner; Watne

SB 2414 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2358: SEN. TRENBEATH (Transportation Committee) MOVED that the amendments on SJ pages 547-548 be adopted and then be placed on the Eleventh order with **DO PASS**.

REQUEST

SEN. SCHOBINGER REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to SB 2358, which request was granted.

ROLL CALL

The question being on the motion to adopt the amendments to SB 2358, the roll was called and there were 19 YEAS, 30 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Christmann; Dever; Erbele; Heitkamp; Holmberg; Krauter; Kringstad; Mutch; Nelson, G.; Nething; Nichols; Robinson; Stenehjem; Tallackson; Tomac; Traynor; Trenbeath; Urlacher; Watne

NAYS: Andrist; Bercier; Bowman; Christenson; Cook; Espgaard; Every; Fischer; Flakoll; Freborg; Grindberg; Kelsh; Kilzer; Klein; Krebsbach; Kroepflin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Nelson, C.; O'Connell; Polovitz; Schobinger; Solberg; Thane; Tollefson; Wanzek; Wardner

The motion to adopt the amendments to SB 2358 failed to pass.

SECOND READING OF SENATE BILL

SB 2358: A BILL for an Act to create and enact a new section to chapter 51-07 of the North Dakota Century Code, relating to use of replacement crash parts in motor vehicle repairs.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 33 YEAS, 16 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Espgaard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroepflin; Lee; Lindaas; Lyson; Mathern, D.; Nelson, C.; Polovitz; Robinson; Schobinger; Solberg; Thane; Tollefson; Wanzek; Wardner

NAYS: Dever; Erbele; Kelsh; Mathern, T.; Mutch; Nelson, G.; Nething; Nichols; O'Connell; Stenehjem; Tallackson; Tomac; Traynor; Trenbeath; Urlacher; Watne

SB 2358 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2379: SEN. KLEIN (Agriculture Committee) MOVED that the amendments on SJ pages 548-549 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2379: A BILL for an Act to create and enact a new subsection to section 10-30.5-01 of the North Dakota Century Code, relating to North Dakota development fund definitions; and to provide for a value-added agriculture promotion program.

ROLL CALL

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

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroepelin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

Engrossed SB 2379 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2397: SEN. COOK (Political Subdivisions Committee) MOVED that the amendments on SJ page 549 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2397: A BILL for an Act to amend and reenact sections 5-01-16 and 5-03-05 of the North Dakota Century Code, relating to direct sales of alcoholic beverages; and to provide a penalty.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 44 YEAS, 5 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Flakoll; Freborg; Grindberg; Holmberg; Kelsh; Kilzer; Klein; Krauter; Kringstad; Kroepelin; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner

NAYS: Fischer; Heitkamp; Krebsbach; Lee; Watne

Engrossed SB 2397 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2407: SEN. WATNE (Political Subdivisions Committee) MOVED that the amendments on SJ pages 549-550 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2407: A BILL for an Act to create and enact a new subsection to section 53-06.1-14 of the North Dakota Century Code, relating to manufacturers and distributors of gaming equipment.

ROLL CALL

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

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroepelin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

Engrossed SB 2407 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SCR 4009: SEN. KELSH (Natural Resources Committee) MOVED that the amendments on SJ pages 526-527 be adopted and then be placed on the Eleventh order with **DO NOT PASS**, which motion prevailed.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4009: A concurrent resolution urging the President and Congress to allow the states to govern and determine the conditions under which travel and other activities may be conducted on the national grasslands.

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

Engrossed SCR 4009 was declared adopted, and the title was agreed to on a voice vote.

CONSIDERATION OF AMENDMENTS

SCR 4016: SEN. C. NELSON (Government and Veterans Affairs Committee) MOVED that the amendments on SJ page 550 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4016: A concurrent resolution to salute the 2002 Ford World Curling Championships to be held in Bismarck and to declare April 2002 as World Curling Month in North Dakota.

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

Engrossed SCR 4016 was declared adopted, and the title was agreed to on a voice vote.

CONSIDERATION OF AMENDMENTS

SCR 4020: SEN. T. MATHERN (Government and Veterans Affairs Committee) MOVED that the amendments on SJ page 527 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4020: A concurrent resolution directing the Legislative Council to study state employee compensation levels.

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

Engrossed SCR 4020 was declared adopted, and the title was agreed to on a voice vote.

CONSIDERATION OF AMENDMENTS

SCR 4029: SEN. CHRISTMANN (Finance and Taxation Committee) MOVED that the amendments on SJ page 527 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a verification vote.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4029: A concurrent resolution urging Congress to eliminate the marriage penalty.

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

Engrossed SCR 4029 was declared adopted, and the title was agreed to on a voice vote.

CONSIDERATION OF AMENDMENTS

SB 2413: SEN. WANZEK (Agriculture Committee) MOVED that the amendments on SJ page 524 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2413: A BILL for an Act to create and enact a new section to chapter 4-24 of the North Dakota Century Code, relating to agricultural contracts.

ROLL CALL

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

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

Engrossed SB 2413 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2145: A BILL for an Act to regulate agricultural contracts between agricultural producers and contractors; to provide a penalty; and to provide for application.

ROLL CALL

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

YEAS: Thane; Traynor

NAYS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Tollefson; Tomac; Trenbeath; Urlacher; Wanzek; Wardner; Watne

SB 2145 lost.

MOTION

SEN. CHRISTMANN MOVED that SB 2032, which is on the Eleventh order, be laid over one legislative day, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2216: A BILL for an Act to amend and reenact section 6-09.10-03 of the North Dakota Century Code, relating to the expiration date for the North Dakota agricultural mediation service.

MOTION

SEN. WANZEK MOVED that Engrossed SB 2216 be amended as follows, which motion prevailed on a voice vote.

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

Page 1, after line 21, insert:

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

Re-number accordingly

SB 2216: A BILL for an Act to amend and reenact section 6-09.10-03 of the North Dakota Century Code, relating to the expiration date for the North Dakota agricultural mediation service; and to declare an emergency.

ROLL CALL

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

YEAS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein;

Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

Reengrossed SB 2216 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2295: A BILL for an Act to provide for a donated dental services program; and to provide an appropriation.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 1 YEA, 48 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Mathern, T.

NAYS: Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mutch; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

Engrossed SB 2295 lost.

SECOND READING OF SENATE BILL

SB 2053: A BILL for an Act to create and enact a new section to chapter 5-03 of the North Dakota Century Code, relating to deposit of taxes and fees from beer and liquor wholesalers in the state general fund; to amend and reenact sections 2-05-15.1, 5-01-04, 5-01-11, 5-01-16, 5-03-01, 5-03-01.1, 5-03-01.2, 5-03-02, 5-03-04, 5-03-05, 5-03-06, 5-03-06.1, 57-32-03, 57-32-04, 57-32-05, and 57-32-06 of the North Dakota Century Code, relating to transfer of tax collection responsibilities from the state treasurer to the state tax commissioner; and to provide an effective date.

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 29 YEAS, 20 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; Christmann; Cook; Dever; Espegard; Fischer; Flakoll; Freborg; Grindberg; Holmberg; Kilzer; Klein; Krebsbach; Kringstad; Lee; Lyson; Nelson, G.; Nething; Schobinger; Solberg; Stenehjem; Thane; Tollefson; Traynor; Urlacher; Wanzek; Wardner; Watne

NAYS: Bercier; Christenson; Erbele; Every; Heitkamp; Kelsh; Krauter; Kroeplin; Lindaas; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nichols; O'Connell; Polovitz; Robinson; Tallackson; Tomac; Trenbeath

SB 2053 passed and the title was agreed to.

MOTION

SEN. CHRISTMANN MOVED that SB 4032, SB 4033, and SB 4034, which are on the Eleventh order, be placed on the Consent Calendar, which motion prevailed.

MOTION

SEN. CHRISTMANN MOVED that SB 2273 and SB 2411 be returned to the Senate floor from the **Appropriations Committee** and placed on the Eleventh order, which motion prevailed.

MOTION

SEN. CHRISTMANN MOVED that Senate Rule 508 be amended to read "thirty-second" legislative day, thereby extending the deadline for reporting bills out of committee, which motion prevailed.

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

MR. SPEAKER: The Senate has passed, the emergency clause carried, and your favorable consideration is requested on: SB 2001, SB 2023, SB 2175.

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

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2002, SB 2016, SB 2042, SB 2159, SB 2163, SB 2239, SB 2278, SB 2297, SB 2309.

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)

MR. PRESIDENT: The House has passed and your favorable consideration is requested on: HB 1084, HB 1085, HB 1229, HB 1300, HB 1321, HB 1326, HB 1358, HB 1367, HB 1398, HB 1444, HB 1451, HCR 3007, HCR 3012, HCR 3018, HCR 3029, HCR 3031, HCR 3046, HCR 3048.

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)

MR. PRESIDENT: The Speaker has signed: SCR 4002, SCR 4039.

