

## JOURNAL OF THE SENATE

## Fifty-ninth Legislative Assembly

\* \* \* \* \*

Bismarck, March 30, 2005

The Senate convened at 8:00 a.m., with President Dalrymple presiding.

The prayer was offered by Pastor Rod Poppinga, Immanuel Baptist, Beulah.

The roll was called and all members were present.

A quorum was declared by the President.

## CONSIDERATION OF MESSAGE FROM THE HOUSE

**SEN. MUTCH MOVED** that the Senate do not concur in the House amendments to Engrossed SB 2300 as printed on SJ pages 1034-1035 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed on a voice vote.

## APPOINTMENT OF CONFERENCE COMMITTEE

**THE PRESIDENT APPOINTED** as a Conference Committee on Engrossed SB 2300: Sens. Krebsbach, Klein, Heitkamp.

## CONSIDERATION OF MESSAGE FROM THE HOUSE

**SEN. TRAYNOR MOVED** that the Senate do not concur in the House amendments to Engrossed SB 2302 as printed on SJ page 1089 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed on a voice vote.

## APPOINTMENT OF CONFERENCE COMMITTEE

**THE PRESIDENT APPOINTED** as a Conference Committee on Engrossed SB 2302: Sens. Syverson, Hacker, Triplett.

## MOTION

**SEN. CHRISTMANN MOVED** that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on HB 1259 and HB 1290, which motion prevailed.

## APPOINTMENT OF CONFERENCE COMMITTEE

**THE PRESIDENT ANNOUNCED** the following appointments to a Conference Committee on Reengrossed HB 1259: Sens. Hacker, Traynor, Triplett.

## APPOINTMENT OF CONFERENCE COMMITTEE

**THE PRESIDENT ANNOUNCED** the following appointments to a Conference Committee on HB 1290: Sens. Syverson, Trenbeath, Nelson.

## CONSIDERATION OF MESSAGE FROM THE HOUSE

**SEN. URLACHER MOVED** that the Senate do concur in the House amendments to SB 2272 as printed on SJ page 927, which motion prevailed on a voice vote.

SB 2272, as amended, was placed on the Eleventh order of business.

## SECOND READING OF SENATE BILL

**SB 2272:** A BILL for an Act to provide for a legislative council study of circumstances in which property should cease to be considered agricultural property for property tax purposes and a legislative council study of transferability of income tax credits for installation of geothermal, solar, or wind energy devices.

## ROLL CALL

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

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

Tallackson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Triplett; Urlacher; Wardner; Warner

Engrossed SB 2272 passed and the title was agreed to.

\*\*\*\*\*

#### CONSIDERATION OF MESSAGE FROM THE HOUSE

**SEN. TRAYNOR MOVED** that the Senate do concur in the House amendments to Reengrossed SB 2027 as printed on SJ page 1087, which motion prevailed on a voice vote.

Reengrossed SB 2027, as amended, was placed on the Eleventh order of business.

#### SECOND READING OF SENATE BILL

**SB 2027:** A BILL for an Act to establish the commission on legal counsel for indigents for the purpose of providing indigent defense services; to amend and reenact section 27-20-49, subsection 2 of section 28-32-01, and subsections 1 and 4 of section 29-07-01.1 of the North Dakota Century Code, relating to the commission; to provide for a report to the legislative council; to provide an appropriation; to provide for transition; and to provide an effective date.

#### ROLL CALL

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

**YEAS:** Andrist; Bercier; Bowman; Brown; Christmann; Cook; Dever; Erbele; Espesgaard; Every; Fairfield; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nothing; O'Connell; Robinson; Schobinger; Seymour; Stenehjelm; Syverson; Tallackson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Triplett; Urlacher; Wardner; Warner

Reengrossed SB 2027 passed and the title was agreed to.

\*\*\*\*\*

#### CONSIDERATION OF MESSAGE FROM THE HOUSE

**SEN. TRENBEATH MOVED** that the Senate do concur in the House amendments to Engrossed SB 2101 as printed on SJ pages 1087-1088, which motion prevailed on a voice vote.

Engrossed SB 2101, as amended, was placed on the Eleventh order of business.

#### SECOND READING OF SENATE BILL

**SB 2101:** A BILL for an Act to create and enact a new subsection to section 39-04-05 and a new subsection to section 39-04-06 of the North Dakota Century Code, relating to mobility impaired parking permits and grounds for refusing or suspending a vehicle registration; and to amend and reenact subdivision 1 of subsection 2 of section 39-04-18 and subsection 1 of section 57-40.3-01 of the North Dakota Century Code, relating to registration of house mover vehicles and the definition of an all-terrain vehicle.

#### ROLL CALL

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

**YEAS:** Andrist; Bercier; Bowman; Brown; Christmann; Cook; Dever; Erbele; Espesgaard; Every; Fairfield; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nothing; O'Connell; Robinson; Schobinger; Seymour; Stenehjelm; Syverson; Tallackson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Triplett; Urlacher; Wardner; Warner

Reengrossed SB 2101 passed and the title was agreed to.

\*\*\*\*\*

#### CONSIDERATION OF MESSAGE FROM THE HOUSE

**SEN. FREBORG MOVED** that the Senate do concur in the House amendments to SB 2120 as printed on SJ page 1088, which motion prevailed on a voice vote.

SB 2120, as amended, was placed on the Eleventh order of business.

#### SECOND READING OF SENATE BILL

**SB 2120:** A BILL for an Act to create and enact section 15-20.4-03.1 of the North Dakota Century Code, relating to fees provided to the state board for career and technical education for authorizations to operate private postsecondary institutions; and to amend and reenact sections 15-20.4-04 and 15-20.4-06 and subsection 2 of section 15-20.4-15 of the North Dakota Century Code, relating to authorizations to operate private postsecondary institutions and use of false academic degrees.

#### ROLL CALL

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

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

Engrossed SB 2120 passed and the title was agreed to.

\*\*\*\*\*

#### CONSIDERATION OF MESSAGE FROM THE HOUSE

**SEN. J. LEE MOVED** that the Senate do concur in the House amendments to Engrossed SB 2269 as printed on SJ pages 1088-1089, which motion prevailed on a voice vote.

Engrossed SB 2269, as amended, was placed on the Eleventh order of business.

#### SECOND READING OF SENATE BILL

**SB 2269:** A BILL for an Act to create and enact chapter 43-53 of the North Dakota Century Code, relating to creation of the North Dakota marriage and family therapy licensure board; to provide a penalty; and to provide for a legislative council study.

#### ROLL CALL

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

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

Reengrossed SB 2269 passed and the title was agreed to.

\*\*\*\*\*

#### MOTION

**SEN. CHRISTMANN MOVED** that the Senate stand in recess until 1:00 p.m., which motion prevailed.

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

#### COMMUNICATION FROM GOVERNOR JOHN HOEVEN

**March 30, 2005**

I hereby veto SB 2278 and return it to the Senate for reconsideration.

SB 2278 would allow investor owned utilities to collect higher electric rates from North Dakota consumers to pay for a power plant during construction before the plant provides any power to consumers. This is a significant benefit to the utility company as it recoups its costs and collects a return on investment during the construction period that could range from six to eight years. Because SB 2278 provides this benefit to a company even for plants that are built outside of North Dakota, I have vetoed this bill.

I believe that this legislation should have been amended to apply specifically to plants built within North Dakota. This amendment was offered in committee, but it was not adopted. When

new plants are built in North Dakota, our state receives huge benefits in quality jobs, new wealth and low cost power. Also, new plants in North Dakota are vital to help develop more transmission for the growth of wind energy. Without the amendment, this bill works against the best interests of our state by providing an incentive for plants built in another state.

Proponents of this bill argue that being allowed to charge consumers for a plant during construction, referred to as the rate stabilization method, may ultimately result in lower costs to the consumer compared to the conventional approach. But in those cases in which a company can actually show that consumers will benefit from the rate stabilization treatment, the PSC already has the authority to provide it under existing law.

Further, consumers may not benefit from rate stabilization treatment. Power plants may take from six to eight years to build. It may take an individual or business consumer many years to recoup those increased payments and for those who move from a particular service area or the elderly, for example, there may never be a corresponding benefit.

If North Dakota is going to enact a law to limit the discretion of the Public Service Commission in making its determination as to the best rate treatment, which this bill does, there must be a clear benefit to the North Dakota citizens in return.

In exchange for the economic incentive provided to the utility company, North Dakotans should receive the economic benefit gained from increased employment and new wealth provided by new plants, transmission or energy related facilities. I cannot sign this legislation, which does not contain these assurances for North Dakota consumers and which, in fact, may be counterproductive to North Dakota's effort to develop energy resources within our state.

#### **ANNOUNCEMENT**

**THE SECRETARY ANNOUNCED** that under Senate Rule 355, SB 2278, as enrolled, would be placed on the Eleventh order.

#### **CONSIDERATION OF AMENDMENTS**

**HB 1507, as reengrossed and amended: SEN. ANDRIST (Appropriations Committee) MOVED** that the amendments on SJ page 1096 be adopted and then be placed on the Fourteenth order **WITHOUT RECOMMENDATION**, which motion failed on a verification vote.

Reengrossed HB 1507, as amended, was placed on the Fourteenth order for immediate second reading.

#### **SECOND READING OF HOUSE BILL**

**HB 1507:** A BILL for an Act to create and enact a new chapter to title 43 of the North Dakota Century Code, relating to the registering of home inspectors; and to provide a penalty.

#### **ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 29 YEAS, 18 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Bercier; Brown; Cook; Dever; Erbele; Espegard; Every; Fairfield; Fischer; Flakoll; Holmberg; Kilzer; Krebsbach; Kringstad; Lee, G.; Lee, J.; Mathern; Nelson; Nothing; Robinson; Seymour; Stenehjem; Syverson; Taylor; Thane; Traynor; Triplett; Urlacher; Warner

**NAYS:** Andrist; Bowman; Christmann; Freborg; Grindberg; Hacker; Heitkamp; Klein; Krauter; Lindaas; Lyson; Mutch; O'Connell; Schobinger; Tallackson; Tollefson; Trenbeath; Wardner

Reengrossed HB 1507, as amended, passed and the title was agreed to.

