

**JOURNAL OF THE HOUSE**

**Fifty-eighth Legislative Assembly**

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**Bismarck, March 11, 2003**

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

The prayer was offered by Rev. Dale Nabin, Missouri Slope Lutheran Care Center, Bismarck.

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

A quorum was declared by the Speaker.

**CORRECTION AND REVISION OF THE JOURNAL**

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

Page 844, line 32 replace DO PASS with DO NOT PASS

Page 844, line 32, after PASS remove the word and

Page 844, line 33, remove be REREFERRED to the APPROPRIATIONS COMMITTEE.

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

**SIXTH ORDER OF BUSINESS**

**REP. BERG MOVED** that the amendments on the Sixth order of business to SB 2072, SB 2215, SB 2220, SB 2227 and SB 2419 be adopted, which motion prevailed.

SB 2072, SB 2215, SB 2220, SB 2227 and SB 2419, as amended, were placed on the Fourteenth order of business on the calendar.

**SECOND READING OF HOUSE CONCURRENT RESOLUTIONS ON CONSENT  
CALENDAR**

**HCR 3075:** A concurrent resolution directing the Legislative Council to study and identify federal and state statutory and regulatory policies that discourage or prevent final bond release applications from being filed and study and identify Public Service Commission regulatory policies that could be implemented to encourage flexibility in proving reclamation success and reducing administrative and regulatory burdens necessary for bond release applications and study and identify actions being undertaken by the mining companies to achieve final bond release.

**HCR 3076:** A concurrent resolution urging Congress to recognize the meritorious aspects and the successes of the Head Start program, maintain funding at the highest possible level, and reject any proposal to move Head Start from the Department of Health and Human Services to the Department of Education or to limit the scope of Head Start.

The question being on the final adoption of the resolutions, which have been read.

HCR 3075 and HCR 3076 were declared adopted on a roll call vote, and the titles were agreed to.

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**SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 3058:** A concurrent resolution to create and enact two new sections to article V of the Constitution of North Dakota, relating to organization of the executive branch and a state planning council.

**ROLL CALL**

The question being on the final passage of the resolution, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 19 YEAS, 74 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Brusegaard; Delmore; Eckre; Ekstrom; Froseth; Hanson; Hawken; Herbel; Kelsh, S.; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Nottestad; Uglem; Warnke; Wikenheiser; Speaker Wentz

**NAYS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Carlisle; Carlson; Clark; DeKrey; Delzer; Devlin; Dosch; Drovdal; Froelich; Galvin; Glassheim; Grande; Grosz; Gulleason; Haas; Headland; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Svedjan; Thoreson; Thorpe; Tieman; Timm; Wald; Warner; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser

**ABSENT AND NOT VOTING:** Solberg

Engrossed HCR 3058 lost.

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### SECOND READING OF HOUSE CONCURRENT RESOLUTION

**HCR 3071:** A concurrent resolution for the amendment of section 18 of article X of the Constitution of North Dakota, relating to the use of public funds.

#### ROLL CALL

The question being on the final passage of the resolution, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 24 YEAS, 69 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Boehning; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delzer; Grande; Headland; Iverson; Kasper; Kempenich; Klein, F.; Kretschmar; Maragos; Martinson; Pollert; Ruby; Sitte; Thoreson; Timm; Wald; Weiler; Wrangham

**NAYS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boucher; Delmore; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grosz; Gulleason; Haas; Hanson; Hawken; Herbel; Hunskor; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kingsbury; Klein, M.; Klemin; Koppelman; Kreidt; Kroeber; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Nottestad; Onstad; Pietsch; Porter; Potter; Price; Rennerfeldt; Sandvig; Schmidt; Severson; Skarphol; Svedjan; Thorpe; Tieman; Uglem; Warner; Warnke; Weisz; Wieland; Wikenheiser; Williams; Winrich; Zaiser; Speaker Wentz

**ABSENT AND NOT VOTING:** Solberg

Engrossed HCR 3071 lost.

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### SECOND READING OF SENATE BILL

**SB 2213:** A BILL for an Act to create and enact three new subsections to section 39-01-01 and a new subsection to section 39-12-04 of the North Dakota Century Code, relating to definitions of motor vehicles and the width of motor vehicles; and to amend and reenact subsections 25 and 84 of section 39-01-01 of the North Dakota Century Code, relating to the definitions of house car and travel trailer.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 90 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Brusegaard; Solberg; Timm; Zaiser

SB 2213 passed and the title was agreed to.

