

JOURNAL OF THE SENATE

Fifty-eighth Legislative Assembly

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Bismarck, February 12, 2003

The Senate convened at 1:00 p.m., with Deputy President Pro Tem Nothing presiding.

The prayer was offered by Pastor Dale V. Nabben, Missouri Slope Lutheran Care Center, Bismarck.

The roll was called and all members were present except Senators Freborg and Traynor.

A quorum was declared by the Deputy President Pro Tem.

REPORT OF DELAYED BILLS COMMITTEE

MR. PRESIDENT: Your **Delayed Bills Committee (Sen. Cook, Chairman)** has approved the introduction of a bill for an Act to create an investigating committee regarding implementation of the No Child Left Behind Act of 2001; and to declare an emergency.

The bill will be SB 2418.

MOTION

SEN. CHRISTMANN MOVED that SB 2125, SB 2227, SB 2330, and SB 2367 be returned to the Senate floor from the **Appropriations Committee** and placed on the Eleventh order on the calendar for Legislative Day 28, which motion prevailed.

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 2311: SEN. WARDNER (Finance and Taxation Committee) MOVED that the amendments on SJ page 320 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2311: A BILL for an Act to create and enact a new chapter to title 54 and a new section to chapter 57-51.1 of the North Dakota Century Code, relating to creating and establishing an oil and gas research council and oil and gas research fund; and to provide a continuing 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 42 YEAS, 3 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Brown; Christenson; Christmann; Cook; Dever; Erbele; Espeland; Every; Fairfield; Fischer; Flakoll; Grindberg; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Nelson; Nothing; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Seymour; Syverson; Tallackson; Taylor; Thane; Tollefson; Trenbeath; Urlacher; Wardner

NAYS: Heitkamp; Mutch; Stenehjem

ABSENT AND NOT VOTING: Freborg; Traynor

Engrossed SB 2311 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2001: SEN. TALLACKSON (Appropriations Committee) MOVED that the amendments on SJ page 317 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2001: A BILL for an Act to provide an appropriation for defraying the expenses of the office of the governor.

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, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Brown; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fairfield; Fischer; Flakoll; Grindberg; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Trenbeath; Urlacher; Wardner

ABSENT AND NOT VOTING: Freborg; Traynor

Engrossed SB 2001 passed and the title was agreed to.

THE SENATE RECOGNIZED THE PRESENCE OF:

Former Senator Jim Yokim.

CONSIDERATION OF AMENDMENTS

SB 2005: SEN. MATHERN (Appropriations Committee) MOVED that the amendments on SJ page 318 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2005: A BILL for an Act to provide an appropriation for defraying the expenses of the state treasurer.

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, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Brown; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fairfield; Fischer; Flakoll; Grindberg; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Trenbeath; Urlacher; Wardner

ABSENT AND NOT VOTING: Freborg; Traynor

Engrossed SB 2005 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2020: SEN. ANDRIST (Appropriations Committee) MOVED that the amendments on SJ pages 318-319 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2020: A BILL for an Act to provide an appropriation for defraying the expenses of the state historical society; 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 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Brown; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fairfield; Fischer; Flakoll; Grindberg; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Trenbeath; Urlacher; Wardner

ABSENT AND NOT VOTING: Freborg; Traynor

Engrossed SB 2020 passed, the title was agreed to, and the emergency clause was declared carried.

CONSIDERATION OF AMENDMENTS

SB 2060: SEN. BROWN (Government and Veterans Affairs Committee) MOVED that the amendments on SJ pages 319-320 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2060: A BILL for an Act to create and enact a new section to chapter 54-52.1 of the North Dakota Century Code, relating to an employer-based wellness program; and to amend and reenact subsection 4 of section 54-52.1-01, subsection 3 of section 54-52.1-03, and sections 54-52.1-03.1, 54-52.1-11, and 54-52.3-05 of the North Dakota Century Code, relating to eligibility for and employee payments to the uniform group insurance program and confidentiality of information under the uniform group insurance 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 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Brown; Christenson; Christmann; Cook; Dever; Erbele; Espgaard; Every; Fairfield; Fischer; Flakoll; Grindberg; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Trenbeath; Urlacher; Wardner

ABSENT AND NOT VOTING: Freborg; Traynor

Engrossed SB 2060 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2332: SEN. CHRISTENSON (Education Committee) MOVED that the amendments on SJ pages 320-321 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2332: A BILL for an Act to amend and reenact section 15.1-24-05 of the North Dakota Century Code, relating to law enforcement reports to schools of minors' tobacco citations.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 27 YEAS, 18 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Christenson; Cook; Dever; Every; Fairfield; Grindberg; Heitkamp; Holmberg; Kilzer; Krauter; Krebsbach; Lee, J.; Lindaas; Mathern; Nelson; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Seymour; Tallackson; Taylor; Urlacher; Wardner

NAYS: Bowman; Brown; Christmann; Erbele; Espgaard; Fischer; Flakoll; Klein; Kringstad; Lee, G.; Lyson; Mutch; Nething; Stenehjem; Syverson; Thane; Tollefson; Trenbeath

ABSENT AND NOT VOTING: Freborg; Traynor

Engrossed SB 2332 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2375: SEN. GRINDBERG (Appropriations Committee) MOVED that the amendments on SJ page 321 be adopted and then be placed on the Eleventh order with **DO NOT PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2375: A BILL for an Act to provide for a pharmacist loan repayment program; to provide an appropriation; to provide a continuing appropriation; 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 23 YEAS, 22 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Christenson; Every; Fairfield; Fischer; Heitkamp; Klein; Krauter; Lee, J.; Lindaas; Lyson; Mathern; Nelson; Nichols; O'Connell; Polovitz; Robinson; Seymour; Tallackson; Taylor; Tollefson; Wardner

NAYS: Bowman; Brown; Christmann; Cook; Dever; Erbele; Espegard; Flakoll; Grindberg; Holmberg; Kilzer; Krebsbach; Kringstad; Lee, G.; Mutch; Nething; Schobinger; Stenehjem; Syverson; Thane; Trenbeath; Urlacher

ABSENT AND NOT VOTING: Freborg; Traynor

Engrossed SB 2375 lost.

MOTION

SEN. CHRISTMANN MOVED that the Senate proceed to the Eleventh order, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2352: A BILL for an Act to amend and reenact section 43-25-04 of the North Dakota Century Code, relating to the practice of massage by American Indian healers.

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 5 YEAS, 40 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Andrist; Christenson; Fairfield; Polovitz; Thane

NAYS: Bercier; Bowman; Brown; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Grindberg; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; Nichols; O'Connell; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Tollefson; Trenbeath; Urlacher; Wardner

ABSENT AND NOT VOTING: Freborg; Traynor

SB 2352 lost.

SECOND READING OF SENATE BILL

SB 2291: A BILL for an Act to amend and reenact section 50-25.1-03.1 of the North Dakota Century Code, relating to child abuse and neglect reporting requirements.

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 0 YEAS, 43 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

NAYS: Andrist; Bercier; Brown; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fairfield; Fischer; Flakoll; Grindberg; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Trenbeath; Urlacher; Wardner

ABSENT AND NOT VOTING: Bowman; Freborg; Nelson; Traynor

SB 2291 lost.