MOTION

SEN. CHRISTMANN MOVED that the Senate be on the Fourth, Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 1:00 p.m., Wednesday, February 21, 2001, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2004: Appropriations Committee (Sen. Nething, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (8 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). SB 2004 was placed on the Sixth order on the calendar.

Page 1, line 2, after "health" insert "; to create and enact a new section to chapter 23-01 of the North Dakota Century Code, relating to a donated dental services program; to amend and reenact subdivision b of subsection 1 of section 14-02.1-02.1 and section 23-01-05 of the North Dakota Century Code, relating to information regarding fetal development and to the qualifications of the state health officer; to repeal section 19-02.1-25 of the North Dakota Century Code, relating to country of origin labels; and to provide a statement of legislative intent"

Page 1, line 10, replace "28,937,730" with "29,020,730"

Page 1, line 11, replace "17,165,035" with "17,182,035"

Page 1, line 14, replace "31,433,486" with "24,178,552"

Page 1, after line 14, insert:

"Tobacco prevention and control 7,069,934"

Page 1, line 16, replace "96,549,451" with "96,464,451"

Page 1, line 17, replace "81,503,958" with "81,518,714"

Page 1, line 18, replace "15,045,493" with "14,945,737"

Page 2, line 20, replace "\$5,000,000" with "\$4,815,000"

Page 2, after line 22, insert:

"SECTION 8. WATER DEVELOPMENT TRUST FUND. The estimated income line item included in section 1 of this Act includes \$99,756, or so much of the sum as may be necessary, to be made available to the state department of health from the water development trust fund for the biennium beginning July 1, 2001, and ending June 30, 2003.

SECTION 9. AMENDMENT. Subdivision b of subsection 1 of section 14-02.1-02.1 of the North Dakota Century Code is amended and reenacted as follows:

- b. Materials, published in a booklet format, designed to inform the woman of the probable anatomical and physiological characteristics of the fetus at two-week gestational increments from the time when a woman can be known to be pregnant to full term, including any relevant information on the possibility of the survival of the fetus and pictures representing the development of a fetus at two-week gestational increments. The majority of the pictures included in the booklet must be full color photograph-style images and the pictures must contain the dimensions of the fetus and must be realistic and appropriate for the stage of pregnancy depicted. The materials must be objective, nonjudgmental, and designed to convey only accurate scientific information about the fetus at the various gestational ages.

SECTION 10. AMENDMENT. Section 23-01-05 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

23-01-05. Health officer - Qualifications, salary, term, duties - Advisory committee. ~~The governor shall appoint the state health officer who must have had postgraduate training or experience in public health administration~~ substantive private or public administrative experience and demonstrated experience in the management of people. The state health officer is entitled to receive a salary commensurate with that person's training and experience. The governor shall set the salary of the state health officer within the limits of legislative appropriations to the department. The state health officer is entitled to receive all necessary traveling expenses incurred in the performance of official business. The state health officer may not engage in any other occupation or business that may conflict with the statutory duties of the state health officer and holds office for a term of four years beginning January 1, 1993. The state health officer is the administrative officer of the state department of health. If the governor does not appoint as state health officer a physician licensed in this state, the governor shall appoint at least three licensed physicians recommended by the state medical association to serve as an advisory committee to the state health officer. Each member of the advisory committee is entitled to receive reimbursement of expenses in performing official duties in amounts provided by law for other state officers. The term of the advisory committee coincides with the term of the state health officer. A committee member serves at the pleasure of the governor. The duties of the state health officer are as follows:

1. Enforce all rules and regulations as promulgated by the health council.
2. Hold public health unit boards of health responsible for enforcement of state rules, serve in an advisory capacity to public health unit boards of health, and provide for coordination of health activities.
3. Establish and enforce minimum standards of performance of the work of the local department of health.
4. Study health problems and plan for their solution as may be necessary.
5. Collect, tabulate, and publish vital statistics for each important political or health administrative unit of the state and for the state as a whole.
6. Promote the development of local health services and recommend the allocation of health funds to local jurisdictions subject to the approval of the health council.
7. Collect and distribute health education material.
8. Maintain a central public health laboratory and where necessary, branch laboratories for the standard function of diagnostic, sanitary and chemical examinations, and production and procurement of therapeutic and biological preparations for the prevention of disease and their distribution for public health purposes.
9. Establish a service for medical hospitals and related institutions to include licensing of such institutions according to the standards promulgated by the health council and consultation service to communities planning the construction of new hospitals and related institutions.
10. Comply with the state merit system policies of personnel administration.

11. Establish a program to provide information to the surviving family of a child whose cause of death is suspected to have been the sudden infant death syndrome.
12. Issue any orders relating to disease control measures deemed necessary to prevent the spread of communicable disease. Disease control measures may include special immunization activities and decontamination measures. The state health officer may apply to the district court in a judicial district where a communicable disease is present for an injunction canceling public events or closing places of business. On application of the state health officer showing the necessity of such cancellation, the court may issue an ex parte preliminary injunction, pending a full hearing.
13. Make bacteriological examination of bodily secretions and excretions and of waters and foods.
14. Make preparations and examinations of pathological tissues submitted by the state health officer, by any county superintendent of public health, or by any physician who has been regularly licensed to practice in this state.
15. Make all required analyses and preparations, and furnish the results thereof, as expeditiously and promptly as possible.
16. Cause sanitary statistics to be collected and tabulated, and cause to be ascertained by research work such methods as will lead to the improvement of the sanitation of the various parts of the state.
17. From time to time, cause to be issued bulletins and reports setting forth the results of the sanitary and pathological work done in the laboratories embodying all useful and important information resulting from the work carried on in the laboratories during the year, the substance of such bulletins and reports to be incorporated in the annual report of the state health officer.
18. Establish by rule a schedule of reasonable fees that may be charged for laboratory analysis. No charge may be made for any analysis conducted in connection with any public health incident affecting an entire region, community, or neighborhood.

SECTION 11. A new section to chapter 23-01 of the North Dakota Century Code is created and enacted as follows:

Donated dental services program. The state department of health shall contract with the North Dakota dental association, or other appropriate and qualified organizations, to develop and administer a donated dental services program through which volunteer dentists provide comprehensive dental care for needy, disabled, aged, or medically compromised individuals. The volunteers will treat individuals through the program and, with the exception of certain dental laboratory costs, will fully donate their services and supplies. The contract must specify the responsibilities of the administering organization and include:

1. Establishment of a network of volunteer dentists, including dental specialists, volunteer dental laboratories, and other appropriate volunteer professionals to donate dental services to eligible individuals;
2. Establishment of a system to refer eligible individuals to appropriate volunteers;
3. Development and implementation of a public awareness campaign to educate eligible individuals about the availability of the program;
4. Provision of appropriate administrative and technical support to the program; and
5. Submission of an annual report to the state department of health that:
 - a. Accounts for all program funds;

- b. Reports the number of individuals served by the program and the number of dentists and dental laboratories participating as providers in the program;
- c. Includes any other information required by the state department of health; and
- d. Performs, as required by the state department of health, any other duty relating to the program."

Page 2, after line 25, insert:

"SECTION 13. LEGISLATIVE INTENT - STATE AID TO LOCAL HEALTH DISTRICTS. It is the intent of the legislative assembly that the state department of health provide aid to local health districts grants during the biennium beginning July 1, 2001, and ending June 30, 2003, totaling \$1,100,000 and that the additional \$100,000 necessary to fund that level be found by the department within its appropriation.

SECTION 14. REPEAL. Section 19-02.1-25 of the North Dakota Century Code is repealed."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2004 - State Department of Health - Senate Action

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$28,937,730	\$83,000	\$29,020,730
Operating expenses	17,165,035	17,000	17,182,035
Equipment	1,454,626		1,454,626
Capital improvements	41,704		41,704
Grants	31,433,486	(7,254,934)	24,178,552
WIC food payments	17,516,870		17,516,870
Tobacco prevention and control		<u>7,069,934</u>	<u>7,069,934</u>
Total all funds	\$96,549,451	(\$85,000)	\$96,464,451
Less estimated income	<u>81,503,958</u>	<u>14,756</u>	<u>81,518,714</u>
General fund	\$15,045,493	(\$99,756)	\$14,945,737
FTE	316.00	1.00	317.00

