

## JOURNAL OF THE SENATE

## Fifty-seventh Legislative Assembly

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Bismarck, March 27, 2001

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

The prayer was offered by Pastor Matthew Putz, Century Baptist Church, Bismarck.

The roll was called and all members were present except Senator Erbele.

A quorum was declared by the President.

## REPORT OF DELAYED BILLS COMMITTEE

**MR. PRESIDENT:** Your **Delayed Bills Committee (Sen. Solberg, Chairman)** has approved the introduction of a concurrent resolution urging Congress to direct the Secretary of Agriculture and the federal Risk Management Agency to establish a pricing policy so crop revenue coverage for durum can be continued.

The resolution will be SCR 4050.

## REPORT OF DELAYED BILLS COMMITTEE

**MR. PRESIDENT:** Your **Delayed Bills Committee (Sen. Solberg, Chairman)** has approved the introduction of a concurrent resolution urging Congress to take any and all measures necessary to guard against the spread of all livestock diseases, including hoof and mouth disease and bovine spongiform encephalopathy, and to encourage aggressive efforts on the part of other countries with a view to eradicating these diseases with all possible celerity.

The resolution will be SCR 4051.

## MOTION

**SEN. CHRISTMANN MOVED** that Senate Rule 329(4) be amended to read "fifty-fifth legislative day" in place of "fifty-second legislative day", thereby extending the deadline for referral of bills to the **Appropriations Committee**, which motion prevailed.

## CONSIDERATION OF AMENDMENTS

**HB 1273, as engrossed: SEN. STENEHJEM (Finance and Taxation Committee) MOVED** that the amendments on SJ page 971 be adopted and then be **REFERRED** to the **Appropriations Committee** with **DO PASS**, which motion prevailed.

## MOTION

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

## CONSIDERATION OF AMENDMENTS

**HCR 3015: SEN. DEVER (Government and Veterans Affairs Committee) MOVED** that the amendments on SJ page 972 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

## SECOND READING OF HOUSE CONCURRENT RESOLUTION

**HCR 3015:** A concurrent resolution directing the Legislative Council to study the separation of powers between the legislative, executive, and judicial branches and the distinction between the responsibilities of each branch.

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

HCR 3015, as amended, was declared adopted, and the title was agreed to on a voice vote.

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## CONSIDERATION OF AMENDMENTS

**HCR 3039: SEN. C. NELSON (Government and Veterans Affairs Committee) MOVED** that the amendments on SJ page 972 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

**SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 3039:** A concurrent resolution to encourage the Secretary of State to appoint a committee to conduct a comprehensive study of North Dakota election laws.

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

HCR 3039, as amended, was declared adopted, and the title was agreed to on a voice vote.

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**MOTION**

**SEN. CHRISTMANN MOVED** that HB 1305 and HB 1462 be moved to the top of the Fourteenth order, which motion prevailed.

**SECOND READING OF HOUSE BILL**

**HB 1305:** A BILL for an Act to amend and reenact section 53-06.1-07.2 of the North Dakota Century Code, relating to conduct of poker under the games of chance laws.

**MOTION**

**SEN. WATNE MOVED** that Engrossed HB 1305 be amended as follows, which motion prevailed on a verification vote.

Page 1, line 6, remove the overstrike over "~~on not more than two occasions per~~"

Page 1, line 7, after "~~year~~" insert "month"

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 6 YEAS, 42 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Fischer; Mathern, D.; Polovitz; Stenehjem; Urlacher; Watne

**NAYS:** Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Espegard; Every; 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; Robinson; Schobinger; Solberg; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Erbele

Engrossed HB 1305, as amended, lost.

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**SECOND READING OF HOUSE BILL**

**HB 1462:** A BILL for an Act to amend and reenact section 43-17-41 of the North Dakota Century Code, relating to the duty to report injuries.

**MOTION**

**SEN. LYSON MOVED** that Engrossed HB 1462 be amended as follows:

Page 1, line 15, after "individual" insert "performing diagnosis or treatment"

Page 1, line 21, remove "Unless the injured person is being treated for injuries inflicted by means"

Page 1, remove lines 22 through 24

Page 2, remove lines 1 through 5

Renumber accordingly

**REQUEST**

**SEN. D. MATHERN REQUESTED** a recorded roll call vote on the motion to adopt the proposed amendments to Engrossed HB 1462, which request was granted.

**ROLL CALL**

The question being on the motion to adopt the proposed amendments to Engrossed HB 1462, the roll was called and there were 35 YEAS, 13 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bowman; Christmann; Cook; Dever; Espesgard; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Klein; Krauter; Krebsbach; Kringstad; Kroepin; Lindaas; Lyson; Mutch; Nelson, G.; Nething; Nichols; Schobinger; Solberg; Stenehjem; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

**NAYS:** Bercier; Christenson; Every; Kelsh; Kilzer; Lee; Mathern, D.; Mathern, T.; Nelson, C.; O'Connell; Polovitz; Robinson; Tallackson

**ABSENT AND NOT VOTING:** Erbele

The proposed amendments to Engrossed HB 1462 were adopted.