SECOND READING OF SENATE BILL

SB 2085: A BILL for an Act to create and enact section 50-24.3-03.1 of the North Dakota Century Code, relating to the powers and duties of the department of human services regarding assessment services; to amend and reenact sections 50-24.3-01 and 50-24.3-03 of the North Dakota Century Code, relating to the establishment of targeted case management and assessment services for persons being admitted to a skilled nursing facility or hospital swing-bed facility; to repeal section 50-24.3-02 of the North Dakota Century Code, relating to professional involvement in the assessment process; 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 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Brown; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fairfield; Fischer; Flakoll; Grindberg; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Trenbeath; Urlacher; Wardner

ABSENT AND NOT VOTING: Freborg; Traynor

Engrossed SB 2085 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2224: A BILL for an Act to amend and reenact sections 26.1-32-01 and 26.1-32-03 of the North Dakota Century Code, relating to liability of the insurer for loss.

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 27 YEAS, 18 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Brown; Christmann; Cook; Erbele; Espegard; Every; Flakoll; Grindberg; Heitkamp; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Mutch; Schobinger; Stenehjem; Syverson; Tallackson; Thane; Tollefson; Urlacher; Wardner

NAYS: Christenson; Dever; Fairfield; Fischer; Holmberg; Lee, J.; Lindaas; Lyson; Mathern; Nelson; Nething; Nichols; O'Connell; Polovitz; Robinson; Seymour; Taylor; Trenbeath

ABSENT AND NOT VOTING: Freborg; Traynor

SB 2224 passed and the title was agreed to.

MOTION

SEN. CHRISTMANN MOVED that SB 2246 and SB 2356, which are on the Eleventh order, be laid over one legislative day, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2372: A BILL for an Act to amend and reenact subsection 2 of section 15.1-08-06 of the North Dakota Century Code, relating to a cross-reference to a school board nepotism statute; and to repeal section 15.1-09-38 of the North Dakota Century Code, relating to the employment of teachers related to school board members.

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

YEAS: Andrist; Bercier; Bowman; Brown; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fairfield; Fischer; Flakoll; Grindberg; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch;

Nelson; Polovitz; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Trenbeath; Urlacher; Wardner

NAYS: Nichols; O'Connell

ABSENT AND NOT VOTING: Freborg; Nething; Traynor

SB 2372 passed and the title was agreed to.

VOTING INTENTION

DEPUTY PRESIDENT PRO TEM NETHING STATED he intended to vote YEA on SB 2372.

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 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Brown; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fairfield; Fischer; Flakoll; Grindberg; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Trenbeath; Urlacher; Wardner

ABSENT AND NOT VOTING: Freborg; Traynor

SB 2266 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2318: A BILL for an Act to amend and reenact section 54-02-11 of the North Dakota Century Code, relating to designation of the North Dakota art museum.

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 44 YEAS, 1 NAY, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Brown; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fairfield; Fischer; Flakoll; Grindberg; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Trenbeath; Urlacher; Wardner

NAYS: Seymour

ABSENT AND NOT VOTING: Freborg; Traynor

SB 2318 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2377: A BILL for an Act to create and enact a new section to chapter 15.1-07 of the North Dakota Century Code, relating to a student's school district of residence.

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 0 YEAS, 45 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

NAYS: Andrist; Bercier; Bowman; Brown; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fairfield; Fischer; Flakoll; Grindberg; Heitkamp; Holmberg; Kilzer;

Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Trenbeath; Urlacher; Wardner

ABSENT AND NOT VOTING: Freborg; Traynor

SB 2377 lost.

SECOND READING OF SENATE BILL

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

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Andrist; Bercier; Bowman; Brown; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fairfield; Fischer; Flakoll; Grindberg; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Trenbeath; Urlacher; Wardner

ABSENT AND NOT VOTING: Freborg; Traynor

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

SECOND READING OF SENATE BILL

SB 2280: A BILL for an Act to amend and reenact section 61-16.1-40.1 of the North Dakota Century Code, relating to the assessment for federally constructed flood control projects.

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

YEAS: Andrist; Bercier; Bowman; Brown; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fairfield; Fischer; Flakoll; Grindberg; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; Nichols; Polovitz; Robinson; Schobinger; Seymour; Syverson; Tallackson; Taylor; Thane; Tollefson; Urlacher; Wardner

NAYS: O'Connell; Stenehjem; Trenbeath

ABSENT AND NOT VOTING: Freborg; Traynor

SB 2280 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2333: A BILL for an Act to amend and reenact section 43-17.1-05.1 of the North Dakota Century Code, relating to reporting requirements for health care institutions.

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 0 YEAS, 45 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

NAYS: Andrist; Bercier; Bowman; Brown; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fairfield; Fischer; Flakoll; Grindberg; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Seymour;

Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Trenbeath; Urlacher; Wardner

ABSENT AND NOT VOTING: Freborg; Traynor

SB 2333 lost.

SECOND READING OF SENATE BILL

SB 2373: A BILL for an Act to amend and reenact section 43-17.1-08 of the North Dakota Century Code, relating to communications of the State Board of Medical Examiners.

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 0 YEAS, 45 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

NAYS: Andrist; Bercier; Bowman; Brown; Christenson; Christmann; Cook; Dever; Erbele; Espgaard; Every; Fairfield; Fischer; Flakoll; Grindberg; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Trenbeath; Urlacher; Wardner

ABSENT AND NOT VOTING: Freborg; Traynor

SB 2373 lost.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4020: A concurrent resolution encouraging state agencies to provide college internships.

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO PASS.

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

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4008: A concurrent resolution directing the Legislative Council to study the need for guardianship services, standards and practices for guardians, and funding for programs for individuals with mental illness, vulnerable elderly individuals, and individuals with traumatic brain injuries.

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO PASS.

SCR 4008 was declared adopted, and the title was agreed to on a voice vote.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4026: A concurrent resolution urging the President and Congress to provide sufficient funding for implementation of the No Child Left Behind Act of 2001.

The question being on the final passage of the resolution, which has been read, and has committee recommendation of DO PASS.

SCR 4026 was declared adopted, and the title was agreed to on a voice vote.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4029: A concurrent resolution directing the Legislative Council to study issues relating to the Indian population of the state, including sovereignty, educational opportunities, population dispersement, unemployment, health concerns, suicide rates, living

conditions, and impact on the caseloads of the Department of Human Services and the Department of Corrections and Rehabilitation.

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO PASS.

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

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 2018, SB 2167, SB 2223, SB 2298, SB 2359, SB 2364, SB 2393.

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 2404.

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: HB 1095, HB 1112, HB 1113, HB 1117, HB 1214, HB 1222, HB 1239, HB 1339, HB 1437.