Dept. 301 - State Department of Health - Detail of Senate Changes

	PROVIDE FUNDING FOR WIC COORDINATOR POSITION	CHANGE FUNDING FOR 3 TMDL POSITIONS 1	PROVIDE FUNDING FOR TREATMENT OF METABOLIC DISEASES 2	PROVIDE FUNDING FOR DONATED DENTAL SERVICES PROGRAM 3	FUNDING FOR TOBACCO PREVENTION 4	REDUCE GRANTS 5
Salaries and wages	\$83,000					
Operating expenses	17,000					
Equipment						
Capital improvements						
Grants			\$80,000	\$35,000		(\$7,369,934)
WIC food payments						
Tobacco prevention and control					<u>\$7,069,934</u>	
Total all funds	\$100,000	\$0	\$80,000	\$35,000	\$7,069,934	(\$7,369,934)
Less estimated income	<u>100,000</u>	<u>99,756</u>	<u>80,000</u>	<u>35,000</u>	<u>7,069,934</u>	<u>(7,369,934)</u>
General fund	\$0	(\$99,756)	\$0	\$0	\$0	\$0
FTE	1.00	0.00	0.00	0.00	0.00	0.00
	TOTAL SENATE CHANGES					
Salaries and wages	\$83,000					
Operating expenses	17,000					
Equipment						
Capital improvements						
Grants		(7,254,934)				
WIC food payments						
Tobacco prevention and control		7,069,934				
Total all funds		(\$85,000)				
Less estimated income		<u>14,756</u>				
General fund		(\$99,756)				

FTE

1.00

- ¹ Funding for 3 FTE positions to develop total maximum daily loads and pollution control plans is transferred from general fund moneys to the water development trust fund.
- ² Provides funding from the community health trust fund for services and insurance coverage for treatment of metabolic diseases. This amendment provides an appropriation amount for Senate Bill No. 2239, which has no appropriation.
- ³ Provides funding from the community health trust fund for the donated dental services program.
- ⁴ This provides funding from the Centers for Disease Control and Prevention for tobacco prevention of \$2,369,934 and from the community health trust fund of \$4,700,000. This funding is to be used for the implementation of programs in Senate Bill No. 2380.
- ⁵ Reduces the grants line item by the total funding for tobacco prevention, including \$5,000,000 from the community health trust fund and \$2,369,934 of federal funds.

A section is added directing the State Department of Health to publish a booklet regarding fetal development. A majority of pictures in the booklet must be full color photograph-style images.

A section of legislative intent is added directing the State Department of Health to find an additional \$100,000 within its appropriation to provide local health district grants totaling \$1,100,000.

A section is added creating a donated dental services program, including the provisions in Senate Bill No. 2295.

A new line item for tobacco prevention and control is created. This includes funding from the community health trust fund of \$4,700,000 and federal funds from the Centers for Disease Control and Prevention of \$2,369,934. The intent of this funding is to implement the programs outlined in Senate Bill No. 2380.

A section is added to require the State Health Officer to have substantive administrative experience and demonstrated experience in the management of people.

A section of the North Dakota Century Code relating to country of origin labels is repealed.

REPORT OF STANDING COMMITTEE

SB 2007: Appropriations Committee (Sen. Nething, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2007 was placed on the Sixth order on the calendar.

Page 1, line 2, after "affairs" insert "; and to provide for a performance audit of the veterans' home"

Page 1, line 12, replace "6,709,040" with "6,876,243"

Page 1, line 16, replace "9,289,806" with "9,457,009"

Page 1, line 17, replace "5,824,935" with "6,104,935"

Page 1, line 18, replace "3,464,871" with "3,352,074"

Page 1, line 21, replace "516,980" with "514,319"

Page 1, line 23, replace "496,191" with "493,530"

Page 1, line 24, replace "3,961,062" with "3,845,604"

Page 2, line 1, replace "5,845,724" with "6,125,724"

Page 2, line 2, replace "9,806,786" with "9,971,328"

Page 2, after line 2, insert:

"SECTION 2. NORTH DAKOTA VETERANS' HOME - PERFORMANCE AUDIT. The state auditor shall conduct a performance audit of the veterans' home during the biennium beginning July 1, 2001, and ending June 30, 2003. The state auditor may use the services of a consultant, as needed, and the cost of such consultant may be assessed to the veterans' home."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:**Senate Bill No. 2007 - Summary of Senate Action**

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Veterans' Home			
Total all funds	\$9,289,806	\$167,203	\$9,457,009
Less estimated income	5,824,935	280,000	6,104,935
General fund	\$3,464,871	(\$112,797)	\$3,352,074
Department of Veterans' Affairs			
Total all funds	\$516,980	(\$2,661)	\$514,319
Less estimated income	20,789		20,789
General fund	\$496,191	(\$2,661)	\$493,530
Bill Total			
Total all funds	\$9,806,786	\$164,542	\$9,971,328
Less estimated income	5,845,724	280,000	6,125,724
General fund	\$3,961,062	(\$115,458)	\$3,845,604

Senate Bill No. 2007 - Veterans' Home - Senate Action

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$6,709,040	\$167,203	\$6,876,243
Operating expenses	2,142,631		2,142,631
Equipment	93,675		93,675
Capital improvements	344,460		344,460
Total all funds	\$9,289,806	\$167,203	\$9,457,009
Less estimated income	5,824,935	280,000	6,104,935
General fund	\$3,464,871	(\$112,797)	\$3,352,074
FTE	87.01	0.00	87.01

Dept. 313 - Veterans' Home - Detail of Senate Changes

	ADJUST MARKET EQUITY SALARY INCREASE ¹	CHANGE FUNDING FOR SALARY INCREASES FOR NURSES AND CNAs ²	TOTAL SENATE CHANGES
Salaries and wages	\$70	\$167,133	\$167,203
Operating expenses			
Equipment			
Capital improvements			
Total all funds	\$70	\$167,133	\$167,203
Less estimated income		280,000	280,000
General fund	\$70	(\$112,867)	(\$112,797)
FTE	0.00	0.00	0.00

¹ This amendment increases, from \$2,732 to \$2,802, the amount provided for a market equity salary increase for the commandant. The amount included in the bill will provide for a monthly increase of \$133.33 and related fringe benefits for the last 18 months of the biennium.

² Changes funding for salary increases for nurses and certified nurses assistants from the general fund to special funds of up to \$280,000. The intergovernmental transfer program (House Bill No. 1196) is the intended source of the special funds.

A section is added to the bill directing the State Auditor's office to conduct a performance audit of the Veterans' Home. The State Auditor's office may hire a consultant, as necessary, and the cost of which may be assessed against the Veterans' Home.

Senate Bill No. 2007 - Department of Veterans' Affairs - Senate Action

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Veterans' Affairs Administration	\$516,980	(\$2,661)	\$514,319
Total all funds	\$516,980	(\$2,661)	\$514,319
Less estimated income	20,789		20,789
General fund	\$496,191	(\$2,661)	\$493,530
FTE	5.00	0.00	5.00

Dept. 321 - Department of Veterans' Affairs - Detail of Senate Changes

	ADJUST MARKET EQUITY SALARY INCREASE ¹	TOTAL SENATE CHANGES
Veterans' Affairs Administration	(\$2,661)	(\$2,661)
Total all funds	(\$2,661)	(\$2,661)
Less estimated income	_____	_____
General fund	(\$2,661)	(\$2,661)
FTE	0.00	0.00

¹ This amendment reduces, from \$5,486 to \$2,825, the amount provided for a market equity salary increase for the director. The amount included in the bill will provide for a monthly increase of \$134.42 and related fringe benefits for the last 18 months of the biennium.

REPORT OF STANDING COMMITTEE

SB 2011: Appropriations Committee (Sen. Nething, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2011 was placed on the Sixth order on the calendar.

Page 1, replace lines 8 through 12 with:

"Administration	\$2,164,675
Field operations	30,095,704
Law enforcement training academy	<u>982,723</u>

Page 1, line 13, replace "33,243,143" with "33,243,102"

Page 1, line 14, replace "21,159,342" with "21,159,321"

Page 1, line 15, replace "12,083,801" with "12,083,781"

Page 1, line 17, replace "\$13,729,899" with "\$13,729,878"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2011 - Highway Patrol - Senate Action

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$20,690,143	(\$20,690,143)	
Operating expenses	6,218,000	(6,218,000)	
Equipment	1,285,000	(1,285,000)	
Capital improvements	50,000	(50,000)	
Grants	5,000,000	(5,000,000)	
Administration		2,164,675	\$2,164,675
Field operations		30,095,704	30,095,704
Law enforcement training academy		982,723	982,723
Total all funds	\$33,243,143	(\$41)	\$33,243,102
Less estimated income	<u>21,159,342</u>	<u>(21)</u>	<u>21,159,321</u>
General fund	\$12,083,801	(\$20)	\$12,083,781
FTE	196.00	0.00	196.00

Dept. 504 - Highway Patrol - Detail of Senate Changes

	PROVIDE PROGRAM APPROPRIATIONS	ADJUST MARKET EQUITY SALARY INCREASE ¹	TOTAL SENATE CHANGES
Salaries and wages	(\$20,690,143)		(\$20,690,143)
Operating expenses	(6,218,000)		(6,218,000)
Equipment	(1,285,000)		(1,285,000)
Capital improvements	(50,000)		(50,000)
Grants	(5,000,000)		(5,000,000)
Administration	2,164,716	(\$41)	2,164,675
Field operations	30,095,704		30,095,704
Law enforcement training academy	982,723		982,723
Total all funds	\$0	(\$41)	(\$41)
Less estimated income	_____	<u>(21)</u>	<u>(21)</u>
General fund	\$0	(\$20)	(\$20)
FTE	0.00	0.00	0.00

¹ This amendment reduces, from \$3,567 to \$3,526, the amount provided for a market equity salary increase for the superintendent. The amount included in the bill will provide for a monthly increase of \$167.75 and related fringe benefits for the last 18 months of the biennium.