**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, 7 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Espesgard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Kringstad; Kroepin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Nelson, C.; Nelson, G.; Nething; O'Connell; Polovitz; Robinson; Schobinger; Stenehjem; Tallackson; Tollefson; Tomac; Traynor; Urlacher; Wanzek; Wardner

**NAYS:** Krebsbach; Mutch; Nichols; Solberg; Thane; Trenbeath; Watne

**ABSENT AND NOT VOTING:** Erbele

Engrossed HB 1462, as amended, passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1115:** A BILL for an Act to create and enact a new section to chapter 50-24.1 of the North Dakota Century Code, relating to a personal care option for individuals residing in basic care facilities; 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 48 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; Espesgard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroepin; 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

**ABSENT AND NOT VOTING:** Erbele

Reengrossed HB 1115, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

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**SECOND READING OF HOUSE BILL**

**HB 1216:** A BILL for an Act to amend and reenact subsections 1 and 2 of section 54-52.6-02 and section 54-52.6-03 of the North Dakota Century Code, relating to participation in the defined contribution retirement plan.

**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 31 YEAS, 17 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

**NAYS:** Bercier; Christenson; Every; Heitkamp; Holmberg; Kelsh; Krauter; Kroeplin; Lindaas; Lyson; Mathern, D.; Mathern, T.; Nelson, C.; Nichols; O'Connell; Robinson; Tomac

**ABSENT AND NOT VOTING:** Erbele

Engrossed HB 1216 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1032:** A BILL for an Act to amend and reenact subsection 1 of section 54-35.2-01 of the North Dakota Century Code, relating to the membership of the advisory commission on intergovernmental relations.

### 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 38 YEAS, 10 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Bercier; Christenson; Christmann; Cook; Dever; Espgaard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Nelson, C.; Nelson, G.; Nichols; O'Connell; Polovitz; Robinson; Stenehjem; Tallackson; Tollefson; Trenbeath; Urlacher; Wanzek; Wardner; Watne

**NAYS:** Andrist; Bowman; Klein; Mutch; Nething; Schobinger; Solberg; Thane; Tomac; Traynor

**ABSENT AND NOT VOTING:** Erbele

HB 1032 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1259:** A BILL for an Act to create and enact a new section to chapter 54-10 of the North Dakota Century Code, relating to audits and reviews of occupational and professional boards; and to amend and reenact subsection 2 of section 54-10-01 of the North Dakota Century Code, relating to powers and duties of the state auditor.

### 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 46 YEAS, 2 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; 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.; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

**NAYS:** Nething; Solberg

**ABSENT AND NOT VOTING:** Erbele

HB 1259 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1406:** A BILL for an Act to amend and reenact subsection 8 of section 26.1-01-03 of the North Dakota Century Code, relating to the duty of the insurance commissioner to send annual reports.

**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 48 YEAS, 0 NAYS, 0 EXCUSED, 1 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.; Mutch; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

**ABSENT AND NOT VOTING:** Erbele

HB 1406 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1417:** A BILL for an Act to create and enact a new chapter to title 4 of the North Dakota Century Code, relating to a loan program and the issuance of revenue bonds or other evidences of indebtedness by the industrial commission of North Dakota for the establishment of meatpacking plants.

**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 48 YEAS, 0 NAYS, 0 EXCUSED, 1 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.; Mutch; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

**ABSENT AND NOT VOTING:** Erbele

HB 1417 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1431:** A BILL for an Act to provide for a legislative council study of this state's correctional system.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 48 YEAS, 0 NAYS, 0 EXCUSED, 1 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.; Mutch; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Tallackson; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner; Watne

**ABSENT AND NOT VOTING:** Erbele

Engrossed HB 1431 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1435:** A BILL for an Act to provide for a prohibition on discrimination and preferential treatment by the state.

**MOTION**

**SEN. KREBSBACH MOVED** that Engrossed HB 1435 be amended as follows, which motion prevailed on a voice vote.

Page 1, line 19, after the period insert "Prohibit programs and policies at public and nonpublic institutions of higher education intended to encourage diversity and provide opportunities for members of disadvantaged or diverse groups in order to prepare students to be knowledgeable, contributing members of an increasingly global, multicultural society;

e."