MOTION

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

MOTION

SEN. CHRISTMANN MOVED that the Senate be on the Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 1:00 p.m., Thursday, February 13, 2003, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2003: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2003 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "and section 54-12-11"

Page 1, line 3, remove "and the salary of the"

Page 1, line 4, remove "attorney general"

Page 1, line 11, replace "18,294,636" with "18,246,035"

Page 1, line 12, replace "7,831,087" with "8,025,869"

Page 1, line 13, replace "1,784,250" with "1,830,250"

Page 1, line 14, replace "5,841,560" with "5,891,560"

Page 1, line 18, replace "33,816,642" with "34,058,823"

Page 1, line 19, replace "17,349,237" with "17,444,577"

Page 1, line 20, replace "16,467,405" with "16,614,246"

Page 2, remove lines 27 through 31

Page 3, remove lines 1 and 2

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2003 - Attorney General - Senate Action

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$18,294,636	(\$48,601)	\$18,246,035

Operating expenses	7,831,087	194,782	8,025,869
Capital assets	1,784,250	46,000	1,830,250
Grants	5,841,560	50,000	5,891,560
Litigation fees	50,000		50,000
Arrest and return of fugitives	10,000		10,000
Gaming Commission	5,109		5,109
Total all funds	\$33,816,642	\$242,181	\$34,058,823
Less estimated income	<u>17,349,237</u>	<u>95,340</u>	<u>17,444,577</u>
General fund	\$16,467,405	\$146,841	\$16,614,246
FTE	171.00	0.00	171.00

Dept. 125 - Attorney General - Detail of Senate Changes

	REMOVES RECOMMENDED SALARY INCREASE ¹	ADDS BUREAU OF CRIMINAL INVESTIGATION AGENT	RESTORES FUNDING FOR BUREAU OF CRIMINAL INVESTIGATION OVERTIME	ADDS FUNDING FOR EQUITY INCREASES ²	RESTORES TRAINING POSITION ³	ADDS FEDERAL GRANT ⁴
Salaries and wages	(\$192,778)	\$91,401	\$21,980	\$41,024	\$116,572	\$38,325
Operating expenses		44,582			25,000	125,200
Capital assets		20,000				26,000
Grants						
Litigation fees						
Arrest and return of fugitives						
Gaming Commission						
Total all funds	(\$192,778)	\$155,983	\$21,980	\$41,024	\$141,572	\$189,525
Less estimated income	<u>(20,084)</u>			<u>41,024</u>		<u>189,525</u>
General fund	(\$172,694)	\$155,983	\$21,980	\$0	\$141,572	\$0
FTE	0.00	1.00	0.00	0.00	1.00	0.00

	ADDS FUNDING FOR RURAL RESPONSE TEAMS ⁵	REMOVES VACANT POSITIONS ⁶	TOTAL SENATE CHANGES
Salaries and wages		(\$165,125)	(\$48,601)
Operating expenses			194,782
Capital assets			46,000
Grants	\$50,000		50,000
Litigation fees			
Arrest and return of fugitives			
Gaming Commission			
Total all funds	\$50,000	(\$165,125)	\$242,181
Less estimated income	<u>50,000</u>	<u>(165,125)</u>	<u>95,340</u>
General fund	\$0	\$0	\$146,841
FTE	0.00	(2.00)	0.00

¹ This amendment removes the Governor's recommendation for state employee salary increases and retains the recommended state payment for health insurance premiums. Section 7 of the bill is removed, which included the statutory changes relating to the Attorney General's salary increase. The Attorney General's salary will remain at the current level of \$74,668 for the 2003-05 biennium.

² Funding is increased for salary equity adjustments for assistant attorneys general to provide a total of \$241,024 of other funds for the 2003-05 biennium.

³ This amendment restores one of the two law enforcement training positions eliminated in the executive budget.

⁴ Federal funding is added to improve crime laboratory operations in cases with no suspects.

⁵ The grants line item is increased by \$50,000 of funding provided by counties to reimburse rural response teams for tactical assistance provided to local law enforcement.

⁶ This amendment eliminates a vacant Bureau of Criminal Investigation research analyst II (\$75,402) and a vacant Bureau of Criminal Investigation research analyst III (\$89,723).

REPORT OF STANDING COMMITTEE

SB 2004: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2004 was placed on the Sixth order on the calendar.

Page 1, line 1, remove the semicolon

Page 1, remove line 2

Page 1, line 3, remove "salary of the state auditor"

Page 1, line 10, replace "5,754,797" with "5,620,686"

Page 1, line 11, replace "761,380" with "732,580"

Page 1, line 12, replace "100,000" with "50,000"

Page 1, line 13, replace "6,616,177" with "6,403,266"

Page 1, line 14, replace "2,140,958" with "2,121,195"

Page 1, line 15, replace "4,475,219" with "4,282,071"

Page 1, remove lines 21 through 24

Page 2, remove lines 1 through 3

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2004 - State Auditor - Senate Action

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$5,754,797	(\$134,111)	\$5,620,686
Operating expenses	761,380	(28,800)	732,580
Performance audits	<u>100,000</u>	<u>(50,000)</u>	<u>50,000</u>
Total all funds	\$6,616,177	(\$212,911)	\$6,403,266
Less estimated income	<u>2,140,958</u>	<u>(19,763)</u>	<u>2,121,195</u>
General fund	\$4,475,219	(\$193,148)	\$4,282,071
FTE	52.00	0.00	52.00

Dept. 117 - State Auditor - Detail of Senate Changes

	REMOVES RECOMMENDED SALARY INCREASE ¹	DECREASES FUNDING FOR SALARIES AND WAGES	DECREASES FUNDING FOR PERFORMANCE AUDITS LINE ITEM ²	REMOVES FUNDING FOR NEW COPIER	TOTAL SENATE CHANGES
Salaries and wages	(\$62,911)	(\$71,200)			(\$134,111)
Operating expenses				(\$28,800)	(28,800)
Performance audits			<u>(\$50,000)</u>		<u>(50,000)</u>
Total all funds	(\$62,911)	(\$71,200)	(\$50,000)	(\$28,800)	(\$212,911)
Less estimated income	<u>(19,763)</u>				<u>(19,763)</u>
General fund	(\$43,148)	(\$71,200)	(\$50,000)	(\$28,800)	(\$193,148)
FTE	0.00	0.00	0.00	0.00	0.00

¹ This amendment removes the Governor's recommendation for state employee salary increases and retains the recommended state payment for health insurance premiums.

² This amendment decreases funding from the general fund for the performance audits line item from \$100,000 to \$50,000.

REPORT OF STANDING COMMITTEE

SB 2006: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2006 was placed on the Sixth order on the calendar.