\*\*\*\*\*

#### **CONSIDERATION OF AMENDMENTS**

**HB 1024, as engrossed: SEN. CHRISTMANN (Appropriations Committee) MOVED** that the amendments on SJ page 1096 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

#### **SECOND READING OF HOUSE BILL**

**HB 1024:** A BILL for an Act making an appropriation for defraying the expenses of various state departments and institutions; 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 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bercier; Bowman; Brown; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nothing; O'Connell; Robinson; Schobinger; Seymour; Stenehjerm; Syverson; Tallackson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Triplett; Urlacher; Wardner; Warner

**ABSENT AND NOT VOTING:** Fairfield

Engrossed HB 1024, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

\*\*\*\*\*

**CONSIDERATION OF AMENDMENTS**

**HB 1397, as engrossed: SEN. BOWMAN (Appropriations Committee) MOVED** that the amendments on SJ page 1127 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

**SECOND READING OF HOUSE BILL**

**HB 1397:** A BILL for an Act to create and enact a new section to chapter 15-10 of the North Dakota Century Code, relating to opportunities for the enrollment of students in a veterinary medical education program; to provide an appropriation; and to provide for continuation of program funding.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bercier; Bowman; Brown; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nothing; O'Connell; Robinson; Schobinger; Seymour; Stenehjerm; Syverson; Tallackson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Triplett; Urlacher; Wardner; Warner

**ABSENT AND NOT VOTING:** Fairfield

Engrossed HB 1397, as amended, passed and the title was agreed to.

\*\*\*\*\*

**MOTION**

**SEN. CHRISTMANN MOVED** that HB 1332 and HB 1454 be placed at the top of the Sixth order, which motion prevailed.

**CONSIDERATION OF AMENDMENTS**

**HB 1332, as engrossed: SEN. NOTHING (Industry, Business and Labor Committee) MOVED** that the amendments on SJ pages 1056-1058 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

**SECOND READING OF HOUSE BILL**

**HB 1332:** A BILL for an Act to create and enact a new section to chapter 26.1-27 and chapter 26.1-27.1 of the North Dakota Century Code, relating to regulation of pharmacy benefits management; and to provide for a legislative council study.

**ROLL CALL**

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

**YEAS:** Andrist; Bercier; Bowman; Brown; Christmann; Cook; Dever; Erbele; Espegard; Every; Fairfield; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nothing; O'Connell; Robinson; Schobinger; Seymour; Stenehjerm; Syverson; Tallackson; Taylor; Thane; Tollefson; Traynor; Trenbeath; Triplett; Urlacher; Wardner; Warner

Engrossed HB 1332, as amended, passed and the title was agreed to.

\*\*\*\*\*

#### CONSIDERATION OF AMENDMENTS

**HB 1454: SEN. DEVER (Political Subdivisions Committee) MOVED** that the amendments on SJ page 1063 be adopted and then be placed on the Fourteenth order with **DO NOT PASS**, which motion prevailed.

#### SECOND READING OF HOUSE BILL

**HB 1454:** A BILL for an Act to create and enact section 40-57.3-01.2 of the North Dakota Century Code, relating to the imposition of a city motor vehicle rental tax; and to amend and reenact section 40-57.3-02 of the North Dakota Century Code, relating to the city visitors' promotion fund.

#### 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, 23 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Brown; Every; Fischer; Flakoll; Freborg; Grindberg; Hacker; Holmberg; Kilzer; Krauter; Krebsbach; Kringstad; Lee, J.; Lyson; Nelson; Nething; Robinson; Syverson; Tallackson; Taylor; Traynor; Wardner; Warner

**NAYS:** Andrist; Bercier; Bowman; Christmann; Cook; Dever; Erbele; Espegard; Fairfield; Klein; Lee, G.; Lindaas; Mathern; Mutch; O'Connell; Schobinger; Seymour; Stenehjerm; Thane; Tollefson; Trenbeath; Triplett; Urlacher

**ABSENT AND NOT VOTING:** Heitkamp

HB 1454, as amended, lost.

\*\*\*\*\*

#### CONSIDERATION OF AMENDMENTS

**HB 1121, as engrossed: SEN. NELSON (Judiciary Committee) MOVED** that the amendments on SJ pages 1049-1050 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

#### SECOND READING OF HOUSE BILL

**HB 1121:** A BILL for an Act to create and enact a new section to chapter 14-09, a new section to chapter 14-18, and chapter 14-20 of the North Dakota Century Code, relating to the termination of parental rights, gestational carriers, and the Uniform Parentage Act; to amend and reenact section 12.1-31-05, subsection 1 of section 14-15-05, subsection 1 of section 14-15-11, sections 14-18-01, 14-18-05, and 14-19-05, and subsection 5 of section 23-02.1-13 of the North Dakota Century Code, relating to gestational carriers and parentage determinations; to repeal sections 14-09-01, 14-09-02, and 14-09-03, chapter 14-17, and sections 14-18-02.1, 14-18-03, 14-18-04, 14-18-06, 14-18-07, 14-19-02, 14-19-03, 14-19-04, 14-19-09, and 14-19-10 of the North Dakota Century Code, relating to the legitimacy of children, the Uniform Parentage Act, the Uniform Status of Children of Assisted Conception Act, and paternity acknowledgment; and to provide for transition.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

**ABSENT AND NOT VOTING:** Heitkamp

Engrossed HB 1121, as amended, passed and the title was agreed to.

\*\*\*\*\*

**CONSIDERATION OF AMENDMENTS**

**HB 1280, as engrossed: SEN. J. LEE (Human Services Committee) MOVED** that the amendments on SJ pages 1051-1055 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

**SECOND READING OF HOUSE BILL**

**HB 1280:** A BILL for an Act to create and enact a new section to chapter 43-42 of the North Dakota Century Code, relating to licensure of polysomnographic technologists; to amend and reenact section 43-42-01, subsection 2 of section 43-42-02, and section 43-42-03 of the North Dakota Century Code, relating to licensure of registered polysomnographic technologists; to provide for a legislative council study; to provide an effective date; to provide an expiration date; and to declare an emergency.

**ROLL CALL**

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

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

Engrossed HB 1280, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

\*\*\*\*\*

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

**MR. SPEAKER:** The Senate has concurred in the House amendments and subsequently passed: SB 2027, SB 2101, SB 2120, SB 2269, and SB 2272.

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

**MR. SPEAKER:** The Senate does not concur in the House amendments to SB 2300 and SB 2302 and the President has appointed as a conference committee to act with a like committee from the House on:

**SB 2300:** Sens. Krebsbach; Klein; Heitkamp

**SB 2302:** Sens. Syverson; Hacker; Triplett

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

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

**HB 1259:** Sens. Hacker; Traynor; Triplett

**HB 1290:** Sens. Syverson; Trenbeath; Nelson

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

**MR. SPEAKER:** The Senate has amended and subsequently passed: HB 1121, HB 1332, HB 1397, HB 1507.

**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 1024, HB 1280.

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

**MR. PRESIDENT:** The House has concurred in the Senate amendments and subsequently passed: HB 1061, HB 1062, HB 1069, HB 1076, HB 1094, HB 1104, HB 1105, HB 1136, and HCR 3056.

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

**MR. PRESIDENT:** The House has passed unchanged: SB 2344.

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

**MR. PRESIDENT:** The House has passed unchanged: SB 2044.

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

**MR. PRESIDENT:** The House has amended and subsequently passed: SB 2342.

**HOUSE AMENDMENTS TO REENGROSSED SENATE BILL NO. 2342**

Page 1, line 7, replace "the budget" with "annual payment rates"

Page 1, line 8, replace "inflating historical costs by the annual percentage developed for long-term care" with "applying the inflation rate for these providers used to develop the legislative appropriation for the department."

Page 1, remove line 9

Renumber accordingly

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

**MR. PRESIDENT:** The House has amended and subsequently passed: SB 2016, SB 2383, SB 2409, SB 2411.

**HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2016**

In lieu of the amendments adopted by the House as printed on pages 1237 and 1238 of the House Journal, Engrossed Senate Bill No. 2016 is amended as follows:

Page 1, line 19, replace "689,039" with "645,718"

Page 1, line 23, replace "5,340" with "5,231"

Page 1, line 24, replace "1,018,622" with "975,192"

Page 2, line 1, replace "1,013,282" with "969,961"

Page 2, line 2, replace "5,340" with "5,231"

Page 2, line 8, replace "34,706,921" with "34,663,600"

Page 2, line 12, replace "1,255,340" with "1,255,231"

Page 2, line 13, replace "58,473,339" with "58,429,909"

Page 2, line 14, replace "57,217,999" with "57,174,678"

Page 2, line 15, replace "1,255,340" with "1,255,231"

Page 3, line 1, replace "1,255,340" with "1,255,231"

Page 3, line 2, replace "57,997,924" with "57,954,603"

Page 3, line 3, replace "59,253,264" with "59,209,834"

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:****Senate Bill No. 2016 - Job Service North Dakota - House Action**

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$34,846,714	\$34,706,921	(\$43,321)	\$34,663,600
Operating expenses	13,238,913	13,238,913		13,238,913
Capital assets	225,000	225,000		225,000
Grants	9,047,165	9,047,165		9,047,165
Work Force 2000	1,480,724	1,255,340	(109)	1,255,231
Work First - Reed Act	256,560	254,925		254,925
Unemployment insurance modernization - Reed Act	525,000	525,000		525,000
Total all funds	\$59,620,076	\$59,253,264	(\$43,430)	\$59,209,834
Less estimated income	<u>58,139,352</u>	<u>57,997,924</u>	<u>(43,321)</u>	<u>57,954,603</u>
General fund	\$1,480,724	\$1,255,340	(\$109)	\$1,255,231
FTE	355.80	355.80	0.00	355.80

**Dept. 380 - Job Service North Dakota - Detail of House Changes**

REDUCES  
RECOMMENDED  
FUNDING FOR TOTAL

	HEALTH INSURANCE <sup>1</sup>	HOUSE CHANGES
Salaries and wages	(\$43,321)	(\$43,321)
Operating expenses		
Capital assets		
Grants		
Work Force 2000	(109)	(109)
Work First - Reed Act		
Unemployment insurance modernization - Reed Act		
Total all funds	(\$43,430)	(\$43,430)
Less estimated income	(43,321)	(43,321)
General fund	(\$109)	(\$109)
FTE	0.00	0.00

<sup>1</sup> This amendment reduces funding for state employee health insurance premiums from \$559.15 to \$553.95 per month.

#### HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2383

Page 2, line 15, replace "The funds provided in this section, or so much of the" with "There is"

Page 2, line 16, remove "funds as may be necessary, are"

Page 2, line 17, after the second comma insert "the sum of \$100,000, or so much of the sum as may be necessary,"

Page 2, line 19, replace ", as follows:" with a period

Page 2, remove lines 20 through 26

Renumber accordingly

#### HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2409

Page 1, line 9, replace "operate a program to" with "implement a procedure to facilitate funding to nongovernmental entities that"

Page 1, line 10, replace "program" with "services"

Page 1, line 18, replace "program" with "funding"

Page 1, line 23, replace "operating an" with "implementing"

Page 1, line 24, replace "program" with "funding"

Page 2, line 1, replace "the program" with "this purpose"

Renumber accordingly

#### HOUSE AMENDMENTS TO SENATE BILL NO. 2411

Page 1, line 12, after "limitations" insert "and according to the procedures"

Page 1, line 13, after "limitations" insert "and according to the procedures"

Renumber accordingly

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

**MR. PRESIDENT:** The House has amended and subsequently passed: SB 2013, SB 2017, SB 2019, SB 2022, SB 2274, SB 2280, SB 2301, SB 2371, SCR 4039.

#### HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2013

Page 1, line 20, replace "336,989" with "334,618"

Page 1, line 23, replace "236,117" with "233,746"

Page 2, line 7, replace "2,213,151" with "2,210,780"

Page 2, line 12, replace "7,809,951" with "7,807,580"

Page 3, line 18, after the second period insert "This authority is ineffective after all loans are repaid."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:****Senate Bill No. 2013 - Land Department - House Action**

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$2,222,195	\$2,213,151	(\$2,371)	\$2,210,780
Operating expenses	648,700	648,700		648,700
Capital assets	10,000	10,000		10,000
Grants	4,888,100	4,888,100		4,888,100
Contingencies	<u>50,000</u>	<u>50,000</u>		<u>50,000</u>
Total all funds	\$7,818,995	\$7,809,951	(\$2,371)	\$7,807,580
Less estimated income	<u>7,818,995</u>	<u>7,809,951</u>	<u>(2,371)</u>	<u>7,807,580</u>
General fund	\$0	\$0	\$0	\$0
FTE	18.75	18.75	0.00	18.75

**Dept. 226 - Land Department - Detail of House Changes**

	REDUCES RECOMMENDED FUNDING FOR HEALTH INSURANCE	TOTAL HOUSE CHANGES
Salaries and wages	(\$2,371)	(\$2,371)
Operating expenses		
Capital assets		
Grants		
Contingencies		
Total all funds	(\$2,371)	(\$2,371)
Less estimated income	<u>(2,371)</u>	<u>(2,371)</u>
General fund	\$0	\$0
FTE	0.00	0.00

**HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2017**

Page 1, line 14, replace "96,610" with "95,487"

Page 1, line 16, replace "59,217" with "58,094"

Page 1, line 22, replace "1,035,258" with "1,034,135"

Page 1, line 24, replace "1,302,175" with "1,301,052"

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:****Senate Bill No. 2017 - Office of Administrative Hearings - House Action**

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$1,039,565	\$1,035,258	(\$1,123)	\$1,034,135
Operating expenses	<u>266,917</u>	<u>266,917</u>		<u>266,917</u>
Total all funds	\$1,306,482	\$1,302,175	(\$1,123)	\$1,301,052
Less estimated income	<u>1,306,482</u>	<u>1,302,175</u>	<u>(1,123)</u>	<u>1,301,052</u>
General fund	\$0	\$0	\$0	\$0
FTE	8.00	8.00	0.00	8.00

**Dept. 140 - Office of Administrative Hearings - Detail of House Changes**

	REDUCES RECOMMENDED FUNDING FOR HEALTH INSURANCE <sup>1</sup>	TOTAL HOUSE CHANGES
Salaries and wages	(\$1,123)	(\$1,123)
Operating expenses		
Total all funds	(\$1,123)	(\$1,123)

Less estimated income	<u>(1,123)</u>	<u>(1,123)</u>
General fund	\$0	\$0
FTE	0.00	0.00

<sup>1</sup> This amendment reduces funding for state employee health insurance premiums from \$559.15 to \$553.95 per month.

### HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2019

Page 1, line 20, replace "183,482" with "180,487"

Page 1, line 21, replace "53,621" with "68,621"

Page 1, line 22, replace "2,058,233" with "2,208,233"

Page 1, line 23, replace "75,000" with "100,000"

Page 1, line 24, replace "2,370,336" with "2,557,341"

Page 2, line 1, replace "393,716" with "407,757"

Page 2, line 2, replace "1,976,620" with "2,149,584"

Page 2, line 9, replace "3,150,123" with "3,147,128"

Page 2, line 10, replace "1,009,858" with "1,024,858"

Page 2, line 11, replace "21,350,116" with "21,500,116"

Page 2, line 12, replace "700,760" with "725,760"

Page 2, line 15, replace "27,918,309" with "28,105,314"

Page 2, line 16, replace "11,268,216" with "11,282,257"

Page 2, line 17, replace "16,650,093" with "16,823,057"

Renumber accordingly

### STATEMENT OF PURPOSE OF AMENDMENT:

#### Senate Bill No. 2019 - Board for Career and Technical Education - House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$3,158,580	\$3,150,123	(\$2,995)	\$3,147,128
Operating expenses	1,009,858	1,009,858	15,000	1,024,858
Grants	21,850,116	21,350,116	150,000	21,500,116
Adult farm management	700,760	700,760	25,000	725,760
Workforce training	1,350,000	1,350,000		1,350,000
Postsecondary grants	<u>357,452</u>	<u>357,452</u>		<u>357,452</u>
Total all funds	\$28,426,766	\$27,918,309	\$187,005	\$28,105,314
Less estimated income	<u>11,270,900</u>	<u>11,268,216</u>	<u>14,041</u>	<u>11,282,257</u>
General fund	\$17,155,866	\$16,650,093	\$172,964	\$16,823,057
FTE	27.50	27.50	0.00	27.50

#### Dept. 270 - Board for Career and Technical Education - Detail of House Changes

	REDUCES RECOMMENDED FUNDING FOR HEALTH INSURANCE	PARTIALLY RESTORES FUNDING FOR EMERGING TECHNOLOGY PROGRAM <sup>1</sup>	ADDS FUNDING FOR ADULT FARM MANAGEMENT <sup>2</sup>	ADDS SPECIAL FUNDS SPENDING AUTHORITY <sup>3</sup>	TOTAL HOUSE CHANGES
Salaries and wages	(\$2,995)				(\$2,995)
Operating expenses				\$15,000	15,000
Grants		\$150,000			150,000
Adult farm management			\$25,000		25,000
Workforce training					
Postsecondary grants					
Total all funds	(\$2,995)	\$150,000	\$25,000	\$15,000	\$187,005
Less estimated income	<u>(959)</u>			<u>15,000</u>	<u>14,041</u>
General fund	(\$2,036)	\$150,000	\$25,000	\$0	\$172,964

FTE 0.00 0.00 0.00 0.00 0.00

<sup>1</sup> This amendment restores \$150,000 of the \$750,000 general fund reduction made by the Senate to the emerging technology program, resulting in a total of \$900,000 for the emerging technology program.

<sup>2</sup> This amendment adds \$25,000 from the general fund to adult farm management for a total of \$725,760 for adult farm management.

<sup>3</sup> This amendment adds \$15,000 of special funds spending authority for operating expenses as the result of the removal of the continuing appropriation from the board for the fee fund in Senate Bill No. 2120.

### HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2022

Page 1, line 21, replace "5,912,736" with "5,909,117"

Page 1, line 23, replace "272,736" with "269,117"

Page 2, line 5, replace "5,912,736" with "5,909,117"

ReNUMBER accordingly

### STATEMENT OF PURPOSE OF AMENDMENT:

#### Senate Bill No. 2022 - Seed Department - House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Seed Department	<u>\$5,924,650</u>	<u>\$5,912,736</u>	<u>(\$3,619)</u>	<u>\$5,909,117</u>
Total all funds	\$5,924,650	\$5,912,736	(\$3,619)	\$5,909,117
Less estimated income	<u>5,924,650</u>	<u>5,912,736</u>	<u>(3,619)</u>	<u>5,909,117</u>
General fund	\$0	\$0	\$0	\$0
FTE	30.00	30.00	0.00	30.00

#### Dept. 616 - Seed Department - Detail of House Changes

	REDUCES RECOMMENDED FUNDING FOR HEALTH INSURANCE <sup>1</sup>	TOTAL HOUSE CHANGES
Seed Department	<u>(\$3,619)</u>	<u>(\$3,619)</u>
Total all funds	(\$3,619)	(\$3,619)
Less estimated income	<u>(3,619)</u>	<u>(3,619)</u>
General fund	\$0	\$0
FTE	0.00	0.00

<sup>1</sup> This amendment reduces funding for state employee health insurance premiums from \$559.15 to \$553.95 per month.

### HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2274

Page 1, line 1, replace "two new sections to chapter 39-21" with "a new section to chapter 24-03"

Page 1, line 2, replace "axles on a vehicle" with "bids for highway grade stakes" and after "reenact" insert "section 25-16.2-02,"

Page 1, line 3, after "39-06.1-06" insert a comma

Page 1, line 4, after "to" insert "bidding with work activity centers," and after "limitations" insert a comma

Page 1, after line 5, insert:

**"SECTION 1.** A new section to chapter 24-03 of the North Dakota Century Code is created and enacted as follows:

Highway grade stakes - Bids. The department of transportation, when seeking bids for highway grade stakes, shall issue requests for bids only from persons domiciled in this state. If no bidder domiciled in this state submits a qualifying bid, the department may open the bidding process to out-of-state bidders.

**SECTION 2. AMENDMENT.** Section 25-16.2-02 of the North Dakota Century Code is amended and reenacted as follows:

**25-16.2-02. Direct bidding with work activity centers for highway grade stakes.** ~~Unless no work activity center bids on the contract, the office of management and budget or the department of transportation, whichever may be authorized to purchase highway grade stakes, shall award any contract for the purchase of highway grade stakes to work activity centers. The office of management and budget or the department of transportation shall request bids from work activity centers and shall award any contract for the purchase of highway grade stakes on the basis of these factors:~~

- ~~1. Whether the product contracted for is supplied by the work activity center at a fair market price.~~
- ~~2. Whether the product to be supplied by the work activity center meets the specifications of the department of transportation.~~
- ~~3. The ability, capacity, and skill of the work activity center to perform the contract required.~~
- ~~4. The character, integrity, reputation, judgment, experience, and efficiency of the work activity center.~~
- ~~5. Whether the work activity center can perform the contract within the time specified.~~
- ~~6. The quality of performance of previous contracts negotiated with the work activity center.~~
- ~~7. The previous and existing compliance by the work activity center with laws relating to the contract."~~

Page 6, remove lines 17 through 27

Renumber accordingly

#### **HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2280**

Page 1, line 1, replace "eighteen" with "seventeen"

Page 1, line 3, remove the first comma

Page 1, line 4, replace "61-01.1-04.1" with "63-01.1-04.1" and replace "61-03.1-05" with "63-01.1-05"

Page 1, line 7, remove the second "and"

Page 1, line 8, after "boards" insert "; to provide for reports to the legislative council; and to provide a penalty"

Page 5, line 1, replace "Forward" with "Except as otherwise provided, forward"

Page 14, line 20, overstrike "state" and insert immediately thereafter "landowner assistance"

Page 22, after line 25, insert:

**"SECTION 28.** A new section to chapter 63-01.1 of the North Dakota Century Code is created and enacted as follows:

Investigation by agriculture commissioner - Conflict of interest. If an individual who provided written notice of an alleged failure to eradicate or control noxious weeds believes that the matter has not been addressed satisfactorily by the weed board within twenty-one days from the date of the complaint, the individual may provide written notification to the local governing authority. If the individual who provided notice of an alleged failure to eradicate or control noxious weeds believes that the matter has not been addressed satisfactorily by the local governing authority within twenty-one days from the date of the notice to the local governing authority, the individual may provide written notification to the agriculture commissioner. Upon receiving such notification, the agriculture commissioner shall investigate the matter. If the commissioner determines that a weed board has not addressed the matter satisfactorily within the

twenty-one day period, the commissioner may act to enforce this chapter. A weed board may request that the agriculture commissioner investigate any complaint received by the board if the board determines that its ability to enforce this chapter is compromised because of a conflict of interest."