REPORT OF STANDING COMMITTEE

SB 2012: Appropriations Committee (Sen. Nething, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2012 was placed on the Sixth order on the calendar.

Page 1, line 2, after "transportation" insert "; and to provide for a legislative council study"

Page 1, line 9, replace "99,865,107" with "99,859,596"

Page 1, line 10, replace "116,531,562" with "121,531,562"

Page 1, line 14, replace "all" with "special", after "funds" insert "appropriation", and replace "734,571,854" with "739,566,343"

Page 1, after line 14, insert:

"SECTION 2. LEGISLATIVE COUNCIL STUDY - FLEET SERVICES. The legislative council shall consider studying, during the 2001-02 interim, the efficiency and effectiveness of the operations of the state fleet services program of the department of transportation."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2012 - Department of Transportation - Senate Action

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$99,865,107	(\$5,511)	\$99,859,596
Operating expenses	116,531,562	5,000,000	121,531,562
Equipment	28,251,600		28,251,600
Capital improvements	457,084,500		457,084,500
Grants	32,839,085		32,839,085
Total all funds	\$734,571,854	\$4,994,489	\$739,566,343
Less estimated income	<u>734,571,854</u>	<u>4,994,489</u>	<u>739,566,343</u>
General fund	\$0	\$0	\$0
FTE	1,041.00	0.00	1,041.00

Dept. 801 - Department of Transportation - Detail of Senate Changes

	ADJUST MARKET EQUITY SALARY INCREASE ¹	FOUR BEARS BRIDGE ²	TOTAL SENATE CHANGES
Salaries and wages	(\$5,511)		(\$5,511)
Operating expenses		\$5,000,000	5,000,000
Equipment			
Capital improvements			
Grants			
Total all funds	(\$5,511)	\$5,000,000	\$4,994,489
Less estimated income	<u>(5,511)</u>	<u>5,000,000</u>	<u>4,994,489</u>
General fund	\$0	\$0	\$0
FTE	0.00	0.00	0.00

¹ This amendment reduces, from \$29,594 to \$24,083, the amount provided for market equity salary increases for the director and two deputies of the department. The amount included in the bill will provide for monthly increases of \$198.92 for the director, \$461.08 for one deputy, and \$485.83 for the other deputy, and related fringe benefits for the last 18 months of the biennium.

² Federal funds are increased for paying preliminary engineering costs on the Four Bears Bridge Project.

A section is added providing for a Legislative Council study of the efficiency and effectiveness of Fleet Services.

REPORT OF STANDING COMMITTEE

SB 2019: Appropriations Committee (Sen. Nething, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS**

(13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2019 was placed on the Sixth order on the calendar.

Page 1, remove line 2

Page 1, line 3, replace "grants" with "commerce", replace "a statement" with "statements", and after the third semicolon insert "to direct the state tax commissioner to audit the ethanol incentive program; to provide for legislative council studies; to create and enact a new section to chapter 54-34.4 of the North Dakota Century Code, relating to tourism copyrights and trademarks;"

Page 1, line 4, after "4-14.1-07" insert ", 54-34.4-04,"

Page 1, line 5, after "incentives" insert ", the motion picture development office advisory board," and remove the second "and"

Page 1, line 6, after "date" insert "; and to declare an emergency"

Page 1, line 11, replace "economic development and finance" with "commerce"

Page 1, line 12, replace "its" with "the" and after "expenses" insert "of its various divisions"

Page 1, replace lines 14 through 22 with:

Subdivision 1.

ADMINISTRATION

Salaries and wages	\$877,474
Operating expenses	187,516
Economic development foundation	100,000
Total line items	\$1,164,990
Less estimated income	249,487
Total general fund appropriation	\$915,503

Subdivision 2.

ECONOMIC DEVELOPMENT AND FINANCE

Salaries and wages	\$2,388,822
Operating expenses	4,453,499
Equipment	111,058
Grants	1,723,292
North Dakota development fund	1,616,000
Agricultural products utilization	5,007,270
Total all funds	\$15,299,941
Less estimated income	5,390,203
Total general fund appropriation	\$9,909,738

Subdivision 3.

COMMUNITY SERVICES

Salaries and wages	\$1,665,525
Operating expenses	2,539,380
Equipment	73,500
Grants	34,306,934
Total line items	\$38,585,339
Less estimated income	37,503,285
Total general fund appropriation	\$1,082,054

Subdivision 4.

TOURISM

Salaries and wages	\$905,785
Operating expenses	3,300,437
Equipment	15,378
Grants	100,000
Lewis and Clark bicentennial	755,751
Total all funds	\$5,077,351
Less estimated income	363,000
Total general fund appropriation	\$4,714,351

Subdivision 5.

WORKFORCE DEVELOPMENT

Salaries and wages	\$191,287
Operating expenses	50,000

Equipment	25,000
Grants	<u>675,000</u>
Total line items	\$941,287
Less estimated income	60,584
Total general fund appropriation	\$880,703
Grand total general fund appropriation S.B. 2019	\$17,502,349
Grand total special funds appropriation S.B. 2019	\$43,566,559
Grand total all funds S.B. 2019	\$61,068,908"

Page 1, line 24, after "in" insert "subdivision 2 of"

Page 2, line 6, after "in" insert "subdivision 2 of"

Page 2, line 10, after "in" insert "subdivision 2 of"

Page 2, line 12, remove "Of this amount, \$2,493,000 is for the purpose of providing"

Page 2, remove line 13

Page 2, line 14, remove "beginning July 1, 2001, and ending June 30, 2003." and after "in" insert "subdivision 2 of"

Page 2, line 20, after the period insert "An ethanol plant shall notify the agricultural products utilization commission, in writing, by October 1, 2001, of its intent to request ethanol incentive payments for the biennium beginning July 1, 2001, and ending June 30, 2003, to be eligible to receive payments authorized by this section."

Page 2, line 29, after "If" insert "an ethanol plant has not notified the agricultural products utilization commission of its intent to request ethanol incentive payments for the biennium beginning July 1, 2001, and ending June 30, 2003, or if,"

Page 2, line 31, after "of" insert "funds certified by the agricultural products utilization commission as not needed for ethanol incentive payments or the"

Page 3, line 5, after "in" insert "subdivision 2 of"

Page 3, line 10, after "in" insert "subdivision 2 of"

Page 3, line 11, replace "\$1,246,500" with "\$1,250,000"

Page 3, line 16, replace "\$750,000" with "\$1,616,000"

Page 3, after line 31, insert:

SECTION 8. LEGISLATIVE INTENT - DEPARTMENT OF COMMERCE STRATEGIC PLAN. It is the intent of the legislative assembly that the department of commerce develop a strategic plan including the new economy initiative, with the assistance of the national association of state development agencies, three legislators appointed by the chairman of the legislative council, and one member of the economic development association of North Dakota, for the biennium beginning July 1, 2001, and ending June 30, 2003.

SECTION 9. LEGISLATIVE COUNCIL STUDY - DEPARTMENT OF COMMERCE. The legislative council shall consider monitoring, during the 2001-02 interim, the establishment of the department of commerce.

SECTION 10. LEGISLATIVE INTENT - ECONOMIC DEVELOPMENT COOPERATIVE MARKETING. It is the intent of the legislative assembly that \$250,000 of the operating expenses line item in subdivision 2 of section 1 of this Act be spent for cooperative marketing grants involving local economic development corporations, for the biennium beginning July 1, 2001, and ending June 30, 2003.

SECTION 11. ECONOMIC DEVELOPMENT PROFESSIONAL TRAINING GRANTS. The department of commerce shall allocate \$15,000 of the grants line item in subdivision 2 of section 1 of this Act for providing professional training grants to economic development professionals in communities with a population of less than ten thousand, for the biennium beginning July 1, 2001, and ending June 30, 2003. Each applicant may receive up to \$750 per year for attending out-of-state professional training courses or national economic development conferences.

SECTION 12. LEGISLATIVE INTENT - GRANTS LINE ITEM - REMODELING OF ABANDONED PUBLIC SCHOOL BUILDINGS PILOT PROJECT. It is the intent of the legislative assembly that \$50,000 of the grants line item in subdivision 2 of section 1 of this Act be used to establish a pilot project to provide grants to cities, school districts, or authorized job development authorities to assist in the remodeling of abandoned public school buildings to be used for the location or relocation of a new or expanding business. If the applicant provides matching funds of at least twenty percent for the proposed project, the department may award a grant of up to five thousand dollars for each new full-time job proposed to be created as a result of the project. The maximum amount of a grant under this section is fifty thousand dollars. The grant funds may be used only to remodel closed public school buildings in a city in which the closed school was the only school in the city. The department may establish additional guidelines for the awarding of grants under this section.