Page 1, line 21, replace "e" with "f"

Page 2, line 1, replace "f" with "g"

Page 2, line 5, replace "g" with "h"

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 25 YEAS, 23 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bowman; Christmann; Cook; Dever; Fischer; Flakoll; Freborg; Grindberg; Kilzer; Klein; Krebsbach; Kringstad; Mutch; Nelson, G.; Nething; Schobinger; Solberg; Stenehjerm; Tollefson; Traynor; Trenbeath; Wanzek; Wardner; Watne

**NAYS:** Bercier; Christenson; Espgaard; Every; Heitkamp; Holmberg; Kelsh; Krauter; Kroepin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Nelson, C.; Nichols; O'Connell; Polovitz; Robinson; Tallackson; Thane; Tomac; Urlacher

**ABSENT AND NOT VOTING:** Erbele

Engrossed HB 1435, as amended, passed and the title was agreed to.

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**SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 3019:** A concurrent resolution urging that if the Congress of the United States authorizes the return of federal lands around Lake Sakakawea and Lake Oahe to the Three Affiliated Tribes and the Standing Rock Sioux Tribe, that the interests of all persons, including the affected Indian tribes, in lands and resources on those lands that are adjacent to Lake Sakakawea and Lake Oahe be protected, that individuals who have invested resources in developing the recreational facilities around Lake Sakakawea and Lake Oahe be guaranteed free access to those facilities, and that other excess federal lands acquired for the Pick-Sloan Project be returned to their original owners, their heirs, or the state of North Dakota.

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

Engrossed HCR 3019 was declared lost on a voice vote.

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**SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 3041:** A concurrent resolution urging Congress to hold hearings regarding pricing structures and practices within the agricultural sector, giving particular attention to wheat prices, and to initiate an investigation by the United States Department of Justice regarding the pricing structures and practices within the agricultural sector, giving particular attention to the organizational structure of and relationships between large corporate participants in the purchasing and pricing of agricultural commodities, especially wheat and grains.

**REQUEST**

**SEN. HEITKAMP REQUESTED** a recorded roll call vote on the final adoption of HCR 3041, which request was granted.

**ROLL CALL**

The question being on the final adoption of the resolution, which has been read, the roll was called and there were 18 YEAS, 30 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

**NAYS:** Andrist; Christmann; Cook; Dever; 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

**ABSENT AND NOT VOTING:** Erbele

HCR 3041 was declared lost.

**SECOND READING OF HOUSE BILL**

**HB 1282:** A BILL for an Act to create and enact a new section to chapter 50-24.1 of the North Dakota Century Code, relating to reimbursements from medical assistance; and to amend and reenact sections 23-27-04 and 23-27-04.1 of the North Dakota Century Code, relating to nonmedically necessary ambulance transports.

**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 48 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bercier; Bowman; Christenson; Christmann; Cook; Dever; 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

**ABSENT AND NOT VOTING:** Erbele

Engrossed HB 1282 passed and the title was agreed to.

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**MOTION**

**SEN. CHRISTMANN MOVED** that HB 1099, HB 1119, and HB 1184 be moved to the top of the calendar, which motion prevailed.

**APPOINTMENT OF CONFERENCE COMMITTEE**

**SEN. KREBSBACH MOVED** that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on Engrossed HB 1099, which motion prevailed.

**THE PRESIDENT APPOINTED** as a Conference Committee on Engrossed HB 1099: Sens. Wardner, Krebsbach, C. Nelson.

**APPOINTMENT OF CONFERENCE COMMITTEE**

**SEN. KREBSBACH MOVED** that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on Engrossed HB 1119, which motion prevailed.

**THE PRESIDENT APPOINTED** as a Conference Committee on Engrossed HB 1119: Sens. Dever, Kilzer, C. Nelson.

**APPOINTMENT OF CONFERENCE COMMITTEE**

**SEN. STENEHJEM MOVED** that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on Engrossed HB 1184, which motion prevailed.

**THE PRESIDENT APPOINTED** as a Conference Committee on Engrossed HB 1184: Sens. Stenehjem, Trenbeath, O'Connell.

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

**MR. PRESIDENT:** The Speaker has signed: SCR 4028.

**DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following resolution was delivered to the Secretary of State for filing on March 27, 2001: SCR 4028.

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

**MR. SPEAKER:** The Senate has amended and subsequently passed: HB 1251, HB 1319, HB 1371, HB 1426, HB 1451, HB 1456.

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

**MR. SPEAKER:** The Senate has amended, subsequently passed, and the emergency clause failed: HB 1377.

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

**MR. SPEAKER:** The Senate has amended and subsequently failed to pass: HB 1425.

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

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

**HB 1099:** Sens. Wardner; Krebsbach; C. Nelson

**HB 1119:** Sens. Dever; Kilzer; C. Nelson

**HB 1184:** Sens. Stenehjem; Trenbeath; O'Connell

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

**MR. PRESIDENT:** The House does not concur in the Senate amendments to HB 1189 and HB 1245 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

**HB 1189:** Reps. R. Kelsch; Hawken; Schmidt

**HB 1245:** Reps. Pollert; Dosch; Thorpe

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

**MR. PRESIDENT:** The House has concurred in the Senate amendments and subsequently passed: HB 1114, HB 1168, HB 1206, HB 1289, HB 1409, HB 1423, HB 1437, and HB 1459.