Page 22, line 28, after the underscored boldfaced period insert:

"1."

Page 22, line 30, after "pests" insert "on public lands within the county and to cooperate with landowners for the purpose of controlling or eradicating pests on private land within the county"

Page 23, remove lines 1 through 6

Page 23, line 13, after "efforts" insert "under this section"

Page 23, line 17, after "pests" insert "under section 29 of this Act"

Page 23, line 18, replace "land users" with "landowners"

Page 23, line 24, remove "Take enforcement action when necessary."

Page 23, line 25, remove "6."

Page 23, line 27, replace "7." with "6."

Page 23, line 28, replace "8." with "7."

Page 23, remove lines 30 and 31

Page 24, remove lines 1 through 28

Page 25, line 7, after the underscored boldfaced period insert:

"1."

Page 25, line 9, after "pests" insert "on land within the corporate boundaries of the city and to cooperate with landowners for the purpose of controlling or eradicating pests on private land within the city"

Page 25, remove lines 10 through 15

Page 25, line 22, after "efforts" insert "under this section"

Page 25, line 26, after "pests" insert "under section 32 of this Act"

Page 25, line 27, replace "land users" with "landowners"

Page 26, line 2, remove "Take enforcement action when necessary."

Page 26, line 3, remove "6."

Page 26, line 5, replace "7." with "6."

Page 26, line 6, replace "8." with "7."

Page 26, remove lines 8 through 31

Page 27, remove lines 1 through 5

Page 28, line 26, remove "a."

Page 28, line 30, remove "b. All penalties" and overstrike "collected pursuant to this section for failure or refusal to"

Page 28, line 31, overstrike "control", remove "or eradicate", and overstrike "pests"

Page 29, line 1, overstrike "must be credited to the weed control", remove "and eradication", and overstrike "fund in the political"

Page 29, line 2, overstrike "subdivision in which the penalty originated but dedicated for use"

Page 29, line 3, remove "in the", overstrike "control", remove "or eradication of", and overstrike "pests." and insert immediately thereafter:

"4."

Page 29, line 6, replace "4." with "5."

Page 29, line 8, after "the" insert "governing body of the" and remove "council"

Page 29, after line 8, insert:

**"SECTION 37. AGRICULTURE COMMISSIONER - REPORTS TO LEGISLATIVE COUNCIL.** In November 2005 and June 2006, the agriculture commissioner shall report to the legislative council all notifications and requests for assistance under section 28 of this Act. The reports must include the commissioner's response to each notification and request."

Renumber accordingly

**HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2301**

Page 1, line 1, replace "three" with "one" and replace "sections" with "section"

Page 1, line 2, remove "county payment of costs of the" and replace "agency, employment of" with "enforcement"

Page 1, remove line 3

Page 1, line 4, remove "agencies" and remove "sections 14-09-09.10, 35-34-01, and 50-01.2-00.1,"

Page 1, line 5, after "50-01.2-03.2" insert "and" and remove "50-09-01, subsection 16 of section 50-09-02,"

Page 1, line 6, remove "and sections 50-09-03, 50-09-08," and remove ", 50-24.1-03.1, and 50-24.1-03.2"

Page 1, line 7, remove "state"

Page 1, line 8, after the first semicolon insert "to provide for a child support enforcement task force;" and remove "to provide an appropriation;"

Page 1, line 9, replace "effective" with "expiration"

Page 1, remove lines 11 through 24

Page 2, remove lines 1 through 31

Page 3, remove lines 1 through 31

Page 4, remove lines 1 through 24

Page 5, line 24, after the period insert "The department shall distribute child support incentive funds according to a formula that promotes performance and consistency in child support enforcement activities throughout the state."

Page 5, remove lines 25 through 31

Page 6, remove lines 1 through 30

Page 7, remove lines 1 through 29

Page 8, remove lines 1 through 31

Page 9, remove lines 1 through 9

Page 10, line 6, replace "Three" with "A" and replace "sections" with "section"

Page 10, line 7, replace "are" with "is"

Page 10, replace lines 8 through 31 with:

"Administration of child support enforcement activities. The state agency shall identify any activity of the child support enforcement program the state agency believes may be administered more effectively, efficiently, or consistently through an agreement between two or more child support agencies or through an agreement for centralized administration under section 50-09-33 and shall direct a child support agency to enter an agreement to perform that activity on terms prescribed by the state agency. The department may not pay any incentive funds to a county or a child support agency that does not enter an agreement under this section. Any attorney performing an activity under this section represents the state and shall obtain an appointment from the attorney general under section 54-12-08.

**SECTION 5. CHILD SUPPORT ENFORCEMENT TASK FORCE.** The state agency shall convene a child support enforcement task force that includes two members of the legislative assembly appointed by the chairman of the legislative council and representatives from the state agency, the counties, and the judicial system. The state agency shall extend invitations to representatives from Indian tribes. The task force shall study the organizational and programmatic structure of the child support enforcement program to determine how to enhance service delivery, improve performance, and increase efficiencies. The study must consider the impact on customers, the effect on Indian counties, and the fiscal effect on counties and the state. The findings and recommendations, together with any legislation required to implement the recommendations, must be presented by the state agency to the sixtieth legislative assembly."

Page 11, remove lines 1 through 31

Page 12, remove lines 1 through 17

Page 12, line 19, replace "reduction in county funding under" with "authority granted to the department of human services in" and replace "11" with "4"

Page 12, line 20, remove "and the corresponding increase in state funding"

Page 12, line 21, replace "offset to the greatest extent feasible by increased" with "exercised to increase"

Page 12, line 24, replace ", including a comprehensive review by the" with ". The"

Page 12, line 25, replace the first "of" with "shall review"

Page 12, line 26, after "state" insert "and county"

Page 12, replace lines 27 through 30 with:

**"SECTION 7. EXPIRATION DATE.** Section 5 of this Act is effective through June 30, 2007, and after that date is ineffective."

Page 13, remove lines 1 through 9

Renumber accordingly

#### **HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2371**

Page 1, line 19, remove "twenty-five dollar" and after "fee" insert "equal in amount to the fee set under section 19-18-04 for the registration of a pesticide"

Page 1, replace lines 22 and 23 with:

"4. Each exemption from registration covers a designated two-year period beginning January first of each even-numbered year and expiring December thirty-first of the following year."

Renumber accordingly

#### **HOUSE AMENDMENTS TO SENATE CONCURRENT RESOLUTION NO. 4039**

Page 1, line 24, remove "and"

Page 2, remove lines 1 through 4

Page 2, line 9, after "revenue" insert "and ensure the property tax relief is permanent"

Page 2, line 12, remove "may establish subcommittees for consideration of divisible issues,"

Page 2, line 14, remove ", and shall at a minimum forward to the Legislative Council three bill drafts to"

Page 2, remove line 15

Page 2, line 16, remove "amounts of \$150 million, \$300 million, and \$600 million per biennium"

Renumber accordingly

**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 2020, SB 2023, SB 2304.

**HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2020**

Page 1, line 3, remove the second "to"

Page 1, line 4, remove "provide for a legislative council study;"

Page 3, line 5, replace "3,750,622" with "3,713,370"

Page 3, line 6, replace "108,747" with "8,559"

Page 3, line 7, replace "3,859,369" with "3,721,929"

Page 3, line 8, replace "2,451,781" with "2,427,076"

Page 3, line 9, replace "1,407,588" with "1,294,853"

Page 3, line 12, replace "370,600" with "369,602"

Page 3, line 13, replace "211,005" with "210,506"

Page 3, line 14, replace "159,595" with "159,096"

Page 3, line 17, replace "4,886,023" with "5,179,908"

Page 3, line 18, replace "4,869,499" with "4,863,538"

Page 3, line 19, replace "16,524" with "316,370"

Page 3, line 22, replace "7,093,956" with "7,983,493"

Page 3, line 23, replace "5,235,325" with "5,216,848"

Page 3, line 24, replace "1,858,631" with "2,766,645"

Page 3, line 27, replace "328,589" with "326,459"

Page 3, line 28, replace "311,847" with "310,855"

Page 3, line 29, replace "281,547" with "280,431"

Page 3, line 30, replace "45,601" with "44,611"

Page 3, line 31, replace "518,220" with "516,625"

Page 4, line 1, replace "562,800" with "561,809"

Page 4, line 2, replace "915,392" with "912,972"

Page 4, line 3, replace "2,963,996" with "2,953,762"

Page 4, line 4, replace "2,096,169" with "2,093,700"

Page 4, line 5, replace "867,827" with "860,062"

Page 4, line 8, replace "31,452" with "31,078"

Page 4, line 9, replace "31,452" with "31,078"

Page 4, line 10, replace "4,310,165" with "5,397,026"

Page 4, line 11, replace "14,895,231" with "14,842,746"

Page 4, line 12, replace "19,205,396" with "20,239,772"

Page 4, line 22, replace "37,318,219" with "37,280,967"

Page 4, line 23, replace "887,426" with "787,238"

Page 4, line 24, replace "38,205,645" with "38,068,205"

Page 4, line 25, replace "22,938,611" with "22,913,906"

Page 4, line 26, replace "15,267,034" with "15,154,299"

Page 4, line 29, replace "1,893,947" with "1,892,949"

Page 4, line 30, replace "988,350" with "987,851"

Page 4, line 31, replace "905,597" with "905,098"

Page 5, line 3, replace "15,730,773" with "16,024,658"

Page 5, line 4, replace "15,231,150" with "15,225,189"

Page 5, line 5, replace "499,623" with "799,469"

Page 5, line 8, replace "67,611,170" with "68,500,707"

Page 5, line 9, replace "37,541,799" with "37,523,322"

Page 5, line 10, replace "30,069,371" with "30,977,385"

Page 5, line 13, replace "5,609,723" with "5,607,593"

Page 5, line 14, replace "1,979,234" with "1,978,242"

Page 5, line 15, replace "1,803,022" with "1,801,906"

Page 5, line 16, replace "1,328,486" with "1,327,496"

Page 5, line 17, replace "2,230,730" with "2,229,135"

Page 5, line 18, replace "2,205,875" with "2,204,884"

Page 5, line 19, replace "4,242,008" with "4,239,588"