SECTION 13. LEGISLATIVE INTENT - GRANTS - CHAMPION COMMUNITIES. It is the intent of the legislative assembly that \$75,000 of the grants line item in subdivision 5 of section 1 of this Act be allocated to provide matching funds on a dollar-for-dollar basis to the United States department of agriculture designated champion/REAP alliance communities to provide funding for an economic development coordinator employed by these communities to assist in economic development and to help stem outmigration, for the biennium beginning July 1, 2001, and ending June 30, 2003. Local matching funds may be cash or in-kind contributions.

SECTION 14. LEGISLATIVE INTENT - DEVELOPMENT FUND MISSION. It is the intent of the legislative assembly that the department of commerce continue the current mission of the development fund and not become involved in the new markets initiative, for the biennium beginning July 1, 2001, and ending June 30, 2003.

SECTION 15. STATE TAX COMMISSIONER - AUDIT OF ETHANOL PRODUCTION INCENTIVE PROGRAM. The state tax commissioner shall conduct an audit of the ethanol production incentive program during the biennium beginning July 1, 2001, and ending June 30, 2003.

SECTION 16. LEGISLATIVE INTENT - TOURISM. It is the intent of the legislative assembly that for the purpose of preparing a budget request for the 2003-05 biennium, the base budget request for the tourism department not include the \$100,000 appropriation provided by the fifty-seventh legislative assembly for additional marketing relating to the Lewis and Clark bicentennial.

SECTION 17. LEGISLATIVE COUNCIL STUDY - WORKFORCE DEVELOPMENT. The legislative council shall consider studying, during the 2001-02 interim, workforce development programs in North Dakota, including efforts to recruit and retain North Dakota's workforce, underemployment and skills shortages, current workforce training efforts, the involvement of the new economy initiative goals and strategies, and the work force 2000 and new jobs training programs and the appropriate agency that should administer these two programs.

SECTION 18. LEGISLATIVE INTENT - WORKFORCE DEVELOPMENT GRANTS - TALENT RECRUITMENT INITIATIVE. It is the intent of the legislative assembly that \$400,000 of the grants line item in subdivision 5 of section 1 of this Act be allocated for the development of a public/private partnership statewide talent recruitment initiative for the biennium beginning July 1, 2001, and ending June 30, 2003.

SECTION 19. LEGISLATIVE INTENT - WORKFORCE DEVELOPMENT GRANTS - LABOR AVAILABILITY AND WORKFORCE NEEDS. It is the intent of the legislative assembly that \$200,000 of the grants line item in subdivision 5 of section 1 of this Act be allocated for grants to local communities or regions for labor availability research or for identification of employer workforce needs for the biennium beginning July 1, 2001, and ending June 30, 2003."

Page 4, after line 22, insert:

"SECTION 21. AMENDMENT. Section 54-34.4-04 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

54-34.4-04. North Dakota motion picture development office - Advisory board. The North Dakota motion picture development office is a part of the tourism department. The office shall promote North Dakota as a location for shooting films, television shows, documentaries, and commercials, and shall provide technical

expertise to persons desiring to use the state as a filming location. The director of the tourism department shall appoint staff necessary to fulfill the functions and duties of the office and ~~shall~~ may appoint an advisory board of no more than ten members to assist in advising the office and to provide technical expertise to offer prospective film companies seeking locations and advice. The board shall serve without compensation, except reimbursement for actual and necessary expenses at the same rate as allowed other state officers to be paid from funds available to the office within the limits of legislative appropriations.

SECTION 22. A new section to chapter 54-34.4 of the North Dakota Century Code is created and enacted as follows:

Copyright and trademark. The director of the tourism department may obtain copyright or trademark protection for anything that may be used to promote the policies listed in section 54-34.4-03. The director may license and charge a fee for photographs and logos and anything with copyright or trademark protection."

Page 5, line 12, replace "9" with "23"

Page 5, after line 13, insert:

"SECTION 25. EMERGENCY. Section 22 of this Act is declared to be an emergency measure."

ReNUMBER accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2019 - Summary of Senate Action

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Department of Economic Development and Finance			
Total all funds	\$20,411,391	(\$20,411,391)	
Less estimated income	6,396,902	(6,396,902)	
General fund	\$14,014,489	(\$14,014,489)	\$0
Department of Commerce - Administration			
Total all funds		\$1,164,990	\$1,164,990
Less estimated income		249,487	249,487
General fund	\$0	\$915,503	\$915,503
Department of Commerce - Economic Development			
Total all funds		\$15,299,941	\$15,299,941
Less estimated income		5,390,203	5,390,203
General fund	\$0	\$9,909,738	\$9,909,738
Department of Commerce - Community Services			
Total all funds		\$38,585,339	\$38,585,339
Less estimated income		37,503,285	37,503,285
General fund	\$0	\$1,082,054	\$1,082,054
Department of Commerce - Tourism			
Total all funds		\$5,077,351	\$5,077,351
Less estimated income		363,000	363,000
General fund	\$0	\$4,714,351	\$4,714,351
Department of Commerce - Workforce Development			
Total all funds		\$941,287	\$941,287
Less estimated income		60,584	60,584
General fund	\$0	\$880,703	\$880,703
Bill Total			
Total all funds	\$20,411,391	\$40,657,517	\$61,068,908
Less estimated income	6,396,902	37,169,657	43,566,559
General fund	\$14,014,489	\$3,487,860	\$17,502,349

Senate Bill No. 2019 - Department of Economic Development and Finance - Senate Action

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$3,725,220	(\$3,725,220)	
Operating expenses	8,944,228	(8,944,228)	
Equipment	296,358	(296,358)	
Grants	1,673,292	(1,673,292)	
North Dakota development fund	750,000	(750,000)	
Agricultural products utilization	5,022,293	(5,022,293)	
Total all funds	\$20,411,391	(\$20,411,391)	\$0
Less estimated income	6,396,902	(6,396,902)	

General fund	\$14,014,489	(\$14,014,489)	\$0
FTE	30.00	(30.00)	0.00

Dept. 601 - Department of Economic Development and Finance - Detail of Senate Changes

	CONSOLIDATE WITH DEPARTMENT OF COMMERCE ¹	TOTAL SENATE CHANGES
Salaries and wages	(\$3,725,220)	(\$3,725,220)
Operating expenses	(8,944,228)	(8,944,228)
Equipment	(296,358)	(296,358)
Grants	(1,673,292)	(1,673,292)
North Dakota Development Fund	(750,000)	(750,000)
Agricultural products utilization	<u>(5,022,293)</u>	<u>(5,022,293)</u>
Total all funds	(\$20,411,391)	(\$20,411,391)
Less estimated income	<u>(6,396,902)</u>	<u>(6,396,902)</u>
General fund	(\$14,014,489)	(\$14,014,489)
FTE	(30.00)	(30.00)

¹ Funding for the Department of Economic Development and Finance is removed and consolidated into the Department of Commerce as recommended by Governor Hoeven.

Senate Bill No. 2019 - Department of Commerce - Administration - Senate Action

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Salaries and wages		\$877,474	\$877,474
Operating expenses		187,516	187,516
Economic development foundation		100,000	100,000
Total all funds	\$0	\$1,164,990	\$1,164,990
Less estimated income		<u>249,487</u>	<u>249,487</u>
General fund	\$0	\$915,503	\$915,503
FTE	0.00	8.00	8.00

Dept. 606 - Department of Commerce - Administration - Detail of Senate Changes

	CREATE DEPARTMENT OF COMMERCE ¹	ADD FUNDING FOR FOUNDATION	TOTAL SENATE CHANGES
Salaries and wages	\$877,474		\$877,474
Operating expenses	187,516		187,516
Economic development foundation		\$100,000	100,000
Total all funds	\$1,064,990	\$100,000	\$1,164,990
Less estimated income	<u>249,487</u>		<u>249,487</u>
General fund	\$815,503	\$100,000	\$915,503
FTE	8.00	0.00	8.00

¹ This change provides funding for this division of the Department of Commerce as recommended by Governor Hoeven.

A section is added providing that the Legislative Council consider monitoring the establishment of the department during the 2001-02 interim.

A section of legislative intent is added providing that the department develop a strategic plan.