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

**MR. PRESIDENT:** The House has amended, subsequently passed, and the emergency clause carried: SB 2389.

**HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2389**

Page 1, line 1, remove "create and and enact a new section to chapter 4-10 of the North Dakota"

Page 1, line 2, remove "Century Code, relating to seed potato inspections; and to"

Page 1, remove lines 5 through 11

Renumber accordingly

**PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2389**

In addition to the amendments adopted by the House as printed on page 1011 of the House Journal, Engrossed Senate Bill No. 2389 is further amended as follows:

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

Page 2, after line 10, insert:

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

Renumber accordingly

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

**MR. PRESIDENT:** The House has amended and subsequently passed: SB 2114.

**HOUSE AMENDMENTS TO REENGROSSED SENATE BILL NO. 2114**

Page 8, line 24, replace the first "of" with "or"



Page 8, line 25, remove "activity"

Page 12, line 15, after the first comma insert "a specialty practice registered nurse,"

Page 12, line 19, after the first comma insert "a specialty practice registered nurse,"

Re-number accordingly

**PROPOSED AMENDMENTS TO REENGROSSED SENATE BILL NO. 2114**

In addition to the amendments adopted by the House as printed on pages 960 and 961 of the House Journal, Reengrossed Senate Bill No. 2114 is further amended as follows:

Page 6, line 10, after the first comma insert "specialty practice registered nurse,"

Re-number accordingly

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

**MR. PRESIDENT:** The House has amended and subsequently passed: SB 2222, SB 2223, SB 2420.

**HOUSE AMENDMENTS TO SENATE BILL NO. 2222**

Page 1, line 6, remove the overstrike over "~~through~~" and after "2006" insert "2010"

Re-number accordingly

**HOUSE AMENDMENTS TO SENATE BILL NO. 2223**

Page 1, line 1, replace the second "and" with a comma and after "61-24.5-08" insert ", and subsection 7 of section 61-35-12"

Page 1, line 2, after "authority" insert "and the reimbursement of water district employee expenses"

Page 2, after line 25, insert:

**"SECTION 3. AMENDMENT.** Subsection 7 of section 61-35-12 of the North Dakota Century Code is amended and reenacted as follows:

7. Appoint and fix the compensation and reimbursement of expenses of such employees as the board deems necessary to conduct the business and affairs of the district and to procure the services of engineers and other technical experts, and to retain attorneys to assist, advise, and act for it in its proceedings."

Re-number accordingly

**HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2420**

Page 1, line 2, remove "to repeal chapter 15 of the 1893 Session Laws,"

Page 1, line 3, remove "relating to authorizing the state to acquire a parcel of land in Pembina County;"

Page 1, line 7, remove ", in accordance with chapter 15 of the 1893 Session Laws,"

Page 1, line 9, replace "Demaulin" with "Dumoulin"

Page 1, line 12, replace "that represents, to the satisfaction of Pembina" with "by deed adequately protecting the county by providing that the suitable organization, its successors and assigns,"

Page 1, line 13, remove "County, that it", after "property" insert "solely", and after "cemetery" insert ", and for no other purpose,"

Page 2, remove line 3

Re-number accordingly

**MOTION**

**SEN. CHRISTMANN MOVED** that the absent member be excused, which motion prevailed.

**MOTION**

**SEN. CHRISTMANN MOVED** that the Senate be on the Fourth, Fifth, Seventh, and Ninth orders of business and at the conclusion of those orders, the Senate stand adjourned until 1:00 p.m., Wednesday, March 28, 2001, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

**HB 1468, as engrossed: Appropriations Committee (Sen. Nething, Chairman)** recommends **DO PASS** (8 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1468 was placed on the Fourteenth order on the calendar.

**FIRST READING OF SENATE CONCURRENT RESOLUTIONS**

Sen. Wanzek and Reps. Lemieux, Nelson, Nicholas introduced:  
(Approved by the Delayed Bills Committee)

**SCR 4050:** A concurrent resolution urging Congress to direct the Secretary of Agriculture and the federal Risk Management Agency to establish a pricing policy so crop revenue coverage for durum can be continued.

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

Sens. Wanzek, Klein, Solberg and Reps. Boehm, Nicholas, Severson introduced:  
(Approved by the Delayed Bills Committee)

**SCR 4051:** A concurrent resolution urging Congress to take any and all measures necessary to guard against the spread of all livestock diseases, including hoof and mouth disease and bovine spongiform encephalopathy, and to encourage aggressive efforts on the part of other countries with a view to eradicating these diseases with all possible celerity.

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

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

**WILLIAM R. HORTON, Secretary**