Page 1, line 3, replace "amend and reenact section 57-01-04 of the North Dakota Century Code, relating" with "provide for an exemption from the provisions of section 54-44.1-11 of the North Dakota Century Code"

Page 1, line 4, remove "to the salary of the state tax commissioner"

Page 1, line 12, replace "13,073,578" with "12,820,250"

Page 1, line 13, replace "4,595,113" with "4,465,113"

Page 1, line 14, replace "75,000" with "25,000"

Page 1, line 16, replace "21,743,691" with "21,310,363"

Page 1, line 18, replace "21,628,647" with "21,195,319"

Page 2, replace lines 1 through 7 with:

"SECTION 3. EXEMPTION. The appropriation contained in section 1 of chapter 6 of the 2001 Session Laws is not subject to the provisions of section 54-44.1-11 for an amount of up to \$110,000, and this amount may be spent for information technology projects for the biennium beginning July 1, 2003, and ending June 30, 2005."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2006 - State Tax Commissioner - Senate Action

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$13,073,578	(\$253,328)	\$12,820,250
Operating expenses	4,595,113	(130,000)	4,465,113
Capital assets	75,000	(50,000)	25,000
Homestead tax credit	<u>4,000,000</u>		<u>4,000,000</u>
Total all funds	\$21,743,691	(\$433,328)	\$21,310,363
Less estimated income	<u>115,044</u>		<u>115,044</u>
General fund	\$21,628,647	(\$433,328)	\$21,195,319
FTE	137.00	0.00	137.00

Dept. 127 - State Tax Commissioner - Detail of Senate Changes

	DECREASES FUNDING FOR SALARIES ¹	DECREASES FUNDING FOR OPERATING LINE ITEM ²	TRANSFERS FUNDING FROM CAPITAL ASSETS TO OPERATING ³	REMOVES RECOMMENDED SALARY INCREASE ⁴	TOTAL SENATE CHANGES
Salaries and wages	(\$118,143)			(\$135,185)	(\$253,328)
Operating expenses		(\$180,000)	\$50,000		(130,000)
Capital assets			(50,000)		(50,000)
Homestead tax credit					
Total all funds	(\$118,143)	(\$180,000)	\$0	(\$135,185)	(\$433,328)
Less estimated income					
General fund	(\$118,143)	(\$180,000)	\$0	(\$135,185)	(\$433,328)
FTE	0.00	0.00	0.00	0.00	0.00

¹ Underfunds the salary line item due to employee called to active military duty.

² This amendment decreases funding for the following operating expenses:

Travel	(\$15,000)
Information technology services	(80,000)
Toll-free telephone services	(24,000)
Postage	(25,000)
Professional services	(15,000)
Underfunding of line item	(21,000)
Total	(\$180,000)

³ This amendment transfers \$50,000 from the capital assets line item to operating for purchases of equipment less than \$5,000.

⁴ This amendment removes the Governor's recommendation for state employees' salary increases and retains the recommended state payment for health insurance premiums.

Senate Bill No. 2006 - Other Changes - Senate Action

A section is added providing the Tax Commissioner with up to \$110,000 of general fund carryover authority for a sales tax WebFile rewrite information technology project. A 2001-03 biennium appropriation was provided for this project; however, the Information Technology Department was unable to schedule the project during the current biennium.

REPORT OF STANDING COMMITTEE

SB 2007: Appropriations Committee (Sen. Holmberg, 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 9, replace "955,888" with "945,564"

Page 1, line 10, replace "160,713" with "159,213"

Page 1, line 11, replace "1,116,601" with "1,104,777"

Page 1, line 12, replace "232,460" with "229,948"

Page 1, line 13, replace "884,141" with "874,829"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:**Senate Bill No. 2007 - Labor Commissioner - Senate Action**

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$955,888	(\$10,324)	\$945,564
Operating expenses	<u>160,713</u>	<u>(1,500)</u>	<u>159,213</u>
Total all funds	\$1,116,601	(\$11,824)	\$1,104,777
Less estimated income	<u>232,460</u>	<u>(2,512)</u>	<u>229,948</u>
General fund	\$884,141	(\$9,312)	\$874,829
FTE	10.00	0.00	10.00

Dept. 406 - Labor Commissioner - Detail of Senate Changes

	REMOVES RECOMMENDED SALARY INCREASE ¹	DECREASES FUNDING FOR OPERATING EXPENSES ²	TOTAL SENATE CHANGES
Salaries and wages	(\$10,324)		(\$10,324)
Operating expenses		<u>(\$1,500)</u>	<u>(1,500)</u>
Total all funds	(\$10,324)	(\$1,500)	(\$11,824)
Less estimated income	<u>(2,512)</u>		<u>(2,512)</u>
General fund	(\$7,812)	(\$1,500)	(\$9,312)
FTE	0.00	0.00	0.00

¹ This amendment removes the Governor's recommendation for state employee salary increases and retains the recommended state payment for health insurance premiums.

² This amendment decreases funding for operating expenses by \$1,500 from the general fund. The funding would have been used for Labor Department booth space rental.

REPORT OF STANDING COMMITTEE

SB 2010: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2010 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "; and to amend and reenact section 26.1-01-09 of the North Dakota Century"

Page 1, line 3, remove "Code, relating to the salary of the insurance commissioner"

Page 1, line 11, replace "4,754,936" with "4,703,228"

Page 1, line 12, replace "1,576,501" with "1,631,501"

Page 1, line 13, replace "6,900" with "6,900"

Page 1, remove line 14

Page 1, line 15, replace "11,642,337" with "6,341,629"

Page 1, line 19, remove "and identified as grants in section 1 of this Act"

Page 2, remove lines 20 through 26

ReNUMBER accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2010 - Summary of Senate Action

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Insurance tax to fire departments			
Total all funds	\$5,304,000	\$0	\$5,304,000
Less estimated income	<u>5,304,000</u>		<u>5,304,000</u>
General fund	\$0	\$0	\$0
Insurance Department			
Total all funds	\$6,338,337	\$3,292	\$6,341,629
Less estimated income	<u>6,338,337</u>	<u>3,292</u>	<u>6,341,629</u>
General fund	\$0	\$0	\$0
Bill Total			
Total all funds	\$11,642,337	\$3,292	\$11,645,629
Less estimated income	<u>11,642,337</u>	<u>3,292</u>	<u>11,645,629</u>
General fund	\$0	\$0	\$0

Senate Bill No. 2010 - Insurance Department - Senate Action

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$4,754,936	(\$51,708)	\$4,703,228
Operating expenses	1,576,501	55,000	1,631,501
Capital assets	<u>6,900</u>		<u>6,900</u>
Total all funds	\$6,338,337	\$3,292	\$6,341,629
Less estimated income	<u>6,338,337</u>	<u>3,292</u>	<u>6,341,629</u>
General fund	\$0	\$0	\$0
FTE	45.50	0.00	45.50

Dept. 401 - Insurance Department - Detail of Senate Changes

	REMOVES RECOMMENDED SALARY INCREASE ¹	PROVIDES FUNDING FOR HEALTH INSURANCE MANDATE ANALYSES ²	TOTAL SENATE CHANGES
Salaries and wages	(\$51,708)		(\$51,708)
Operating expenses		\$55,000	55,000
Capital assets			
Total all funds	(\$51,708)	\$55,000	\$3,292
Less estimated income	<u>(51,708)</u>	<u>55,000</u>	<u>3,292</u>
General fund	\$0	\$0	\$0
FTE	0.00	0.00	0.00

¹ This amendment removes the Governor's recommendation for state employee salary increases and retains the recommended state payment for health insurance.

² This amendment provides funding of \$55,000 from special funds relating to the payment for cost-benefit analyses of 2005 Legislative Assembly measures mandating health insurance coverage. (North Dakota Century Code Section 54-03-28 requires these analyses.)

This amendment also removes the grants line item in Section 1 of the bill as introduced relating to making payments of insurance premiums to fire departments (\$5,200,000) and to the North Dakota Firefighter's Association (\$104,000) from the insurance tax distribution fund as the funding for these payments is also appropriated in Section 2 of the bill.