Senate Bill No. 2019 - Department of Commerce - Economic Development - Senate Action

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Salaries and wages		\$2,388,822	\$2,388,822
Operating expenses		4,453,499	4,453,499
Equipment		111,058	111,058
Grants		1,723,292	1,723,292
North Dakota Development Fund		1,616,000	1,616,000
Agricultural products utilization		<u>5,007,270</u>	<u>5,007,270</u>
Total all funds	\$0	\$15,299,941	\$15,299,941
Less estimated income		<u>5,390,203</u>	<u>5,390,203</u>
General fund	\$0	\$9,909,738	\$9,909,738
FTE	0.00	19.00	19.00

Dept. 607 - Department of Commerce - Economic Development - Detail of Senate Changes

	CREATE DEPARTMENT OF COMMERCE ¹	TRANSFER WORKFORCE DEVELOPMENT ²	REDUCE DEVELOPMENT FUND ³	INCREASE FUNDING FOR MARKETING	ADD FUNDING FOR GRANTS	TOTAL SENATE CHANGES
Salaries and wages	\$2,580,109	(\$191,287)				\$2,388,822
Operating expenses	4,413,499			\$40,000		4,453,499
Equipment	111,058					111,058
Grants	1,673,292				\$50,000	1,723,292
North Dakota Development Fund	2,616,000		(\$1,000,000)			1,616,000
Agricultural products utilization	5,007,270					5,007,270
Total all funds	\$16,401,228	(\$191,287)	(\$1,000,000)	\$40,000	\$50,000	\$15,299,941
Less estimated income	<u>5,450,787</u>	<u>(60,584)</u>				<u>5,390,203</u>
General fund	\$10,950,441	(\$130,703)	(\$1,000,000)	\$40,000	\$50,000	\$9,909,738
FTE	21.00	(2.00)	0.00	0.00	0.00	19.00

¹ This change provides funding for this division of the Department of Commerce as recommended by Governor Hoeven.

² The workforce development position and a research position are transferred to the Workforce Development Division of the department.

³ Funding for the North Dakota Development Fund is provided at \$1,616,000 from the general fund, \$1,000,000 less than recommended by Governor Hoeven and \$866,000 more than Governor Schafer's recommendation.

Provisions are added removing the allocation of \$7,000 of the funding provided for the ethanol incentive program audit. A section is added requiring the Tax Commissioner to conduct an audit of the program during the 2001-03 biennium.

Provisions are added requiring the ethanol plants to notify the Agricultural Products Utilization Commission by October 1, 2001, if the plants intend to request ethanol incentives during the 2001-03 biennium. If any plants do not intend to request the incentives, the funding appropriated for those incentives will be used for Agricultural Products Utilization Commission grants during the 2001-03 biennium.

A section is added providing that \$250,000 of the funding provided for marketing be spent for cooperative marketing grants involving local economic development corporations.

A section is added providing that \$15,000 of the grants line item be allocated for professional training grants to economic development professionals in communities with a population of less than 10,000.

A section is added providing that \$50,000 of the grants line item be used for grants for a pilot project for remodeling of abandoned public school buildings.

A section of legislative intent is added providing that the development fund continue its current mission and not become involved in the new markets initiative during the 2001-03 biennium.

Senate Bill No. 2019 - Department of Commerce - Community Services - Senate Action

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Salaries and wages		\$1,665,525	\$1,665,525
Operating expenses		2,539,380	2,539,380
Equipment		73,500	73,500
Grants		<u>34,306,934</u>	<u>34,306,934</u>
Total all funds	\$0	\$38,585,339	\$38,585,339
Less estimated income		<u>37,503,285</u>	<u>37,503,285</u>
General fund	\$0	\$1,082,054	\$1,082,054
FTE	0.00	15.00	15.00

Dept. 608 - Department of Commerce - Community Services - Detail of Senate Changes

	CREATE DEPARTMENT OF COMMERCE ¹	REDUCE FUNDING FOR RENAISSANCE ADMINISTRATION ²	TOTAL SENATE CHANGES
Salaries and wages	\$1,665,525		\$1,665,525
Operating expenses	2,579,380	(\$40,000)	2,539,380
Equipment	73,500		73,500
Grants	<u>34,306,934</u>		<u>34,306,934</u>
Total all funds	\$38,625,339	(\$40,000)	\$38,585,339

Less estimated income	<u>37,503,285</u>		<u>37,503,285</u>
General fund	\$1,122,054	(\$40,000)	\$1,082,054
FTE	15.00	0.00	15.00

1 This change provides funding for this division of the Department of Commerce as recommended by Governor Hoeven.

2 The funding provided for the administration of the renaissance zone program is removed.

Senate Bill No. 2019 - Department of Commerce - Tourism - Senate Action

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Salaries and wages		\$905,785	\$905,785
Operating expenses		3,300,437	3,300,437
Equipment		15,378	15,378
Grants		100,000	100,000
Lewis and Clark Bicentennial		<u>755,751</u>	<u>755,751</u>
Total all funds	\$0	\$5,077,351	\$5,077,351
Less estimated income		<u>363,000</u>	<u>363,000</u>
General fund	\$0	\$4,714,351	\$4,714,351
FTE	0.00	9.00	9.00

Dept. 609 - Department of Commerce - Tourism - Detail of Senate Changes

	CREATE DEPARTMENT OF COMMERCE 1	TRANSFER GRANTS TO OPERATING 2	ADD FUNDING FOR LEWIS AND CLARK MARKETING 3	ADD FUNDING FOR GRANTS 4	TOTAL SENATE CHANGES
Salaries and wages	\$905,785				\$905,785
Operating expenses	3,270,437	\$30,000			3,300,437
Equipment	15,378				15,378
Grants	30,000	(30,000)		\$100,000	100,000
Lewis and Clark Bicentennial	655,751		\$100,000		755,751
Total all funds	\$4,877,351	\$0	\$100,000	\$100,000	\$5,077,351
Less estimated income	<u>363,000</u>				<u>363,000</u>
General fund	\$4,514,351	\$0	\$100,000	\$100,000	\$4,714,351
FTE	9.00	0.00	0.00	0.00	9.00

1 This change provides funding for this division of the Department of Commerce as recommended by Governor Hoeven.

2 The recommended grants line item of \$30,000 is removed and the funding is transferred to the operating expenses line item. The grant was previously provided to the Greater North Dakota Association for publication of the North Dakota Horizons magazine.

3 The recommended appropriation for the Lewis and Clark Bicentennial is increased by \$100,000 from the general fund to provide additional funding for marketing relating to the Lewis and Clark Bicentennial event.

4 Funding is added for providing a grant to the North Dakota Cowboy Hall of Fame.

Sections are added that:

- Provide legislative intent that the additional \$100,000 general fund appropriation provided for Lewis and Clark Bicentennial marketing is not to be considered part of the department's base budget for the purpose of submitting the budget request for the 2003-05 biennium.
- Amend North Dakota Century Code (NDCC) Section 54-34.4-04 to provide that the director of the Tourism Department may appoint an advisory board to assist the North Dakota Motion Picture Development Office. Section 54-34.4-04 currently requires the appointment of such a board.
- Create a new section to NDCC Chapter 54-34.4 to provide that the director of the Tourism Department may obtain copyright or trademark protection for any item used to promote the state tourism policies, as established by Section 54-34.4-03. This section is an emergency measure.

Senate Bill No. 2019 - Department of Commerce - Workforce Development - Senate Action

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Salaries and wages		\$191,287	\$191,287
Operating expenses		50,000	50,000
Equipment		25,000	25,000
Grants		<u>675,000</u>	<u>675,000</u>
Total all funds	\$0	\$941,287	\$941,287

Less estimated income	_____	<u>60,584</u>	<u>60,584</u>
General fund	\$0	\$880,703	\$880,703
FTE	0.00	2.00	2.00

Dept. 610 - Department of Commerce - Workforce Development - Detail of Senate Changes

	PROVIDE FUNDING FOR THE DIVISION ¹	TOTAL SENATE CHANGES
Salaries and wages	\$191,287	\$191,287
Operating expenses	50,000	50,000
Equipment	25,000	25,000
Grants	<u>675,000</u>	<u>675,000</u>
Total all funds	\$941,287	\$941,287
Less estimated income	<u>60,584</u>	<u>60,584</u>
General fund	\$880,703	\$880,703
FTE	2.00	2.00

¹ Funding for the Workforce Development Division of the department is provided, including 2 FTE positions transferred from the Economic Development and Finance Division.

A section is added providing that \$75,000 of the grants line item be allocated to provide matching funds to United States Department of Agriculture designated Champion/REAP Alliance Communities for providing funding for an economic development coordinator for each of these communities.

A section is added providing that \$400,000 of the grants line item be allocated for the development of a public/private partnership statewide talent recruitment initiative.

A section is added providing that \$200,000 of the grants line item be allocated for grants to local communities and regions for labor availability research and for identification of employer workforce needs.