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### SECOND READING OF SENATE BILL

**SB 2266:** A BILL for an Act to amend and reenact subsection 1 of section 18-05-06 of the North Dakota Century Code, relating to firefighters relief association pensions.

### ROLL CALL

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

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

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

SB 2266 passed and the title was agreed to.

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### SECOND READING OF SENATE BILL

**SB 2341:** A BILL for an Act to create and enact sections 50-22-06 and 50-22-07 of the North Dakota Century Code, relating to charitable solicitations; to amend and reenact sections 50-22-01, 50-22-02, 50-22-02.1, 50-22-04, 50-22-04.3, and 50-22-05 of the North Dakota Century Code, relating to charitable solicitations; and to repeal section 50-22-04.2 of the North Dakota Century Code, relating to charitable solicitations.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 55 YEAS, 37 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Berg; Boehning; Boucher; Clark; DeKrey; Devlin; Dosch; Eckre; Ekstrom; Froseth; Glassheim; Grande; Gullerson; Haas; Hanson; Hawken; Herbel; Hunskor; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kingsbury; Klein, M.; Klemin; Kreidt; Kretschmar; Kroeber; Maragos; Meier; Nelson; Nicholas; Norland; Nottestad; Onstad; Pietsch; Potter; Price; Sandvig; Severson; Thorpe; Tieman; Uglem; Warner; Weisz; Wikenheiser; Williams; Winrich; Speaker Wentz

**NAYS:** Belter; Bernstein; Boe; Brusegaard; Carlisle; Carlson; Delmore; Delzer; Drovdal; Froelich; Galvin; Grosz; Headland; Iverson; Kerzman; Klein, F.; Koppelman; Martinson; Metcalf; Monson; Mueller; Niemeier; Pollert; Porter; Rennerfeldt; Ruby; Schmidt; Sitte; Skarphol; Svedjan; Thoreson; Timm; Wald; Warnke; Weiler; Wieland; Wrangham

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

Engrossed SB 2341 passed and the title was agreed to.

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### MOTION

**REP. S. KELSH MOVED** that the House reconsider its action whereby SB 2224 failed to pass, which motion lost on a verification vote.

**SECOND READING OF SENATE BILL**

**SB 2367:** A BILL for an Act to create and enact a new subdivision to subsection 1 of section 57-38-01.2 and a new subdivision to subsection 2 of section 57-38-30.3 of the North Dakota Century Code, relating to an income tax deduction for members of the reserve components of the armed forces of the United States when called to federal active service; 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 91 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

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

Engrossed SB 2367 passed and the title was agreed to.

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**FIRST READING OF HOUSE CONCURRENT RESOLUTION**

Reps. Belter, Berg, Carlson and Sens. Freborg, Nething, Stenehjem introduced:  
(Approved by the Delayed Bills Committee)

**HCR 3077:** A concurrent resolution urging the United States Senators for the state of North Dakota to support the floor vote and nomination of judicial nominee Miguel Estrada.  
Was read the first time.

**MOTION**

**REP. BERG MOVED** that the rules be suspended, that HCR 3077 not be printed, not be referred to committee, be read in its entirety, be printed in the Journal and placed on the calendar for second reading and final passage, which motion prevailed.

Reps. Belter, Berg, Carlson and Sens. Freborg, Nething, Stenehjem introduced:  
(Approved by the Delayed Bills Committee)

**HOUSE CONCURRENT RESOLUTION NO. 3077**

A concurrent resolution urging the United States Senators for the state of North Dakota to support the floor vote and nomination of judicial nominee Miguel Estrada.

**WHEREAS**, on May 9, 2001, the President nominated Miguel A. Estrada to fill a vacancy on the United States Court of Appeals from the District of Columbia Circuit; and

**WHEREAS**, Mr. Estrada's credentials are uncontested, beginning with his mastery of the English language and American culture upon his arrival to the United States as an immigrant from Honduras, and his graduation magna cum laude from Columbia University and Harvard Law School; and

**WHEREAS**, Mr. Estrada has received support from liberal and conservative colleagues alike who attest that he is one of the most brilliant and effective appellate lawyers in the country; and

**WHEREAS**, organizations who support Mr. Estrada include the League of United Latin American Citizens; United States Hispanic Chamber of Commerce; Hispanic National Bar Association; Hispanic Business Roundtable; and the Latino Coalition; and

**WHEREAS**, Mr. Estrada would be the first Hispanic in the country to sit on the United States Court of Appeals District of Columbia Circuit, an important and prestigious position within the nations' Court of Appeals; and

**WHEREAS**, after the Senate Judiciary Committee issued a favorable report to the United States Senate, over a year-and-a-half has passed without a vote on the Senate floor because of partisan politics, including a filibuster by Democratic Senators;

**NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:**

That the Fifty-eighth Legislative Assembly urges the United States Senators for the State of North Dakota to support the floor vote and nomination of the judicial nominee Miguel Estrada; and

**BE IT FURTHER RESOLVED**, that the Secretary of State forward copies of this resolution to the United States Senators for the State of North Dakota.

**SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 3077:** A concurrent resolution urging the United States Senators for the state of North Dakota to support the floor vote and nomination of judicial nominee Miguel Estrada.

**ROLL CALL**

The question being on the final adoption of the resolution, which has been read, the roll was called and there were 65 YEAS, 24 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

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

**NAYS:** Aarsvold; Amerman; Boe; Boucher; Delmore; Eckre; Ekstrom; Glassheim; Gulleon; Hanson; Hunskor; Kelsh, S.; Kerzman; Kroeber; Metcalf; Mueller; Niemeier; Onstad; Potter; Sandvig; Schmidt; Thorpe; Williams; Winrich

**ABSENT AND NOT VOTING:** Brusegaard; Froelich; Solberg; Warner; Zaiser

HCR 3077 was declared adopted on a recorded roll call vote.

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**REQUEST**

**REP. BERG REQUESTED** that all resolutions be messaged over to the Senate immediately, which motion prevailed.

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

**MR. PRESIDENT:** The House has amended, subsequently passed, and the emergency clause carried: SB 2084.

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

**MR. PRESIDENT:** The House has amended and subsequently passed: SB 2068, SB 2155, SB 2156, SB 2350.

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

**MR. PRESIDENT:** The House has passed unchanged: SB 2077, SB 2104, SB 2112, SB 2134, SB 2139, SB 2146, SB 2162, SB 2176, SB 2178, SB 2183, SB 2184, SB 2218, SB 2224, SB 2229, SB 2390, SB 2400.

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

**MR. PRESIDENT:** The House has passed and your favorable consideration is requested on: HCR 3052, HCR 3053, HCR 3061, HCR 3069, HCR 3073, HCR 3075, HCR 3076, HCR 3077.

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

**MR. PRESIDENT:** The House has passed unchanged: SCR 4006, SCR 4011, SCR 4013, SCR 4020, SCR 4026, SCR 4030.

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

**MR. PRESIDENT:** The House has failed to pass: SB 2127.

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

**MR. SPEAKER:** The Senate has passed and your favorable consideration is requested on: SCR 4032.

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

**MR. SPEAKER:** The Senate has failed to pass: HB 1333, HCR 3057.

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

**MR. SPEAKER:** The Senate has failed to pass: HB 1346.

**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)**  
**MR. SPEAKER:** The Senate has passed unchanged: HB 1075, HB 1076, HB 1184, HB 1220, HB 1297, HB 1359, HB 1380, HB 1386, HB 1393, HCR 3002, HCR 3026.

**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)**  
**MR. SPEAKER:** The Senate has amended, subsequently passed, and the emergency clause carried: HB 1143.

**SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1143**

Page 2, line 7, remove "Under this subsection,"

Page 2, remove lines 8 and 9

Re-number accordingly

**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)**  
**MR. SPEAKER:** The Senate has amended and subsequently passed: HB 1100, HB 1414.

**SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1100**

Page 1, line 14, overstrike "cash book in which must be entered the amount" and insert immediately thereafter "record"

Page 1, line 16, overstrike "ledger in which" and insert immediately thereafter "record that" and overstrike "be kept" and insert immediately thereafter "keep"

Page 1, line 17, overstrike "book in which" and insert immediately thereafter "record that" and overstrike "be shown" and insert immediately thereafter "show"

Page 1, line 19, after "~~prescribe~~" insert "The records may be created and published via electronic devices and must be in compliance with state audit guidelines" and remove the overstrike over the overstruck period

Re-number accordingly

**SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1414**

Page 5, line 23, remove "or utilize"

Re-number accordingly

**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 1065.

**SENATE AMENDMENTS TO HOUSE BILL NO. 1065**

Page 2, line 27, overstrike "North Dakota workers compensation" and insert immediately thereafter "workforce safety and insurance"

Re-number accordingly

**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)**  
**MR. SPEAKER:** The President has signed: HB 1078, HB 1080, HB 1084, HB 1085, HB 1098, HB 1110, HB 1111, HB 1124, HB 1127, HB 1137, HB 1140, HB 1141, HB 1155, HB 1160, HB 1164, HB 1165, HB 1169, HB 1210, HB 1232, HB 1254, HB 1266, HB 1390, HB 1419, HB 1441, HCR 3003, HCR 3044.