REPORT OF STANDING COMMITTEE

SB 2011: Appropriations Committee (Sen. Holmberg, 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, line 10, replace "936,741" with "926,349"

Page 1, line 12, replace "1,404,883" with "1,394,491"

Page 1, line 14, replace "1,093,303" with "1,082,911"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2011 - Securities Commissioner - Senate Action

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$936,741	(\$10,392)	\$926,349
Operating expenses	<u>468,142</u>		<u>468,142</u>
Total all funds	\$1,404,883	(\$10,392)	\$1,394,491
Less estimated income	<u>311,580</u>		<u>311,580</u>
General fund	\$1,093,303	(\$10,392)	\$1,082,911
FTE	8.00	0.00	8.00

Dept. 414 - Securities Commissioner - Detail of Senate Changes

	REMOVES RECOMMENDED SALARY INCREASE ¹	TOTAL SENATE CHANGES
Salaries and wages	(\$10,392)	(\$10,392)
Operating expenses		
Total all funds	(\$10,392)	(\$10,392)
Less estimated income		
General fund	(\$10,392)	(\$10,392)
FTE	0.00	0.00

¹ This amendment removes the Governor's recommendation for state employee salary increases and retains the recommended state payment for health insurance premiums.

REPORT OF STANDING COMMITTEE

SB 2014: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2014 was placed on the Sixth order on the calendar.

Page 1, line 10, replace "3,259,812" with "3,234,714"

Page 1, line 11, replace "2,459,138" with "2,445,011"

Page 1, line 12, replace "800,674" with "789,703"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2014 - Protection and Advocacy Project - Senate Action

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Protection and advocacy services	\$3,259,812	(\$25,098)	\$3,234,714
Total all funds	\$3,259,812	(\$25,098)	\$3,234,714
Less estimated income	<u>2,459,138</u>	<u>(14,127)</u>	<u>2,445,011</u>
General fund	\$800,674	(\$10,971)	\$789,703

FTE	24.50	0.00	24.50
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Dept. 360 - Protection and Advocacy Project - Detail of Senate Changes

	REMOVES RECOMMENDED SALARY INCREASE ¹	TOTAL SENATE CHANGES
Protection and advocacy services	(\$25,098)	(\$25,098)
Total all funds	(\$25,098)	(\$25,098)
Less estimated income	(14,127)	(14,127)
General fund	(\$10,971)	(\$10,971)
FTE	0.00	0.00

¹ This amendment removes the Governor's recommendation for state employee salary increases and retains the recommended state payment for health insurance premiums.

REPORT OF STANDING COMMITTEE

SB 2016: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2016 was placed on the Sixth order on the calendar.

Page 1, line 10, replace "3,059,418" with "3,039,623"

Page 1, line 14, replace "47,072,892" with "47,053,097"

Page 1, line 15, replace "46,130,383" with "37,218,405"

Page 1, line 16, replace "942,509" with "9,834,692"

Page 1, remove lines 23 and 24

Page 2, remove lines 1 through 4

ReNUMBER accordingly

STATEMENT OF PURPOSE OF AMENDMENT:**Senate Bill No. 2016 - Division of Emergency Management - Senate Action**

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$3,059,418	(\$19,795)	\$3,039,623
Operating expenses	10,101,889		10,101,889
Capital assets	12,000		12,000
Grants	<u>33,899,585</u>		<u>33,899,585</u>
Total all funds	\$47,072,892	(\$19,795)	\$47,053,097
Less estimated income	<u>46,130,383</u>	<u>(8,911,978)</u>	<u>37,218,405</u>
General fund	\$942,509	\$8,892,183	\$9,834,692
FTE	20.00	0.00	20.00

Dept. 512 - Division of Emergency Management - Detail of Senate Changes

	REMOVES RECOMMENDED SALARY INCREASE ¹	FUNDING SOURCE CHANGE ²	TOTAL SENATE CHANGES
Salaries and wages	(\$19,795)		(\$19,795)
Operating expenses			
Capital assets			
Grants			
Total all funds	(\$19,795)	\$0	(\$19,795)
Less estimate income	<u>(11,978)</u>	<u>(8,900,000)</u>	<u>(8,911,978)</u>
General fund	(\$7,817)	\$8,900,000	\$8,892,183
FTE	0.00	0.00	0.00

¹ This amendment removes the Governor's recommendation for state employee salary increases and retains the recommended state payment for health insurance premiums.

² This amendment changes the funding source for the agency's repayment of 2001-03 biennium Bank of North Dakota loans obtained to pay the state's share of federal disaster relief funding from \$8.9 million from the water development trust fund to \$8.9 million from the general fund.

REPORT OF STANDING COMMITTEE

SB 2021: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2021 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "authorize the industrial" with "amend and reenact section 55-08-06 of the North Dakota Century Code, relating to park permit fees"

Page 1, line 3, remove "commission to issue and sell evidences of indebtedness for capital projects"

Page 1, line 15, replace "5,295,996" with "5,254,210"

Page 1, line 17, replace "3,567,794" with "1,932,794"

Page 1, line 18, replace "3,791,000" with "4,836,000"

Page 1, line 19, replace "971,486" with "710,721"

Page 1, line 20, replace "18,038,433" with "17,145,882"

Page 1, line 21, replace "11,279,169" with "10,652,416"

Page 1, line 22, replace "6,759,264" with "6,493,466"

Page 2, line 3, replace "7,105,618" with "6,839,820"

Page 2, line 4, replace "11,279,169" with "10,652,416"

Page 2, line 5, replace "18,384,787" with "17,492,236"

Page 2, replace lines 6 through 31 with:

"SECTION 2. APPROPRIATION. There is appropriated from special funds derived from federal funds and other income the sum of \$500,000, or so much of the sum as may be necessary, to the parks and recreation department for the purpose of providing grants for the period beginning with the effective date of this Act and ending June 30, 2003.

SECTION 3. AMENDMENT. Section 55-08-06 of the North Dakota Century Code is amended and reenacted as follows:

55-08-06. Permits for motor vehicles. Unless authorized by the director, a motor vehicle may not enter or be permitted to enter any state park, state recreational area, or reserve unless the operator of the motor vehicle displays upon request a permit issued as provided in this chapter. Permits must be of a size, form, and character as the director prescribes, and the director shall procure permits for each calendar year which by appropriate language must grant permission to use any state park, state recreational area, or reserve. Permits for each calendar year must be provided and placed on sale on or before November first next preceding and used on or at any time after that date until May first of the year following the calendar year for which issued. Permits in each category must be numbered consecutively for each year of issue. Except for senior citizen discounts, a fee of twenty-five dollars must be charged for each permit issued, except that permits of appropriate special design may be sold individually at a maximum of ~~four~~ five dollars per permit covering the use of state parks, state recreational areas, or reserves under such conditions as the director may prescribe for a designated period of not more than three days. The director may authorize a discount on the sale of annual permits to any resident of North Dakota who is sixty-five years of age or older and who applies for a discount. The fees collected must be deposited in the state park operating fund in the state treasury, unless authorized by the director as follows:

1. The director may allow other agencies or organizations that have leased state parks, state recreational areas, reserves, or facilities to retain entrance and special permit fees collected by the lessee.
2. The director may exempt all or any part of any state park, state recreational area, or reserve from the requirement of the motor vehicle permit and fee, for any activity or period, when in the director's judgment it is desirable to do so; provided, however, that no further exceptions may be made after state park revenue bonds are issued and while the bonds are outstanding."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2021 - Summary of Senate Action

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Parks and Recreation Department			
Total all funds	\$18,038,433	(\$892,551)	\$17,145,882
Less estimated income	11,279,169	(626,753)	10,652,416
General fund	\$6,759,264	(\$265,798)	\$6,493,466
International Peace Garden			
Total all funds	\$346,354	\$0	\$346,354
Less estimated income			
General fund	\$346,354	\$0	\$346,354
Bill Total			
Total all funds	\$18,384,787	(\$892,551)	\$17,492,236
Less estimated income	11,279,169	(626,753)	10,652,416
General fund	\$7,105,618	(\$265,798)	\$6,839,820

Senate Bill No. 2021 - Parks and Recreation Department - Senate Action

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$5,295,996	(\$41,786)	\$5,254,210
Operating expenses	4,412,157		4,412,157
Capital assets	3,567,794	(1,635,000)	1,932,794
Grants	3,791,000	1,045,000	4,836,000
Lewis and Clark Bicentennial	971,486	(260,765)	710,721
Total all funds	\$18,038,433	(\$892,551)	\$17,145,882
Less estimated income	11,279,169	(626,753)	10,652,416
General fund	\$6,759,264	(\$265,798)	\$6,493,466
FTE	44.25	0.00	44.25

Dept. 750 - Parks and Recreation Department - Detail of Senate Changes

	REMOVES RECOMMENDED SALARY INCREASE 1	CAPITAL CHANGES FUNDING SOURCE 2	DECREASES FUNDING IN THE CAPITAL ASSETS LINE ITEM	REMOVES FUNDING FOR CAPITAL ASSET PROJECTS 3	INCREASES FUNDING FOR GRANTS LINE ITEM 4	TOTAL SENATE CHANGES
Salaries and wages	(\$41,786)					(\$41,786)
Operating expenses						
Capital assets			(\$5,000)	(\$1,630,000) ⁵		(1,635,000)
Grants					\$1,045,000	1,045,000
Lewis and Clark Bicentennial	(765)			(260,000) ⁶		(260,765)
Total all funds	(\$42,551)	\$0	(\$5,000)	(\$1,890,000)	\$1,045,000	(\$892,551)
Less estimated income	(1,753)	220,000		(1,890,000)	1,045,000	(626,753)
General fund	(\$40,798)	(\$220,000)	(\$5,000)	\$0	\$0	(\$265,798)
FTE	0.00	0.00	0.00	0.00	0.00	0.00

¹ This amendment removes the Governor's recommendation for state employee salary increases and retains the recommended state payment for health insurance premiums.

² A section is added increasing the maximum park permit fee allowed for up to three days' use from \$4 to \$5. The increase is estimated to generate additional park income of \$220,000 for the 2003-05 biennium. The section is an emergency measure; therefore, the fees may be increased prior to July 1, 2003.

³ This amendment removes revenue bond authority for capital construction projects included in the executive recommendation.

⁴ This amendment increases the grants line item to reflect the transfer of federal funds from the capital projects and Lewis and Clark line items to the grants line item.

⁵ This amendment changes funding for the following capital projects:

CAPITAL PROJECTS LINE	GENERAL FUND	FEDERAL FUNDS	SPECIAL FUNDS	REVENUE BONDS	TOTAL
Administrative office - Turtle River		(\$350,000)		(\$350,000)	(\$700,000)
Relocate Loop A comfort station - Devils Lake			\$45,000	(45,000)	
Renovate comfort station - Beaver Lake			37,500	(37,500)	
Rural water connection - Lake Sakakawea			125,000	(125,000)	
Road repair - Lake Sakakawea			60,000	(60,000)	
Road repair - Fort Abraham Lincoln			30,000	(30,000)	
Chip and seal - Beaver Lake and Devils Lake			55,000	(55,000)	
Maintenance shop construction - Icelandic		(65,000)		(65,000)	(130,000)
Sodbuster exhibit building - Fort Ransom			15,000	(15,000)	
Seasonal housing - Lake Sakakawea, Devils Lake, Fort Ransom, and Beaver Lake				(210,000)	(210,000)
Rear screen amphitheater - Icelandic, Lake Metigoshe, and Devils Lake		(45,000)		(45,000)	(90,000)
FEMA construction projects		(500,000)			(500,000)
Total	\$0	(\$960,000)	\$367,500	(\$1,037,500)	(\$1,630,000)

⁶ This amendment changes funding for the following capital asset projects:

LEWIS AND CLARK LINE	GENERAL FUND	FEDERAL FUNDS	SPECIAL FUNDS	REVENUE BONDS	TOTAL
Interpretive Center - Cross Ranch		(\$110,000)		(\$110,000)	(\$220,000)
Campground rewiring and regrading - Lake Sakakawea		25,000	\$125,000	(150,000)	
Campground expansion - Fort Stevenson			140,000	(140,000)	
Contingency for various Lewis and Clark projects				(40,000)	(40,000)
Total	\$0	(\$85,000)	\$265,000	(\$440,000)	(\$260,000)

A new section is added increasing the agency's 2001-03 appropriation by \$500,000 of federal funds for grants.

REPORT OF STANDING COMMITTEE

SB 2024: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2024 was placed on the Sixth order on the calendar.

Page 1, line 11, replace "1,795,929" with "1,776,639"

Page 1, line 15, replace "4,864,373" with "4,845,083"

Page 1, line 18, replace "2,666,186" with "2,638,823"

Page 1, line 21, replace "4,400,690" with "4,373,327"

Page 1, line 22, replace "H.B." with "S.B." and replace "9,265,063" with "9,218,410"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Retirement and Investment Office			
Total all funds	\$4,864,373	(\$19,290)	\$4,845,083
Less estimated income	<u>4,864,373</u>	<u>(19,290)</u>	<u>4,845,083</u>
General fund	\$0	\$0	\$0
Public Employees Retirement System			
Total all funds	\$4,400,690	(\$27,363)	\$4,373,327
Less estimated income	<u>4,400,690</u>	<u>(27,363)</u>	<u>4,373,327</u>
General fund	\$0	\$0	\$0
Bill Total			
Total all funds	\$9,265,063	(\$46,653)	\$9,218,410
Less estimated income	<u>9,265,063</u>	<u>(46,653)</u>	<u>9,218,410</u>
General fund	\$0	\$0	\$0

Senate Bill No. 2024 - Retirement and Investment Office - Senate Action

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$1,795,929	(\$19,290)	\$1,776,639
Operating expenses	986,444		986,444
Contingencies	82,000		82,000
Contracted services	<u>2,000,000</u>		<u>2,000,000</u>
Total all funds	\$4,864,373	(\$19,290)	\$4,845,083
Less estimated income	<u>4,864,373</u>	<u>(19,290)</u>	<u>4,845,083</u>
General fund	\$0	\$0	\$0
FTE	17.00	0.00	17.00

Dept. 190 - Retirement and Investment Office - Detail of Senate Changes

	REMOVES RECOMMENDED SALARY INCREASE ¹	TOTAL SENATE CHANGES
Salaries and wages	(\$19,290)	(\$19,290)
Operating expenses		
Contingencies		
Contracted services		
Total all funds	(\$19,290)	(\$19,290)
Less estimated income	<u>(19,290)</u>	<u>(19,290)</u>
General fund	\$0	\$0
FTE	0.00	0.00

¹ This amendment removes the Governor's recommendation for state employee salary increases and retains the recommended state payment for health insurance premiums.