The following schedule compares Governor Schafer's recommendation, Governor Hoeven's recommendation, and the Senate version:

	2001-03 SCHAFER RECOMMENDATION	2001-03 HOEVEN RECOMMENDATION	SENATE VERSION
Department of Economic Development and Finance - SB 2019 as amended	\$20,411,391		
Tourism Department - HB 1022	4,960,778		
Division of Community Services - HB 1015	39,098,238		
Department of Commerce - SB 2019 as amended	_____	<u>\$60,968,908</u>	<u>\$61,068,908</u>
Total	<u>\$64,470,407</u>	<u>\$60,968,908</u>	<u>\$61,068,908</u>
General fund	\$19,805,180	\$17,402,349	\$17,502,349
Other funds	\$44,665,227	\$43,566,559	\$43,566,559
FTE	62.00	53.00	53.00

REPORT OF STANDING COMMITTEE

SB 2034, as engrossed: Appropriations Committee (Sen. Nething, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2034 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2195: Appropriations Committee (Sen. Nething, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2195 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "an appropriation" with "legislative intent relating", after the first "the" insert "appropriation for the tourism division of the", and replace "tourism" with "commerce and funding"

Page 1, line 4, replace "**APPROPRIATION**. There is appropriated out of any moneys in the" with "**LEGISLATIVE INTENT - GRANT TO NORTH DAKOTA COWBOY HALL OF FAME**. The grants line item appropriated to the tourism division of the department of commerce in Senate Bill No. 2019 includes"

Page 1, line 5, remove "general fund in the state treasury, not otherwise appropriated,"

Page 1, line 6, remove "to the tourism department"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Dept. 609 - Department of Commerce - Senate Action

This amendment removes the general fund appropriation contained in the bill as introduced and provides legislative intent that \$100,000 of the grants line item appropriated to the Tourism Division of the Department of Commerce be used to provide a grant to the North Dakota Cowboy Hall of Fame.

REPORT OF STANDING COMMITTEE

SB 2252, as engrossed: Appropriations Committee (Sen. Nething, Chairman) recommends **DO PASS** (9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2252 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2271: Appropriations Committee (Sen. Nething, Chairman) recommends **DO NOT PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2271 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2285: Appropriations Committee (Sen. Nething, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). SB 2285 was placed on the Sixth order on the calendar.

Page 1, line 9, replace "general" with "water development trust"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2285 - State Water Commission - Senate Action

This amendment changes the funding for the Section 404 program from the general fund to the water development trust fund.

REPORT OF STANDING COMMITTEE

SB 2294, as engrossed: Appropriations Committee (Sen. Nething, Chairman) recommends **DO PASS** (9 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2294 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2337, as engrossed: Appropriations Committee (Sen. Nething, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2337 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2345: Appropriations Committee (Sen. Nething, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2345 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2352, as engrossed: Appropriations Committee (Sen. Nething, Chairman) recommends **DO PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2352 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2354, as engrossed: Appropriations Committee (Sen. Nething, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2354 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2357: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman) recommends **DO NOT PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2357 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2361, as engrossed: Appropriations Committee (Sen. Nething, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2361 was placed on the Sixth order on the calendar.

Page 2, line 23, remove "and from special funds derived"

Page 2, line 24, remove "from federal funds and from other income,"

Page 2, line 25, after "health" insert ", for the biennium beginning July 1, 2001, and ending June 30, 2003,"

ReNUMBER accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

SENATE - This amendment clarifies the appropriation language in the bill indicating that \$39,000 is appropriated from the general fund for the 2001-03 biennium.

REPORT OF STANDING COMMITTEE

SB 2368: Judiciary Committee (Sen. Traynor, Chairman) recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2368 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2373: Judiciary Committee (Sen. Traynor, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). SB 2373 was placed on the Sixth order on the calendar.

Page 1, line 7, remove "all", after "income" insert "derived", and replace "a" with "all sources"

Page 1, line 8, remove the first "second job", after the second "second" insert "or subsequent jobs or from irregular overtime from a primary"

Page 1, line 12, replace the second "a" with "employment beyond a regular forty-hour workweek"

Page 1, line 13, remove "second job"

ReNUMBER accordingly

REPORT OF STANDING COMMITTEE

SB 2380, as engrossed: Appropriations Committee (Sen. Nething, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2380 was placed on the Sixth order on the calendar.

Page 1, line 3, remove "; to provide an appropriation"

Page 1, line 5, replace "9" with "8"

Page 1, line 17, replace "6" with "5"

Page 2, line 30, replace "9" with "8"

Page 3, line 12, replace "9" with "8"

Page 3, remove lines 19 through 29

Page 4, line 12, replace "8" with "7"

Page 5, line 31, replace "9" with "8"

Page 6, line 7, replace "9" with "8"

Page 6, line 17, replace "attorney general" with "state of North Dakota"

Page 6, line 18, after the period insert "The attorney general may sue for the recovery of grant funds."

Page 7, line 4, after "fund" insert "and federal funds from the centers for disease control and prevention"

Page 7, remove lines 5 through 8

Page 7, line 9, replace "b" with "a"

Page 7, line 11, replace "c" with "b", replace "two" with "four", and replace "a healthy" with ":

- (1) A healthy schools grant program that provides grants to schools for tobacco cessation programs.
- (2) A healthy communities grant program. The eligibility criteria for the program must include a one hundred percent matching funds requirement and must provide that grant eligibility is based upon a community's effectiveness in enforcing state and local tobacco seller and use laws and ordinances and reducing incidence of youth smoking and other high-risk behaviors.

Page 7, remove lines 12 through 18

Page 7, line 19, replace "e" with "c" and replace "seven hundred fifty thousand" with "one million"

Page 7, line 20, after "program" insert "and to provide antitobacco materials and resources to the public"

Page 7, replace lines 21 through 30 with:

- "d. The department shall use the remaining funds for public health emergencies and to provide funding for the grant programs established under this subsection, if necessary, based upon the anticipated timing of transfers to be received from the tobacco settlement trust fund. Moneys may not be used to engage in political activity or lobbying, including support of or opposition to candidates, ballot questions, referenda, or similar activities."

ReNUMBER accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2380 - Senate Action

This amendment removes the appropriation for Senate Bill No. 2380 and provides the details of the programs which are to be funded from the community health trust fund.

REPORT OF STANDING COMMITTEE

SB 2384: Judiciary Committee (Sen. Traynor, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2384 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 section 50-25.1-05.1 of the North Dakota Century Code, relating to the determination of when services are required for the protection and treatment of an abused or neglected child.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 50-25.1-05.1 of the North Dakota Century Code is amended and reenacted as follows:

50-25.1-05.1. Services required - How determined. ~~Upon~~ Unless the information is confidential under section 44-04-18.7, upon completion of the assessment of the initial report of child abuse or neglect, a decision must be made whether services are required to provide for the protection and treatment of an abused or neglected child.

1. This determination is the responsibility of the department.
2. A decision that services are required may not be made where the suspected child abuse or neglect arises solely out of conduct involving the legitimate practice of religious beliefs by a parent or guardian. This exception does not preclude a court from ordering that medical services be provided to the child where the child's life or safety requires it or the child is subject to harm or threatened harm.
3. When a decision is made that services are required to provide for the protection and treatment of an abused or neglected child, the department shall make a good-faith effort to provide written notice of the decision to persons identified in subsection 9 of section 50-25.1-11. The department shall consider any known domestic violence when providing notification under this section."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2394, as engrossed: Appropriations Committee (Sen. Nething, Chairman) recommends **DO PASS** (7 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2394 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2400: Judiciary Committee (Sen. Traynor, Chairman) recommends **DO PASS** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). SB 2400 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2403, as engrossed: Appropriations Committee (Sen. Nething, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2403 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2410: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). SB 2410 was placed on the Sixth order on the calendar.

Page 1, line 3, remove "and telecommunications companies"

Page 2, line 8, after "cooperative" insert "except a rural electric cooperative having two thousand five hundred or more members served"

Page 2, line 9, remove the overstrike over "~~eight~~", remove "two", and remove "five hundred"

Page 2, line 10, remove "or is a rural electric cooperative having fewer than two thousand five"

Page 2, line 11, remove "hundred members served", remove the overstrike over "~~utility~~", remove "company", and remove the overstrike over "~~is operated~~"

Page 2, line 12, remove the overstrike over "~~as a nonprofit, cooperative, or mutual telecommunications company or~~", remove the overstrike over "~~eight~~", and remove "two"

Page 2, line 13, remove "five hundred"

Page 2, line 23, remove ", telecommunications companies that have two"

Page 2, line 24, remove "thousand five hundred or more local exchange subscribers."

Page 2, line 27, remove ", telecommunications"

Page 2, line 28, remove "companies that have two thousand five hundred or more local exchange subscribers."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2418: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends **DO NOT PASS** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). SB 2418 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2446: Judiciary Committee (Sen. Traynor, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2446 was placed on the Sixth order on the calendar.

Page 7, line 18, replace "law enforcement agencies" with "the attorney general"

Page 7, line 19, after "risk" insert "and supporting documentation" and remove "which the department determines is relevant"

Page 7, line 24, after "risk" insert "level"

Page 7, line 27, after "courts" insert "or the agency having legal custody of a juvenile"

Page 7, line 28, after "courts" insert "or the agency having legal custody of a juvenile"

Page 7, line 29, replace "law enforcement agencies" with "the attorney general"

Page 7, line 30, after "risk" insert "and supporting documentation" and remove "which the juvenile courts determine is relevant"

Page 8, line 6, after "risk" insert "level"

Page 8, line 7, remove "Upon written request, law enforcement agencies may disclose conviction and"

Page 8, remove line 8

Page 8, line 30, replace "If" with "The attorney general shall develop guidelines for public disclosure of offender registration information."