Page 5, line 20, replace "19,399,078" with "19,388,844"

Page 5, line 21, replace "11,063,572" with "11,061,103"

Page 5, line 22, replace "8,335,506" with "8,327,741"

Page 5, line 25, replace "1,198,056" with "1,197,682"

Page 5, line 26, replace "1,198,056" with "1,197,682"

Page 5, line 27, replace "55,077,131" with "56,163,992"

Page 5, line 28, replace "88,961,538" with "88,909,053"

Page 5, line 29, replace "144,038,669" with "145,073,045"

Page 6, remove lines 27 through 31

Page 7, remove lines 1 and 2

Page 7, line 6, replace "10" with "9"

Renumber accordingly

## STATEMENT OF PURPOSE OF AMENDMENT:

### Senate Bill No. 2020 - Summary of House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Transportation Institute				
Total all funds	\$15,764,073	\$15,730,773	\$293,885	\$16,024,658
Less estimated income	<u>15,263,028</u>	<u>15,231,150</u>	<u>(5,961)</u>	<u>15,225,189</u>
General fund	\$501,045	\$499,623	\$299,846	\$799,469
Branch Research Centers				
Total all funds	\$19,247,791	\$19,399,078	(\$10,234)	\$19,388,844
Less estimated income	<u>11,072,534</u>	<u>11,063,572</u>	<u>(2,469)</u>	<u>11,061,103</u>
General fund	\$8,175,257	\$8,335,506	(\$7,765)	\$8,327,741
NDSU Extension Service				
Total all funds	\$38,230,290	\$38,205,645	(\$137,440)	\$38,068,205
Less estimated income	<u>22,989,228</u>	<u>22,938,611</u>	<u>(24,705)</u>	<u>22,913,906</u>
General fund	\$15,241,062	\$15,267,034	(\$112,735)	\$15,154,299
Northern Crops Institute				
Total all funds	\$1,763,585	\$1,893,947	(\$998)	\$1,892,949
Less estimated income	<u>950,741</u>	<u>988,350</u>	<u>(499)</u>	<u>987,851</u>
General fund	\$812,844	\$905,597	(\$499)	\$905,098
Main Research Station				
Total all funds	\$66,572,180	\$67,611,170	\$889,537	\$68,500,707
Less estimated income	<u>36,810,218</u>	<u>37,541,799</u>	<u>(18,477)</u>	<u>37,523,322</u>
General fund	\$29,761,962	\$30,069,371	\$908,014	\$30,977,385
Agronomy Seed Farm				
Total all funds	\$1,199,685	\$1,198,056	(\$374)	\$1,197,682
Less estimated income	<u>1,199,685</u>	<u>1,198,056</u>	<u>(374)</u>	<u>1,197,682</u>
General fund	\$0	\$0	\$0	\$0
Bill Total				
Total all funds	\$142,777,604	\$144,038,669	\$1,034,376	\$145,073,045
Less estimated income	<u>88,285,434</u>	<u>88,961,538</u>	<u>(52,485)</u>	<u>88,909,053</u>
General fund	\$54,492,170	\$55,077,131	\$1,086,861	\$56,163,992

### Senate Bill No. 2020 - Transportation Institute - House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Transportation Institute	<u>\$15,764,073</u>	<u>\$15,730,773</u>	<u>\$293,885</u>	<u>\$16,024,658</u>
Total all funds	\$15,764,073	\$15,730,773	\$293,885	\$16,024,658
Less estimated income	<u>15,263,028</u>	<u>15,231,150</u>	<u>(5,961)</u>	<u>15,225,189</u>
General fund	\$501,045	\$499,623	\$299,846	\$799,469
FTE	48.50	48.50	0.00	48.50

### Dept. 627 - Transportation Institute - Detail of House Changes

	REDUCES RECOMMENDED FUNDING FOR HEALTH INSURANCE <sup>1</sup>	ADDS FUNDING FOR REGIONAL UNIVERSITY TRANSPORTATION CENTER STATUS <sup>2</sup>	TOTAL HOUSE CHANGES
Transportation Institute	<u>(\$6,115)</u>	<u>\$300,000</u>	<u>\$293,885</u>
Total all funds	(\$6,115)	\$300,000	\$293,885
Less estimated income	<u>(5,961)</u>		<u>(5,961)</u>
General fund	(\$154)	\$300,000	\$299,846
FTE	0.00	0.00	0.00

<sup>1</sup> This amendment reduces funding for state employee health insurance premiums from \$559.15 to \$553.95 per month.

<sup>2</sup> The House increased the general fund appropriation for the Upper Great Plains Transportation Institute to meet the required funded budget guidelines to qualify as a regional university transportation center.

**Senate Bill No. 2020 - Branch Research Centers - House Action**

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Dickinson Research Center	\$5,554,757	\$5,609,723	(\$2,130)	\$5,607,593
Central Grasslands Research Center	1,982,689	1,979,234	(992)	1,978,242
Hettinger Research Center	1,798,821	1,803,022	(1,116)	1,801,906
Langdon Research Center	1,332,702	1,328,486	(990)	1,327,496
North Central Research Center	2,236,320	2,230,730	(1,595)	2,229,135
Williston Research Center	2,091,298	2,205,875	(991)	2,204,884
Carrington Research Center	<u>4,251,204</u>	<u>4,242,008</u>	<u>(2,420)</u>	<u>4,239,588</u>
Total all funds	\$19,247,791	\$19,399,078	(\$10,234)	\$19,388,844
Less estimated income	<u>11,072,534</u>	<u>11,063,572</u>	<u>(2,469)</u>	<u>11,061,103</u>
General fund	\$8,175,257	\$8,335,506	(\$7,765)	\$8,327,741
FTE	77.41	77.41	0.00	77.41

**Dept. 628 - Branch Research Centers - Detail of House Changes**

	REDUCES RECOMMENDED FUNDING FOR HEALTH INSURANCE <sup>1</sup>	TOTAL HOUSE CHANGES
Dickinson Research Center	(\$2,130)	(\$2,130)
Central Grasslands Research Center	(992)	(992)
Hettinger Research Center	(1,116)	(1,116)
Langdon Research Center	(990)	(990)
North Central Research Center	(1,595)	(1,595)
Williston Research Center	(991)	(991)
Carrington Research Center	<u>(2,420)</u>	<u>(2,420)</u>
Total all funds	(\$10,234)	(\$10,234)
Less estimated income	<u>(2,469)</u>	<u>(2,469)</u>
General fund	(\$7,765)	(\$7,765)
FTE	0.00	0.00

<sup>1</sup> This amendment reduces funding for state employee health insurance premiums from \$559.15 to \$553.95 per month.

**Senate Bill No. 2020 - NDSU Extension Service - House Action**

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Extension Service	\$37,442,255	\$37,318,219	(\$37,252)	\$37,280,967
Soil Conservation Committee	<u>788,035</u>	<u>887,426</u>	<u>(100,188)</u>	<u>787,238</u>
Total all funds	\$38,230,290	\$38,205,645	(\$137,440)	\$38,068,205
Less estimated income	<u>22,989,228</u>	<u>22,938,611</u>	<u>(24,705)</u>	<u>22,913,906</u>
General fund	\$15,241,062	\$15,267,034	(\$112,735)	\$15,154,299
FTE	266.10	266.10	0.00	266.10

**Dept. 630 - NDSU Extension Service - Detail of House Changes**

	REDUCES RECOMMENDED FUNDING FOR HEALTH INSURANCE <sup>1</sup>	REMOVES FUNDING FOR SOIL CONSERVATION DISTRICTS <sup>2</sup>	TOTAL HOUSE CHANGES
Extension Service	(\$37,252)		(\$37,252)
Soil Conservation Committee	<u>(188)</u>	<u>(\$100,000)</u>	<u>(100,188)</u>
Total all funds	(\$37,440)	(\$100,000)	(\$137,440)
Less estimated income	<u>(24,705)</u>		<u>(24,705)</u>
General fund	(\$12,735)	(\$100,000)	(\$112,735)
FTE	0.00	0.00	0.00

<sup>1</sup> This amendment reduces funding for state employee health insurance premiums from \$559.15 to \$553.95 per month.

<sup>2</sup> The House removed the additional \$100,000 added by the Senate for soil conservation districts.

**Senate Bill No. 2020 - Northern Crops Institute - House Action**

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Northern Crops Institute	<u>\$1,763,585</u>	<u>\$1,893,947</u>	<u>(\$998)</u>	<u>\$1,892,949</u>
Total all funds	\$1,763,585	\$1,893,947	(\$998)	\$1,892,949
Less estimated income	<u>950,741</u>	<u>988,350</u>	<u>(499)</u>	<u>987,851</u>
General fund	\$812,844	\$905,597	(\$499)	\$905,098
FTE	7.62	8.62	0.00	8.62

**Dept. 638 - Northern Crops Institute - Detail of House Changes**

	REDUCES RECOMMENDED FUNDING FOR HEALTH INSURANCE <sup>1</sup>	TOTAL HOUSE CHANGES
Northern Crops Institute	<u>(\$998)</u>	<u>(\$998)</u>
Total all funds	(\$998)	(\$998)
Less estimated income	<u>(499)</u>	<u>(499)</u>
General fund	(\$499)	(\$499)
FTE	0.00	0.00

<sup>1</sup> This amendment reduces funding for state employee health insurance premiums from \$559.15 to \$553.95 per month.

**Senate Bill No. 2020 - Main Research Station - House Action**

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Main Research Station	<u>\$66,572,180</u>	<u>\$67,611,170</u>	<u>\$889,537</u>	<u>\$68,500,707</u>
Total all funds	\$66,572,180	\$67,611,170	\$889,537	\$68,500,707
Less estimated income	<u>36,810,218</u>	<u>37,541,799</u>	<u>(18,477)</u>	<u>37,523,322</u>
General fund	\$29,761,962	\$30,069,371	\$908,014	\$30,977,385
FTE	339.05	341.05	(1.00)	340.05

**Dept. 640 - Main Research Station - Detail of House Changes**

	REDUCES RECOMMENDED FUNDING FOR HEALTH INSURANCE <sup>1</sup>	REMOVES POSITIONS AND FUNDING FOR BEEF SYSTEMS CENTER OF EXCELLENCE <sup>2</sup>	ADDS 1 FTE DRY BEAN GENETICIST POSITION <sup>3</sup>	ADDS FUNDING FOR WESTERN MALTING BARLEY PROJECT <sup>4</sup>	ADDS FUNDING FOR EXTRAORDINARY REPAIRS <sup>5</sup>	ADDS FUNDING FOR OPERATING AND EQUIPMENT NEEDS <sup>6</sup>
Main Research Station	<u>(\$45,427)</u>	<u>(\$200,000)</u>	<u>\$200,000</u>	<u>\$59,799</u>	<u>\$425,165</u>	<u>\$350,000</u>
Total all funds	(\$45,427)	(\$200,000)	\$200,000	\$59,799	\$425,165	\$350,000
Less estimated income	<u>(18,477)</u>					
General fund	(\$26,950)	(\$200,000)	\$200,000	\$59,799	\$425,165	\$350,000
FTE	0.00	(2.00)	1.00	0.00	0.00	0.00

	ADDS FUNDING FOR ETHANOL MALTING BARLEY RESEARCH <sup>7</sup>	TOTAL HOUSE CHANGES
Main Research Station	<u>\$100,000</u>	<u>\$889,537</u>
Total all funds	\$100,000	\$889,537
Less estimated income		<u>(18,477)</u>
General fund	\$100,000	\$908,014
FTE	0.00	(1.00)

<sup>1</sup> This amendment reduces funding for state employee health insurance premiums from \$559.15 to \$553.95 per month.