Senate Bill No. 2024 - Public Employees Retirement System - Senate Action

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$2,666,186	(\$27,363)	\$2,638,823
Operating expenses	1,484,504		1,484,504
Contingencies	<u>250,000</u>		<u>250,000</u>
Total all funds	\$4,400,690	(\$27,363)	\$4,373,327
Less estimated income	<u>4,400,690</u>	<u>(27,363)</u>	<u>4,373,327</u>
General fund	\$0	\$0	\$0
FTE	29.00	0.00	29.00

Dept. 192 - Public Employees Retirement System - Detail of Senate Changes

	REMOVES RECOMMENDED SALARY INCREASE ¹	TOTAL SENATE CHANGES
Salaries and wages	(\$27,363)	(\$27,363)
Operating expenses		
Contingencies		
Total all funds	(\$27,363)	(\$27,363)

Less estimated income	(27,363)	(27,363)
General fund	\$0	\$0
FTE	0.00	0.00

¹ This amendment removes the Governor's recommendation for state employee salary increases and retains the recommended state payment for health insurance premiums.

REPORT OF STANDING COMMITTEE

SB 2031: Education Committee (Sen. Freborg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2031 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 15.1-21-02 of the North Dakota Century Code, relating to required units for approved high schools.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 15.1-21-02 of the North Dakota Century Code is amended and reenacted as follows:

15.1-21-02. High schools - Required units.

1. In order to be approved by the superintendent of public instruction, ~~each a public and high school or a nonpublic high school shall make available to each student~~ each year allow students to make selections from a list that includes:
 - 4- a. Four units of English.
 - 2- b. ~~Three~~ Four units of mathematics, which must include at least one unit of algebra I, one unit of algebra II, one unit of geometry-trigonometry, and one unit of calculus.
 - 3- c. Four units of science, which must include at least one unit of biology, one unit of chemistry, and one unit of physics.
 - 4- d. ~~Three~~ Four units of social studies, including which must include at least one unit of world history and one unit of United States history, both of which must emphasize geography.
 - 5- e. ~~One~~ One-half unit of health and physical education.
 - 6- ~~One unit~~ at each grade level from nine through twelve.
 - f. One-half unit of physical education at each grade level from nine through twelve.
 - g. Two units of music.
 - 7- ~~Any six units selected from business education, economics and the free enterprise system, foreign language, American sign language, and vocational courses including family and consumer sciences, agriculture, business and office technology, marketing, diversified occupations, trade and industrial education, technology education, and health careers. The vocational courses may be offered through cooperative arrangements approved by the state board for vocational and technical education.~~
 - h. Two units of the same foreign language.
 - i. Three units of vocational education.
 - j. Twelve units of electives.
2. If any student selects a unit from the requirements provided in subdivisions a through d of subsection 1, the public high school or nonpublic high school shall provide the unit to the student.

3.
 - a. If six or fewer students select a unit from the requirements provided in subdivisions a through d of subsection 1, the course may be provided through any delivery method not contrary to state law and may include classroom or individual instruction and distance learning options, including interactive video, computer instruction, correspondence courses, and postsecondary enrollment options.
 - b. If any student selects a unit from the requirements provided in subdivisions e through j of subsection 1, the public school or nonpublic high school shall provide the unit to the student. The school may provide the unit by any delivery method not contrary to state law and may include classroom or individual instruction and distance learning options, including interactive video, computer instruction, correspondence courses, and postsecondary enrollment under chapter 15.1-25.
4. The board of a school district may not impose any fees or charges upon a student for the provision of or participation in units as provided in this section, other than the fees permitted by section 15.1-09-36.
5. If in order to meet the minimum unit requirements of this section, a school district includes academic courses offered by a postsecondary institution under chapter 15.1-25, the school district shall:
 - a. Pay all costs of the student's attendance, except those fees that are permissible under section 15.1-09-36; and
 - b. Transport the student to and from the location at which the course is offered or provide mileage reimbursement to the student if transportation is provided by the student or the student's family."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2033: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2033 was placed on the Sixth order on the calendar.

Page 1, line 1, replace the comma with "and"

Page 1, line 2, remove ", and two new sections to chapter 54-52.6"

Page 1, line 3, after the second "officers" insert "employed by political subdivisions"

Page 1, line 4, remove "and the defined contribution retirement plan" and after the semicolon insert "and"

Page 1, line 5, remove "subsection 3 of section 54-52-01," and after the third comma insert "and"

Page 1, line 6, remove ", section 54-52.6-01, subsection 1 of section 54-52.6-02, and"

Page 1, line 7, remove "section 54-52.6-03"

Page 1, line 8, after "officers" insert "employed by political subdivisions" and remove "and the defined contribution"

Page 1, line 9, remove "retirement plan; and to provide an appropriation"

Page 1, line 13, remove "certified by the"

Page 1, remove line 14

Page 1, line 15, remove "training board as a correctional officer and is" and remove "by the department of"

Page 1, line 16, replace "corrections and rehabilitation or" with "as a correctional officer by"

Page 1, line 18, after "officer" insert "by a political subdivision"

Page 1, remove lines 19 through 23

Page 2, remove lines 1 through 8

Page 2, line 23, replace "5" with "4"

Page 3, line 22, replace "5" with "4"

Page 4, line 13, after the second "officers" insert "employed by political subdivisions"

Page 4, line 14, after the second "officer" insert "employed by a political subdivision that enters into an agreement with the retirement board on behalf of its peace officers and correctional officers separately from its other employees and"

Page 4, line 19, remove "The employer's contribution must be paid from funds appropriated for salary"

Page 4, line 20, remove "or from any other funds available for such purposes."

Page 4, line 28, after the second "officer" insert "employed by a political subdivision"

Page 5, line 9, after the second "officer" insert "employed by a political subdivision"

Page 5, line 21, after the second "officer" insert "employed by a political subdivision"

Page 5, line 27, after the second "officer" insert "employed by a political subdivision"

Page 6, remove lines 22 through 30

Page 7, remove lines 1 through 31

Page 8, remove lines 1 through 31

Page 9, remove lines 1 through 31

Page 10, remove lines 1 through 31

Page 11, remove lines 1 through 20

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2096: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). SB 2096 was placed on the Sixth order on the calendar.