Page 8, remove line 31

Page 9, remove lines 1 and 2

Page 9, line 3, remove "of the offender."

Page 9, after line 9, insert:

"If the offender has been determined to be a moderate risk, public disclosure must include at a minimum, notification to the victim of the offense and to any agency, civic organization, or group of persons who have characteristics similar to those of a victim of the offender. Upon request, law enforcement agencies may release conviction and registration information regarding low-risk, moderate-risk, or high-risk offenders."

Page 10, line 1, after "adopted" insert "under section 12.1-32-15"

Page 10, line 2, after "offenders" insert ", the risk level review process, and public disclosure information"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2451: Judiciary Committee (Sen. Traynor, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2451 was placed on the Sixth order on the calendar.

Page 1, line 11, after the comma insert "collection of appropriate specimens and" and overstrike "any contagious disease" and insert immediately thereafter "bloodborne pathogens, including human immunodeficiency virus, hepatitis B, and hepatitis C infection"

Page 1, line 12, after "conducted" insert "within twenty-four hours. A licensed physician with expertise in infectious diseases shall make the determination of which tests are required. Results of these tests must be provided to the physician providing care for the person who experienced the significant exposure"

Page 1, line 13, replace "any contagious disease" with "bloodborne pathogens"

Page 1, line 14, replace "allow" with "provide" and after "the" insert "physician providing care for the"

Page 1, line 15, replace "access to" with "testing results of" and replace "human" with "bloodborne pathogen"

Page 1, line 16, remove "immunodeficiency virus test results"

Page 1, line 17, after "control" insert "within twenty-four hours. If there are no testing results for bloodborne pathogens within that facility and there is reason to believe that results are available from another facility, the facility that received the person who died shall attempt to obtain testing results of bloodborne pathogens of the deceased within twenty-four hours from the facility where it is believed results exist. The test results must be provided to the physician providing care for the person who experienced the significant exposure"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2455: Finance and Taxation Committee (Sen. Urlacher, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2455 was placed on the Sixth order on the calendar.

Page 1, line 21, replace the first "two" with "up to four", replace "of the senate and two" with ", consisting of the tax commissioner or designee and up to three", and replace "of the house of" with ", at least two of whom must be members of the legislative assembly, to be"

Page 1, line 22, remove "representatives,"

Page 1, line 23, replace "**to**" with "**may**", replace "The" with "Upon prior approval of the agreement by the legislative assembly, the", and replace "shall" with "may"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SCR 4035: Judiciary Committee (Sen. Traynor, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SCR 4035 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1053, as engrossed: Agriculture Committee (Sen. Wanzek, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1053 was placed on the Sixth order on the calendar.

Page 1, line 12, overstrike "the state engineer,"

Page 1, line 13, overstrike "commissioner of" and after "agriculture" insert "commissioner"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1076: Finance and Taxation Committee (Sen. Urlacher, Chairman) recommends **DO PASS** (5 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1076 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1083: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1083 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1090: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1090 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1093: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1093 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1144, as engrossed: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1144 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1346: Education Committee (Sen. Freborg, Chairman) recommends **DO PASS** (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1346 was placed on the Fourteenth order on the calendar.

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Sens. Krauter, Kroeplin and Reps. Froelich, Kerzman, Nicholas introduced:

SCR 4043: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of promoting carbon sequestration programs in this state.

Was read the first time and referred to the **Natural Resources Committee**.

Sens. Lindaas, Tomac and Rep. Niemeier introduced:

SCR 4044: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of implementing incentives to encourage and promote the recycling of product containers.

Was read the first time and referred to the **Natural Resources Committee**.

Sens. Tomac, Stenehjem, Wardner and Reps. DeKrey, Nelson, Schmidt introduced:

SCR 4045: A concurrent resolution for the amendment of section 5 of article X of the Constitution of North Dakota, relating to the taxable status of land held for conservation or wildlife purposes; and to provide an effective date.

Was read the first time and referred to the **Finance and Taxation Committee**.

Sens. Tomac, Cook, Freborg and Reps. Mahoney, Porter, Wrangham introduced:

SCR 4046: A concurrent resolution directing the Legislative Council to study issues related to the Missouri River in this state.

Was read the first time and referred to the **Natural Resources Committee**.

Sens. Erbele, G. Nelson, Trenbeath and Reps. Belter, Kretschmar, Wald introduced:

SCR 4047: A concurrent resolution for the amendment of sections 2 and 5 of article V of the Constitution of North Dakota, relating to the agriculture commissioner; to provide for application; and to provide an effective date.

Was read the first time and referred to the **Agriculture Committee**.

FIRST READING OF HOUSE BILLS

HB 1084: A BILL for an Act to amend and reenact section 52-02-17 of the North Dakota Century Code, relating to the job insurance trust fund and a report to the legislative council.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

HB 1085: A BILL for an Act to amend and reenact section 52-04-06.1 of the North Dakota Century Code, relating to impact project incremental bonds under the unemployment compensation system.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

HB 1229: A BILL for an Act to create and enact a new section to chapter 15.1-09 of the North Dakota Century Code, relating to the payment of signing bonuses by school boards.

Was read the first time and referred to the **Education Committee**.

HB 1300: A BILL for an Act to amend and reenact subdivision a of subsection 1 of section 53-06.1-03 of the North Dakota Century Code, relating to charity events by public-spirited organizations.

Was read the first time and referred to the **Judiciary Committee**.

HB 1321: A BILL for an Act to amend and reenact section 15-40.1-07.7 of the North Dakota Century Code or in the alternative to amend and reenact section 15.1-27-12 of the North Dakota Century Code, relating to the payments for limited English proficient students.

Was read the first time and referred to the **Education Committee**.

HB 1326: A BILL for an Act to amend and reenact section 15-38-17 of the North Dakota Century Code or in the alternative to amend and reenact section 15.1-13-02 and subsection 2 of section 15.1-13-29 of the North Dakota Century Code, relating to the membership of the education standards and practices board; and to provide an effective date.

Was read the first time and referred to the **Education Committee**.

HB 1358: A BILL for an Act to amend and reenact section 27-20-02, subsection 1 of section 27-20-06, sections 27-20-08, 27-20-10, and 27-20-17, subsection 2 of section 27-20-20.1, sections 27-20-22, 27-20-25, and 27-20-31, subsection 4 of section 27-20-32.2, subsection 4 of section 27-20-36, and subsection 3 of section 27-20-47, relating to definitions, filing petitions, duties of juvenile supervisors, informal adjustments, continued shelter care, termination of parental rights, and disposition of a delinquent child under the Uniform Juvenile Court Act.

Was read the first time and referred to the **Judiciary Committee**.

HB 1367: A BILL for an Act to amend and reenact sections 12.1-32-09.1 and 19-03.1-23.1 of the North Dakota Century Code, relating to sentencing for drug offenses.

Was read the first time and referred to the **Judiciary Committee**.

HB 1398: A BILL for an Act to create and enact a new section to chapter 12-44.1 of the North Dakota Century Code, relating to correctional facility files and records.

Was read the first time and referred to the **Judiciary Committee**.

HB 1444: A BILL for an Act to create and enact a new section to chapter 15-62.1 of the North Dakota Century Code, relating to student loan principal reductions.

Was read the first time and referred to the **Education Committee**.

HB 1451: A BILL for an Act to provide for administrative rules committee review of existing administrative rules.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 3007: A concurrent resolution directing the Legislative Council to study the establishment of regional water entities to manage water based on regional or watershed boundaries.

Was read the first time and referred to the **Agriculture Committee**.

HCR 3012: A concurrent resolution urging Congress to reject any attempt to extend the Internet Tax Freedom Act moratorium on imposition of state and local taxes on internet access and on electronic commerce transactions.

Was read the first time and referred to the **Finance and Taxation Committee**.

HCR 3018: A concurrent resolution directing the Legislative Council to study alternatives, including school district income taxes, for funding sources to reduce school districts' dependence on property taxes.

Was read the first time and referred to the **Finance and Taxation Committee**.

HCR 3029: A concurrent resolution designating United States Highway 83 through the state of North Dakota as the "Veterans of Foreign Wars Memorial Highway".

Was read the first time and referred to the **Transportation Committee**.

HCR 3031: A concurrent resolution making application to Congress to submit to the states an amendment to the Constitution of the United States to prohibit the United States Supreme Court and any federal court from ordering a state or political subdivision to levy or increase taxes.

Was read the first time and referred to the **Finance and Taxation Committee**.

HCR 3046: A concurrent resolution directing the Legislative Council to study issues related to genetically modified wheat, including issues of segregation, liability, economic impact, and agronomic effects.

Was read the first time and referred to the **Agriculture Committee**.

HCR 3048: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of creating a State Department of Health Division of Women's Health and an Advisory Committee on Women's Health.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

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

WILLIAM R. HORTON, Secretary