<sup>2</sup> This amendment removes \$200,000 from the general fund and 2 FTE positions added by the Senate for the beef systems center of excellence.

<sup>3</sup> Funding is added for 1 FTE geneticist position and related operating expenses to conduct research and address issues related to dry edible beans.

<sup>4</sup> Funding is added for western malting barley research at the Main Research Center.

<sup>5</sup> Funding is added for extraordinary repairs to facilities.

<sup>6</sup> This amendment adds funding for operating and equipment infrastructure needs for the Main Research Center, branch research centers, and North Dakota State University Extension Service. The funding allocation is to be determined by the State Board of Agricultural Research and Education.

<sup>7</sup> Funding is added for ethanol malting barley research. The funding is to be allocated to the Main Research Center and branch research centers as determined by the director of the North Dakota Agricultural Experiment Station.

### Senate Bill No. 2020 - Agronomy Seed Farm - House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Agronomy Seed Farm	<u>\$1,199,685</u>	<u>\$1,198,056</u>	<u>(\$374)</u>	<u>\$1,197,682</u>
Total all funds	\$1,199,685	\$1,198,056	(\$374)	\$1,197,682
Less estimated income	<u>1,199,685</u>	<u>1,198,056</u>	<u>(374)</u>	<u>1,197,682</u>
General fund	\$0	\$0	\$0	\$0
FTE	2.97	2.97	0.00	2.97

### Dept. 649 - Agronomy Seed Farm - Detail of House Changes

	REDUCES RECOMMENDED FUNDING FOR HEALTH INSURANCE <sup>1</sup>	TOTAL HOUSE CHANGES
Agronomy Seed Farm	<u>(\$374)</u>	<u>(\$374)</u>
Total all funds	(\$374)	(\$374)
Less estimated income	<u>(374)</u>	<u>(374)</u>
General fund	\$0	\$0
FTE	0.00	0.00

<sup>1</sup> This amendment reduces funding for state employee health insurance premiums from \$559.15 to \$553.95 per month.

### HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2023

Page 1, line 4, after the second semicolon insert "to provide an appropriation; to amend and reenact section 48-01.1-09 of the North Dakota Century Code, relating to the use of a construction manager;"

Page 1, line 20, replace "3,500,000" with "3,632,691"

Page 1, line 21, replace "3,300,000" with "3,500,000"

Page 2, remove line 7

Page 2, remove lines 10 and 11

Page 2, line 13, replace "28,595,557" with "23,078,248"

Page 3, remove lines 1 through 5

Page 3, line 11, replace "35,895,557" with "30,178,248"

Page 4, line 4, remove "- HERITAGE CENTER"

Page 4, line 7, remove "This study must include the long-term needs of the North Dakota heritage center."

Page 4, after line 9, insert:

**"SECTION 5. APPROPRIATION - HERITAGE CENTER STUDY.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$150,000, or so much of the sum as may be necessary, to the office of management and budget for the purpose of conducting a study regarding an expanded heritage center, including archive storage, exhibit area, and all other such

spaces necessary to complete the facility as outlined in the North Dakota state capitol complex master plan dated December 14, 2000. The study also must examine an alternate location for a comparable replacement facility on the capitol grounds taking into account the cost to retrofit the existing heritage center and long-range plans for the capitol grounds. The office of management and budget shall present the results of the study to the sixtieth legislative assembly.

**SECTION 6. AMENDMENT.** Section 48-01.1-09 of the North Dakota Century Code is amended and reenacted as follows:

**48-01.1-09. Use of construction manager.** If a governing body uses a construction manager on a public improvement, the construction manager must be a licensed contractor. The architect awarded the design contract and the construction manager awarded the construction management contract for a public improvement shall carry out their contractual duties as agents to the public improvement entity. The architect and construction manager may not construct any portion of the public improvement and may not contract with any contractor or subcontractor to construct any portion of the work. The construction manager awarded the contract for ~~construction of~~ a public improvement shall bond the entire cost of the project through a single bond, or through bonds provided by all bid packages and the construction manager's bond for the full amount of the construction manager's services. If the total of the bonds is less than the total project bid, the construction manager shall bond the difference between the total of the bonds and the total project bid."

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### Senate Bill No. 2023 - Summary of House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Office of Management and Budget				
Total all funds	\$3,155,000	\$3,155,000	\$150,000	\$3,305,000
Less estimated income	<u>3,155,000</u>	<u>3,155,000</u>		<u>3,155,000</u>
General fund	\$0	\$0	\$150,000	\$150,000
Attorney General				
Total all funds	\$3,632,691	\$3,500,000	\$132,691	\$3,632,691
Less estimated income	<u>3,632,691</u>	<u>3,500,000</u>	<u>132,691</u>	<u>3,632,691</u>
General fund	\$0	\$0	\$0	\$0
University of North Dakota				
Total all funds	\$2,331,554	\$2,331,554	\$0	\$2,331,554
Less estimated income	<u>2,331,554</u>	<u>2,331,554</u>		<u>2,331,554</u>
General fund	\$0	\$0	\$0	\$0
North Dakota State University				
Total all funds	\$3,500,000	\$3,300,000	\$200,000	\$3,500,000
Less estimated income	<u>3,500,000</u>	<u>3,300,000</u>	<u>200,000</u>	<u>3,500,000</u>
General fund	\$0	\$0	\$0	\$0
State College of Science				
Total all funds	\$736,000	\$736,000	\$0	\$736,000
Less estimated income	<u>736,000</u>	<u>736,000</u>		<u>736,000</u>
General fund	\$0	\$0	\$0	\$0
Dickinson State University				
Total all funds	\$4,100,557	\$4,100,557	\$0	\$4,100,557
Less estimated income	<u>4,100,557</u>	<u>4,100,557</u>		<u>4,100,557</u>
General fund	\$0	\$0	\$0	\$0
Minot State University - Bottineau				
Total all funds	\$0	\$2,500,000	\$0	\$2,500,000
Less estimated income		<u>2,500,000</u>		<u>2,500,000</u>
General fund	\$0	\$0	\$0	\$0
Department of Human Services				
Total all funds	\$455,000	\$0	\$0	\$0
Less estimated income	<u>455,000</u>			
General fund	\$0	\$0	\$0	\$0
Department of Corrections and Rehabilitation				
Total all funds	\$3,586,510	\$1,564,000	\$0	\$1,564,000
Less estimated income	<u>3,586,510</u>	<u>1,564,000</u>		<u>1,564,000</u>
General fund	\$0	\$0	\$0	\$0
Branch Research Centers				
Total all funds	\$1,320,000	\$2,040,000	(\$350,000)	\$1,690,000
Less estimated income	<u>1,320,000</u>	<u>2,040,000</u>	<u>(350,000)</u>	<u>1,690,000</u>
General fund	\$0	\$0	\$0	\$0
Main Research Station				
Total all funds	\$4,500,000	\$7,000,000	\$0	\$7,000,000
Less estimated income	<u>4,500,000</u>	<u>7,000,000</u>		<u>7,000,000</u>

General fund	\$0	\$0	\$0	\$0
State Historical Society				
Total all funds	\$1,600,000	\$7,300,000	(\$5,700,000)	\$1,600,000
Less estimated income	<u>1,600,000</u>	<u>7,300,000</u>	<u>(5,700,000)</u>	<u>1,600,000</u>
General fund	\$0	\$0	\$0	\$0
Parks and Recreation				
Department				
Total all funds	\$700,000	\$700,000	\$0	\$700,000
Less estimated income	<u>700,000</u>	<u>700,000</u>		<u>700,000</u>
General fund	\$0	\$0	\$0	\$0
Bill Total				
Total all funds	\$29,617,312	\$38,227,111	(\$5,567,309)	\$32,659,802
Less estimated income	<u>29,617,312</u>	<u>38,227,111</u>	<u>(5,717,309)</u>	<u>32,509,802</u>
General fund	\$0	\$0	\$150,000	\$150,000

**Senate Bill No. 2023 - Office of Management and Budget - House Action**

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Operating expenses			\$150,000	\$150,000
Capital assets	<u>\$3,155,000</u>	<u>\$3,155,000</u>		<u>3,155,000</u>
Total all funds	\$3,155,000	\$3,155,000	\$150,000	\$3,305,000
Less estimated income	<u>3,155,000</u>	<u>3,155,000</u>		<u>3,155,000</u>
General fund	\$0	\$0	\$150,000	\$150,000
FTE	0.00	0.00	0.00	0.00

**Dept. 110 - Office of Management and Budget - Detail of House Changes**

	PROVIDES FUNDING FOR A STUDY OF EXPANDING THE HERITAGE CENTER <sup>1</sup>	TOTAL HOUSE CHANGES
Operating expenses	\$150,000	\$150,000
Capital assets		
Total all funds	\$150,000	\$150,000
Less estimated income		
General fund	\$150,000	\$150,000
FTE	0.00	0.00

<sup>1</sup> This amendment provides a \$150,000 general fund appropriation to the Office of Management and Budget for the purpose of conducting a study regarding an expansion of the Heritage Center.