Page 23, after line 26, insert:

"57-39.5-01.1. Trade-in deduction. When tangible personal property is taken in trade or in a series of trades as a credit or partial payment of a retail sale taxable under this chapter, if the tangible personal property traded in will be subject to gross receipts taxes imposed by this chapter, sales taxes imposed by chapter 57-39.2, or motor vehicle excise taxes imposed by chapter 57-40.3, or if the tangible personal property traded in is used farm machinery or used irrigation equipment, the credit or trade-in value allowed by the retailer is not gross receipts."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2161: Political Subdivisions Committee (Sen. Cook, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2161 was placed on the Sixth order on the calendar.

Page 1, line 9, replace "where participants inflict kicks," with "subject to any applicable limitations set forth in rules established under section 53-01-07, in which participants use a combination of techniques from different martial arts, boxing, kickboxing, wrestling, and grappling."

Page 1, remove lines 10 and 11

Page 2, line 11, overstrike "Adopt" and insert immediately thereafter "issue", overstrike "the conduct of boxing, kickboxing, and sparring" and insert immediately thereafter "these", and after "exhibitions" insert "which must be consistent with chapter 53-01 and published in accordance with chapter 28-32"

Page 2, line 12, overstrike "license fees for all boxers, kickboxers," remove "mixed style fighters," overstrike "boxing", and remove the second underscored comma

Page 2, line 13, overstrike "kickboxing", remove ", mixed fighting style competition", and overstrike "promoters, managers, judges,"

Page 2, line 14, overstrike timekeepers, cornerpersons, knockdown counters, matchmakers, and referees" and insert immediately thereafter "by rule license fees for individuals and organizations associated with these exhibitions"

Page 2, line 16, overstrike "boxing, kickboxing," remove "mixed fighting style competition," overstrike "or sparring", and overstrike "in"

Page 2, line 17, overstrike "this state to pay for the expenses of members of the athletic advisory board" and insert immediately thereafter "according to this chapter"

Page 2, line 18, overstrike "one" and insert immediately thereafter "five"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2162: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (8 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). SB 2162 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2194, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2194 was placed on the Sixth order on the calendar.

Page 1, line 8, after "is" insert "at least" and replace "to sixty-four" with "but less than sixty-five"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2226: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO NOT PASS** (8 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). SB 2226 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2255, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (10 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING). Engrossed SB 2255 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2272: Human Services Committee (Sen. J. Lee, Chairman) recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2272 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2282: Human Services Committee (Sen. J. Lee, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2282 was placed on the Sixth order on the calendar.

Page 1, line 18, overstrike ": two to be named by the governor; one to be named" and insert immediately thereafter "selected", overstrike "and" and insert immediately thereafter "the chairman of the legislative council", and overstrike the second "the"

Page 1, line 19, overstrike "membership of" and after the colon insert "two members of the senate and two members of the house of representatives;"

Page 1, line 21, overstrike "health officer" and remove the overstrike over "~~department of health~~"

Page 1, line 22, after the first semicolon insert "and" and overstrike the second "; the"

Page 1, overstrike line 23

Page 1, line 24, overstrike "of the senate; with" and insert immediately thereafter ". The dean of the university of North Dakota medical school shall select" and overstrike "to be selected"

Page 2, line 1, overstrike "One"

Page 2, line 2, overstrike "member from each quadrant", remove "must", and overstrike "be selected by the board to serve a three-year term with"

Page 2, overstrike line 3

Page 2, line 4, overstrike "The representatives named by the state agencies and boards" and overstrike "must be"

Page 2, overstrike line 5

Page 2, line 6, overstrike "year, but", overstrike "may", remove "not", and overstrike "serve longer than their term of office on the public"

Page 2, overstrike line 7

Page 2, line 8, overstrike "Dakota", remove "healthcare", overstrike "association", and overstrike "serve a term of three years or until their"

Page 2, line 9, overstrike "successors are named and qualified. The two members appointed by the governor" and overstrike "serve"

Page 2, overstrike line 10

Page 2, line 28, after "state" insert ". The council shall prepare and periodically update a long-term strategic plan that addresses health manpower needs in the state, including a review of the need for nurses and primary care physicians, by specialty. The council shall include in its study a review of the geographical distribution of the health manpower needs throughout the state. The council shall make recommendations as a result of its study to the legislative assembly. The legislative assembly may approve or reject any recommendation submitted by the council"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2288: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2288 was placed on the Sixth order on the calendar.

Page 2, line 31, replace "2" with "5"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2290: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends **DO NOT PASS** (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2290 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2308: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2308 was placed on the Sixth order on the calendar.

Page 1, line 2, after "insurance" insert "; to provide for application; and to provide an expiration date"

Page 2, after line 7, insert:

"SECTION 3. APPLICATION. Section 2 of this Act applies to proof of responsibility required on or after the effective date of this Act.

SECTION 4. EXPIRATION DATE. Section 1 of this Act is effective through July 31, 2005, and after that date is ineffective."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2321: Judiciary Committee (Sen. Traynor, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2321 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2350: 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 2350 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "and"

Page 1, line 3, after "date" insert "; and to provide an expiration date"

Page 2, line 4, after **"DATE"** insert **"- EXPIRATION DATE"** and after "for" insert "the first two"

Page 2, line 5, after "2002" insert ", and is thereafter ineffective"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2355: Judiciary Committee (Sen. Traynor, Chairman) recommends **DO NOT PASS** (4 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). SB 2355 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2369: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends **DO NOT PASS** (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2369 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2376: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends **DO NOT PASS** (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2376 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2381: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends **DO NOT PASS** (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2381 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2397: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends **DO NOT PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2397 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2415: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2415 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4014: Finance and Taxation Committee (Sen. Urlacher, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4014 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4019: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SCR 4019 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4023: Human Services Committee (Sen. J. Lee, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SCR 4023 was placed on the Sixth order on the calendar.

Page 1, line 16, replace "would" with "could"

Page 2, line 7, remove "and privately administered"

Page 2, line 8, after "coverage" insert "with consideration for privately administered plans"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SCR 4028: Human Services Committee (Sen. J. Lee, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SCR 4028 was placed on the Eleventh order on the calendar.

FIRST READING OF SENATE BILL

Sens. Cook, Freborg, Stenejem and Reps. Berg, R. Kelsch, Monson introduced:
(Approved by the Delayed Bills Committee)

SB 2418: A BILL for an Act to create an investigating committee regarding implementation of the No Child Left Behind Act of 2001; and to declare an emergency.

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

FIRST READING OF HOUSE BILLS

HB 1236: A BILL for an Act to amend and reenact sections 43-19.1-18 and 43-19.1-25 of the North Dakota Century Code, relating to professional engineer and land surveyor registration fees and recovery of legal costs in disciplinary matters.

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

HB 1256: A BILL for an Act to create and enact a new subsection to section 43-19.1-02, a new subsection to section 43-19.1-14, a new subsection to section 43-19.1-15, and a new section to chapter 43-19.1 of the North Dakota Century Code, relating to definitions, registration of professional engineers, qualifications of engineers in training, and continuing professional education; and to amend and reenact subsections 2 and 3 of section 43-19.1-14 of the North Dakota Century Code, relating to registration of professional engineers.

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

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

WILLIAM R. HORTON, Secretary