**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)**  
**MR. SPEAKER:** The President has signed and your signature is respectfully requested on: SB 2079, SB 2093, SB 2094, SB 2114, SB 2120, SB 2121, SB 2122, SB 2123, SB 2136, SB 2142, SB 2145, SB 2158, SB 2179, SB 2205, SB 2206, SB 2286, SB 2289.

**FIRST READING OF SENATE CONCURRENT RESOLUTION**

**SCR 4032:** A concurrent resolution directing the Legislative Council to study perpetual and nonperpetual easements; the feasibility and desirability of enacting legislation authorizing perpetual conservation easements; and the modification, salability, and termination of existing perpetual easements.

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

**REPORT OF STANDING COMMITTEE**

**SB 2089: Human Services Committee (Rep. Price, Chairman)** recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (10 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). SB 2089 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2118, as engrossed: Government and Veterans Affairs Committee (Rep. M. Klein, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2118 was placed on the Sixth order on the calendar.

Page 4, line 19, remove the overstrike over "A", after "~~amount~~" insert "record", and remove the overstrike over "~~of all moneys received or paid~~"

Page 4, remove the overstrike over line 20

Page 4, line 21, remove the overstrike over "2.", overstrike "ledger in which" and insert immediately thereafter "record that", and overstrike "be kept" and insert immediately thereafter "keep"

Page 4, line 22, remove the overstrike over "3.", remove "2.", overstrike "book in which" and insert immediately thereafter "record that", and overstrike "be shown" and insert immediately thereafter "show"

Page 4, line 24, remove the overstrike over "4.", remove "3.", and overstrike "Such other books as the state auditor shall prescribe" and insert immediately thereafter "Records must be created and published via electronic devices and must be in compliance with state audit guidelines"

Re-number accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2138: Judiciary Committee (Rep. DeKrey, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2138 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2147, as engrossed: Judiciary Committee (Rep. DeKrey, Chairman)** recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2147 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2168: Political Subdivisions Committee (Rep. Froseth, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2168 was placed on the Sixth order on the calendar.

Page 1, line 9, replace "chapter" with "chapters 36-22 and"

Re-number accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2190: Judiciary Committee (Rep. DeKrey, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2190 was placed on the Sixth order on the calendar.

Page 1, line 10, remove "1."

Page 1, line 15, overstrike "or"

Page 1, line 17, replace the underscored period with ", or"

Page 1, line 18, remove "2. A person under twenty-one years of age may not"

Page 1, line 19, remove the overstrike over the overstruck comma

Page 1, line 21, after "~~entering~~" insert "who"

Page 2, line 3, remove "3."

Page 2, line 4, remove "4."

Page 2, line 12, remove "1."

Page 2, line 17, remove "2."

Page 2, line 18, remove the overstrike over "if" and remove the underscored colon

Page 2, line 19, remove "a. If"

Page 2, line 21, remove the overstrike over the overstruck comma and insert immediately thereafter "or", remove the overstrike over "if", and remove the underscored semicolon

Page 2, line 22, remove "b. If"

Page 2, line 25, replace the underscored semicolon with ". A person may enter and remain on the licensed premises if"

Page 2, line 26, remove "c. If"

Page 2, line 27, remove the underscored semicolon and after "or" insert "if"

Page 2, line 28, remove "d. If"

Page 3, line 1, remove "3."

Page 3, line 4, remove "4."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2223, as engrossed: Political Subdivisions Committee (Rep. Froseth, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). Engrossed SB 2223 was placed on the Sixth order on the calendar.

Page 1, line 5, after the second "by" insert "ordinance or"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2252, as engrossed: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 4 NAYS, 3 ABSENT AND NOT VOTING). Engrossed SB 2252 was placed on the Sixth order on the calendar.

Page 4, line 3, replace "imposes" with "impose"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2269: Judiciary Committee (Rep. DeKrey, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2269 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2308, as engrossed: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). Engrossed SB 2308 was placed on the Sixth order on the calendar.

Page 1, line 16, after "transmitting" insert "or manually submitting" and after "dollar" insert "and fifty cents"

Renumber accordingly



**MOTION**

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

**MOTION**

**REP. MONSON MOVED** that the House be on the Fifth, Ninth, Eleventh, Twelfth, Fourteenth, and Sixteenth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Wednesday, March 12, 2003, which motion prevailed.

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

**BRADLEY C. FAY, Chief Clerk**