**Senate Bill No. 2023 - Attorney General - House Action**

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Capital assets	<u>\$3,632,691</u>	<u>\$3,500,000</u>	<u>\$132,691</u>	<u>\$3,632,691</u>
Total all funds	\$3,632,691	\$3,500,000	\$132,691	\$3,632,691
Less estimated income	<u>3,632,691</u>	<u>3,500,000</u>	<u>132,691</u>	<u>3,632,691</u>
General fund	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00

**Dept. 125 - Attorney General - Detail of House Changes**

	INCREASES FUNDING FOR CRIME LAB ADDITION AND RENOVATION	TOTAL HOUSE CHANGES
Capital assets	<u>\$132,691</u>	<u>\$132,691</u>
Total all funds	\$132,691	\$132,691
Less estimated income	<u>132,691</u>	<u>132,691</u>
General fund	\$0	\$0
FTE	0.00	0.00

**Senate Bill No. 2023 - North Dakota State University - House Action**

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
--	---------------------	-------------------	------------------	------------------

Capital assets	<u>\$3,500,000</u>	<u>\$3,300,000</u>	<u>\$200,000</u>	<u>\$3,500,000</u>
Total all funds	\$3,500,000	\$3,300,000	\$200,000	\$3,500,000
Less estimated income	<u>3,500,000</u>	<u>3,300,000</u>	<u>200,000</u>	<u>3,500,000</u>
General fund	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00

**Dept. 235 - North Dakota State University - Detail of House Changes**

	INCREASES FUNDING FOR HAZARDOUS MATERIAL HANDLING AND STORAGE FACILITY	TOTAL HOUSE CHANGES
Capital assets	<u>\$200,000</u>	<u>\$200,000</u>
Total all funds	\$200,000	\$200,000
Less estimated income	<u>200,000</u>	<u>200,000</u>
General fund	\$0	\$0
FTE	0.00	0.00

**Senate Bill No. 2023 - Branch Research Centers - House Action**

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Capital assets	<u>\$1,320,000</u>	<u>\$2,040,000</u>	<u>(\$350,000)</u>	<u>\$1,690,000</u>
Total all funds	\$1,320,000	\$2,040,000	(\$350,000)	\$1,690,000
Less estimated income	<u>1,320,000</u>	<u>2,040,000</u>	<u>(350,000)</u>	<u>1,690,000</u>
General fund	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00

**Dept. 628 - Branch Research Centers - Detail of House Changes**

	REMOVES FUNDING FOR CENTRAL GRASSLANDS RESEARCH EXTENSION CENTER ADDITION	TOTAL HOUSE CHANGES
Capital assets	<u>(\$350,000)</u>	<u>(\$350,000)</u>
Total all funds	(\$350,000)	(\$350,000)
Less estimated income	<u>(350,000)</u>	<u>(350,000)</u>
General fund	\$0	\$0
FTE	0.00	0.00

**Senate Bill No. 2023 - State Historical Society - House Action**

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Capital assets	<u>\$1,600,000</u>	<u>\$7,300,000</u>	<u>(\$5,700,000)</u>	<u>\$1,600,000</u>
Total all funds	\$1,600,000	\$7,300,000	(\$5,700,000)	\$1,600,000
Less estimated income	<u>1,600,000</u>	<u>7,300,000</u>	<u>(5,700,000)</u>	<u>1,600,000</u>
General fund	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00

**Dept. 701 - State Historical Society - Detail of House Changes**

	REMOVES FUNDING FOR HISTORICAL SOCIETY AND HERITAGE CENTER RESEARCH COLLECTIONS	TOTAL HOUSE CHANGES
Capital assets	<u>(\$5,700,000)</u>	<u>(\$5,700,000)</u>
Total all funds	(\$5,700,000)	(\$5,700,000)

Less estimated income	(5,700,000)	(5,700,000)
General fund	\$0	\$0
FTE	0.00	0.00

#### HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2304

Page 1, line 20, after the third comma insert "drop-in care center."

Page 3, line 11, after the third comma insert "drop-in care center."

Renumber accordingly

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

**MR. PRESIDENT:** The House has amended, subsequently passed, and the emergency clause failed: SB 2021.

#### HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2021

Page 1, line 2, after the semicolon insert "to provide an appropriation to the industrial commission; to provide a contingent appropriation;" and after "reenact" insert "subsection 11 of section 28-32-01 and"

Page 1, line 3, after "to" insert "exclusion of certain policies, standards, and guidelines of the information technology department from compliance with the Administrative Agencies Practice Act and"

Page 2, line 3, replace "3,365,672" with "2,080,403"

Page 2, line 4, replace "16,792,816" with "9,926,842"

Page 2, line 6, replace "187,400" with "330,959"

Page 2, line 7, replace "(57,814)" with "300,118"

Page 2, line 9, replace "106,238" with "105,988"

Page 2, line 11, replace "8,219" with "8,094"

Page 2, line 13, replace "(2,360,110)" with "(2,041,200)"

Page 2, line 14, replace "\$1,855,446" with "(\$5,475,771)"

Page 2, line 15, replace "585,355" with "(7,569,758)"

Page 2, line 16, replace "1,270,091" with "2,093,987"

Page 2, line 23, replace "29,081,366" with "27,796,097"

Page 2, line 24, replace "48,913,676" with "42,047,702"

Page 2, line 26, replace "5,812,880" with "5,956,439"

Page 2, line 27, replace "736,004" with "1,093,936"

Page 2, line 29, replace "7,542,461" with "7,542,211"

Page 2, line 30, replace "686,562" with "686,437"

Page 2, line 31, replace "2,381,090" with "2,700,000"

Page 3, line 1, replace "108,167,550" with "100,836,333"

Page 3, line 2, replace "98,702,656" with "90,547,543"

Page 3, line 3, replace "9,464,894" with "10,288,790"

Page 3, after line 3, insert:

**"SECTION 4. APPROPRIATION.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$100,000, or so much of the sum as may be necessary, to the industrial commission for related

costs of connections to internet2 for the state paleontologist in the heritage center, for the biennium beginning July 1, 2005, and ending June 30, 2007.

**SECTION 5. CONTINGENT APPROPRIATION.** If the fifty-ninth legislative assembly authorizes the replacement of the medicaid management information system, there is appropriated out of special funds derived from other income, not otherwise appropriated, the sum of \$8,125,784 to the information technology department for costs associated with development and implementation of the system for the biennium beginning July 1, 2005, and ending June 30, 2007. The information technology department is authorized ten additional full-time equivalent positions for the project.

**SECTION 6. LEGISLATIVE INTENT - CRIMINAL JUSTICE INFORMATION SHARING.** It is the intent of the fifty-ninth legislative assembly that if federal homeland security funding or other federal funding becomes available, the information technology department shall use federal funds for the criminal justice information sharing initiative before the funding appropriated from the general fund and the unspent general fund moneys must be returned to the general fund."

Page 3, after line 10, insert:

**"SECTION 8. AMENDMENT.** Subsection 11 of section 28-32-01 of the North Dakota Century Code is amended and reenacted as follows:

11. "Rule" means the whole or a part of an agency statement of general applicability which implements or prescribes law or policy or the organization, procedure, or practice requirements of the agency. The term includes the adoption of new rules and the amendment, repeal, or suspension of an existing rule. The term does not include:
  - a. A rule concerning only the internal management of an agency which does not directly or substantially affect the substantive or procedural rights or duties of any segment of the public.
  - b. A rule that sets forth criteria or guidelines to be used by the staff of an agency in the performance of audits, investigations, inspections, and settling commercial disputes or negotiating commercial arrangements, or in the defense, prosecution, or settlement of cases, if the disclosure of the statement would:
    - (1) Enable law violators to avoid detection;
    - (2) Facilitate disregard of requirements imposed by law; or
    - (3) Give a clearly improper advantage to persons who are in an adverse position to the state.
  - c. A rule establishing specific prices to be charged for particular goods or services sold by an agency.
  - d. A rule concerning only the physical servicing, maintenance, or care of agency-owned or agency-operated facilities or property.
  - e. A rule relating only to the use of a particular facility or property owned, operated, or maintained by the state or any of its subdivisions, if the substance of the rule is adequately indicated by means of signs or signals to persons who use the facility or property.
  - f. A rule concerning only inmates of a correctional or detention facility, students enrolled in an educational institution, or patients admitted to a hospital, if adopted by that facility, institution, or hospital.
  - g. A form whose contents or substantive requirements are prescribed by rule or statute or are instructions for the execution or use of the form.
  - h. An agency budget.
  - i. An opinion of the attorney general.
  - j. A rule adopted by an agency selection committee under section 54-44.7-03.

- k. Any material, including a guideline, interpretive statement, statement of general policy, manual, brochure, or pamphlet, which is explanatory and not intended to have the force and effect of law.
- l. A policy, standard, and guideline adopted by the information technology department under chapter 54-59, including any product and service standard and best practice standard, which does not materially affect the public and is not intended to have the force and effect of law, and with respect to access to or use of wide area network services, institutions under the control of the board of higher education, counties, cities, and school districts if the policy, standard, or guideline has been approved by the state information technology advisory committee."

Page 3, line 27, replace "5" with "9"

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### Senate Bill No. 2021 - Summary of House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Information Technology Department				
Total all funds	\$109,640,934	\$108,167,550	\$794,567	\$108,962,117
Less estimated income	98,830,575	98,702,656	(29,329)	98,673,327
General fund	\$10,810,359	\$9,464,894	\$823,896	\$10,288,790
Industrial Commission				
Total all funds	\$0	\$0	\$100,000	\$100,000
Less estimated income				
General fund	\$0	\$0	\$100,000	\$100,000
Bill Total				
Total all funds	\$109,640,934	\$108,167,550	\$894,567	\$109,062,117
Less estimated income	98,830,575	98,702,656	(29,329)	98,673,327
General fund	\$10,810,359	\$9,464,894	\$923,896	\$10,388,790

#### Senate Bill No. 2021 - Information Technology Department - House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$29,200,029	\$29,081,366	(\$1,285,269)	\$27,796,097
Operating expenses	48,913,676	48,913,676	(6,865,974)	42,047,702
Capital assets	10,361,163	10,361,163		10,361,163
Division of Independent Study	5,827,909	5,812,880	143,559	5,956,439
Educational Technology Council	1,755,189	736,004	357,932	1,093,936
EduTech	2,652,348	2,652,348		2,652,348
Wide area network	7,543,414	7,542,461	(250)	7,542,211
Geographic information system	687,206	686,562	(125)	686,437
Criminal justice information sharing	2,700,000	2,381,090	318,910	2,700,000
Contingent appropriation			8,125,784	8,125,784
Total all funds	\$109,640,934	\$108,167,550	\$794,567	\$108,962,117
Less estimated income	98,830,575	98,702,656	(29,329)	98,673,327
General fund	\$10,810,359	\$9,464,894	\$823,896	\$10,288,790
FTE	265.20	265.20	0.00	265.20

#### Dept. 112 - Information Technology Department - Detail of House Changes

	REDUCES RECOMMENDED FUNDING FOR HEALTH INSURANCE	RESTORES FUNDING FOR THE EDUCATIONAL TECHNOLOGY COUNCIL <sup>1</sup>	RESTORES FUNDING FOR THE CRIMINAL JUSTICE INFORMATION SHARING INITIATIVE <sup>2</sup>	ADDS FUNDING FOR A NORTH DAKOTA STUDIES TEXTBOOK PROPOSAL <sup>3</sup>	REMOVES FUNDING RELATING TO MEDICAID MANAGEMENT INFORMATION SYSTEM PROJECT AND PROVIDES A CONTINGENT APPROPRIATION <sup>4</sup>	TOTAL HOUSE CHANGES
Salaries and wages	(\$25,459)				(\$1,259,810)	(\$1,285,269)
Operating expenses					(6,865,974)	(6,865,974)
Capital assets						

Division of Independent Study	(5,241)			\$148,800		143,559
Educational Technology Council	(250)	\$358,182				357,932
EduTech						
Wide area network	(250)					(250)
Geographic information system	(125)					(125)
Criminal justice information sharing			\$318,910			
Contingent appropriation					<u>8,125,784</u>	<u>8,125,784</u>
Total all funds	(\$31,325)	\$358,182	\$318,910	\$148,800	\$0	\$794,567
Less estimated income	<u>(29,329)</u>					<u>(29,329)</u>
General fund	(\$1,996)	\$358,182	\$318,910	\$148,800	\$0	\$823,896
FTE	0.00	0.00	0.00	0.00	0.00	0.00

<sup>1</sup> This amendment increases funding for Educational Technology Council grants to schools by \$358,182, from \$435,000 to \$793,182. The amendment provides funding for the following grant initiatives:

- \$22,000 for Internet2 membership.
- \$200,000 for classroom transformation grants.
- \$50,000 for atomic learning licenses.
- \$86,182 for Internet2 educational support.

The Senate reduced funding for Educational Technology Council grants to schools by \$1,018,182, from \$1,453,182 to \$435,000.

<sup>2</sup> This amendment restores funding of \$318,910 from the general fund which was removed by the Senate for the criminal justice information sharing initiative. The amendment also adds a section of legislative intent providing that if federal funds become available the department should use the federal funds for the initiative before the funding appropriated from the general fund.

<sup>3</sup> This amendment increases funding for the Division of Independent Study by \$148,800 from the general fund for the purpose of developing, publishing, and distributing a North Dakota studies textbook and workbook, including civic education for grades 4 and 8.

<sup>4</sup> This amendment provides that the funding and FTE positions associated with the replacement of the Medicaid management information system is contingent upon the approval of the project by the Legislative Assembly.

This amendment also adds a section to amend subsection 11 of North Dakota Century Code Section 28-32-01 to provide that certain policies, standards, and guidelines of the Information Technology Department are exempt from compliance with the Administrative Agencies Practice Act.

#### Senate Bill No. 2021 - Industrial Commission - House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Operating expenses			\$40,000	\$40,000
Capital assets			<u>60,000</u>	<u>60,000</u>
Total all funds	\$0	\$0	\$100,000	\$100,000
Less estimated income				
General fund	\$0	\$0	\$100,000	\$100,000
FTE	0.00	0.00	0.00	0.00

#### Dept. 405 - Industrial Commission - Detail of House Changes

	ADDS FUNDING FOR COSTS ASSOCIATED WITH INTERNET2 <sup>1</sup>	TOTAL HOUSE CHANGES
Operating expenses	\$40,000	\$40,000
Capital assets	<u>60,000</u>	<u>60,000</u>
Total all funds	\$100,000	\$100,000
Less estimated income		
General fund	\$100,000	\$100,000
FTE	0.00	0.00

<sup>1</sup> This amendment provides a \$100,000 general fund appropriation to the Industrial Commission for the costs associated with connecting the state paleontologist located in the Heritage Center to Internet2.

**MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has failed to pass: SB 2296, SB 2400.

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

**MR. PRESIDENT:** The House has amended and subsequently failed to pass: SB 2370.

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

**MR. SPEAKER:** Your signature is respectfully requested on: SB 2041, SB 2087, SB 2102, SB 2118, SB 2125, SB 2141, SB 2147, SB 2181, SB 2195, SB 2215, SB 2216, SB 2246, SB 2265, SB 2282, SB 2326, SB 2340, SB 2348, SB 2356, SB 2395.

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

**MR. SPEAKER:** The President has signed: HB 1060, HB 1124, HB 1127, HB 1152, HB 1164, HB 1293, HCR 3043, HCR 3054.

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

**MR. PRESIDENT:** The Speaker has signed: SB 2366, SCR 4023, SCR 4034.

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

**MR. PRESIDENT:** The Speaker has signed: SB 2006, SB 2073.

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

**MR. PRESIDENT:** Your signature is respectfully requested on: HB 1120, HB 1151, HB 1168, HB 1174, HB 1177, HB 1274, HB 1305, HB 1409, HB 1418, HB 1475, HB 1528, HCR 3042, HCR 3047.

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

**MR. PRESIDENT:** Your signature is respectfully requested on: HB 1445, HB 1525.

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

**MR. PRESIDENT:** Your signature is respectfully requested on: HCR 3056.

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

**MR. SPEAKER:** The President has signed: HCR 3056.

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

**MR. PRESIDENT:** The Speaker has signed: HCR 3056.

**MOTION**

**SEN. CHRISTMANN MOVED** that the Senate be on the Fourth, Fifth, Thirteenth, and Sixteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 8:00 a.m., Thursday, March 31, 2005, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

**HB 1008, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1008 was placed on the Sixth order on the calendar.

Page 1, line 23, replace "312,608" with "307,491"

Page 2, line 1, replace "23,500" with "53,500"

Page 2, line 3, replace "950,000" with "720,000"

Page 2, line 4, replace "1,442,000" with "1,236,883"

Page 2, line 5, replace "1,105,516" with "873,753"

Page 2, line 6, replace "336,484" with "363,130"

Page 2, line 12, replace "5,084,105" with "5,078,988"

Page 2, line 14, replace "58,511" with "88,511"

Page 2, line 17, replace "1,200,000" with "970,000"

Page 2, line 18, replace "11,426,261" with "11,221,144"

Page 2, line 19, replace "7,178,283" with "6,946,520"

Page 2, line 20, replace "4,247,978" with "4,274,624"

Page 2, line 22, replace "\$1,200,000" with "\$970,000"

Page 2, line 23, after the comma insert "consisting of \$800,000" and after "fund" insert "and \$170,000 from other sources"

Page 2, line 24, after the period insert "The commission must have written commitments for the \$170,000 from other sources before spending any moneys from the beginning farmer revolving loan fund."

Page 3, after line 16, insert:

**"SECTION 9. COMMISSION HEARING ROOM - LEGISLATIVE INTENT.** It is the intent of the legislative assembly that the public service commission hearing room be available for use by other state agencies and by the legislative assembly during the regular session when not being used for commission business."

ReNUMBER accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### House Bill No. 1008 - Public Service Commission - Senate Action

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$5,099,584	\$5,084,105	(\$5,117)	\$5,078,988
Operating expenses	1,408,153	1,408,153		1,408,153
Capital assets	58,511	58,511	30,000	88,511
Grants	7,000	7,000		7,000
Abandoned mined lands contractual services	3,668,492	3,668,492		3,668,492
Rail rate complaint case	<u>900,000</u>	<u>1,200,000</u>	<u>(230,000)</u>	<u>970,000</u>
Total all funds	\$11,141,740	\$11,426,261	(\$205,117)	\$11,221,144
Less estimated income	<u>5,985,139</u>	<u>7,178,283</u>	<u>(231,763)</u>	<u>6,946,520</u>
General fund	\$5,156,601	\$4,247,978	\$26,646	\$4,274,624
FTE	41.00	41.00	0.00	41.00

#### Dept. 408 - Public Service Commission - Detail of Senate Changes

	REDUCES RECOMMENDED FUNDING FOR HEALTH INSURANCE <sup>1</sup>	REDUCES RAIL CASE FUNDING <sup>2</sup>	ADDS FUNDING FOR SOUND SYSTEM <sup>3</sup>	TOTAL SENATE CHANGES
Salaries and wages	(\$5,117)			(\$5,117)
Operating expenses				
Capital assets			\$30,000	30,000
Grants				
Abandoned mined lands contractual services				
Rail rate complaint case		<u>(\$230,000)</u>		<u>(230,000)</u>
Total all funds	(\$5,117)	(\$230,000)	\$30,000	(\$205,117)
Less estimated income	<u>(1,763)</u>	<u>(230,000)</u>		<u>(231,763)</u>
General fund	(\$3,354)	\$0	\$30,000	\$26,646
FTE	0.00	0.00	0.00	0.00

<sup>1</sup> This amendment reduces funding for state employee health insurance premiums from \$559.15 to \$553.95 per month.

<sup>2</sup> The Senate reduced the funding for the rail rate complaint case from \$1,200,000 to \$970,000. The funding for the case is \$800,000 from the beginning farmer revolving loan fund and \$170,000 from other sources. The Public Service Commission must have written commitments for the \$170,000 from other sources before spending any moneys from the beginning farmer revolving loan fund.

<sup>3</sup> The Senate added funding for improvements to the sound system in the Public Service Commission hearing room.

The Senate added legislative intent that the Public Service Commission hearing room be available to other state agencies and the Legislative Assembly when not in use by the Public Service Commission.

#### REPORT OF STANDING COMMITTEE

**HB 1153, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **DO PASS** (14 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed HB 1153 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1154, as reengrossed and amended: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **DO PASS** (10 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed HB 1154, as amended, was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1189, as engrossed and amended: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **DO NOT PASS** (14 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed HB 1189, as amended, was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SCR 4040: Education Committee (Sen. Freborg, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4040 was placed on the Eleventh order on the calendar.

**REPORT OF CONFERENCE COMMITTEE**

**SB 2237:** Your conference committee (Sens. Wardner, Traynor, Heitkamp and Reps. Maragos, Dietrich, Kaldor) recommends that the **HOUSE RECEDE** from the House amendments on SJ page 873, adopt amendments as follows, and place SB 2237 on the Seventh order:

That the House recede from its amendments as printed on page 873 of the Senate Journal and page 1005 of the House Journal and that Senate Bill No. 2237 be amended as follows:

Page 1, line 13, after "providing" insert "services, which may include", remove the overstrike over "~~police protection, sewer and water, garbage removal~~", and remove the overstrike over "~~and~~"

Page 1, line 14, remove the overstrike over "~~public road construction and maintenance,~~"

Page 2, line 17, after "provide" insert "services, which may include" and remove the overstrike over "~~police protection, sewer and water, garbage removal~~"

Page 2, line 18, remove the overstrike over "~~, and public road construction and maintenance,~~"

Renumber accordingly

SB 2237 was placed on the Seventh order of business on the calendar.

**REPORT OF CONFERENCE COMMITTEE**

**SB 2256:** Your conference committee (Sens. Lyson, Freborg, Every and Reps. Nelson, DeKrey, Hanson) recommends that the **HOUSE RECEDE** from the House amendments on SJ page 873, adopt amendments as follows, and place SB 2256 on the Seventh order:

That the House recede from its amendments as printed on page 873 of the Senate Journal and page 1004 of the House Journal and that Senate Bill No. 2256 be amended as follows:

Page 1, line 17, replace "Fifteen" with "Forty"

Page 2, line 12, replace "Fifteen" with "Forty"

Page 2, line 20, after "hundred" insert "twenty-five"

Renumber accordingly

SB 2256 was placed on the Seventh order of business on the calendar.

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

**William R. Horton, Secretary**