

JOURNAL OF THE SENATE

Sixtieth Legislative Assembly

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Bismarck, March 23, 2007

The Senate convened at 12:10 p.m., with President Dalrymple presiding.

The prayer was offered by Deacon James Nistler, Sacred Heart, Wilton.

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

A quorum was declared by the President.

CORRECTION AND REVISION OF THE JOURNAL

MR. PRESIDENT: Your **Committee on Correction and Revision of the Journal (Sen. Andrist, Chairman)** has carefully examined the Journal of the Fifty-fourth Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 931, remove lines 10 through 29

SEN. ANDRIST MOVED that the report be adopted, which motion prevailed.

MOTION

SEN. CHRISTMANN MOVED that Engrossed HB 1319 be moved to the bottom of the Sixth order, which motion prevailed.

MOTION

SEN. CHRISTMANN MOVED that after action taken on the Sixth order, Engrossed HB 1086 and Engrossed HB 1319 be placed on the Fourteenth order, as amended, for immediate second reading and final passage, which motion prevailed.

MOTION

SEN. CHRISTMANN MOVED that HB 1488, which is on the Sixth order, be rereferred to the **Human Services Committee**, which motion prevailed. Pursuant to Sen. Christmann's motion, HB 1488 was rereferred.

MOTION

SEN. CHRISTMANN MOVED that Engrossed HB 1340, which is on the Fourteenth order, be laid over one legislative day, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1011, as engrossed: SEN. WARDNER (Appropriations Committee) MOVED that the amendments on SJ pages 924-925 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

MOTION

SEN. STENEHJEM MOVED that HB 1005, which is on the Sixth order, be laid over over legislative day, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1049, as engrossed: SEN. WARDNER (Appropriations Committee) MOVED that the amendments on SJ pages 925-926 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1126, as engrossed and amended: SEN. MARCELLAIS (Appropriations Committee) MOVED that the amendments on SJ pages 926-928 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1215, as engrossed and amended: SEN. KLEIN (Appropriations Committee) MOVED that the amendments on SJ page 928 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1256, as engrossed: SEN. HOLMBERG (Appropriations Committee) MOVED that the amendments on SJ pages 928-929 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1344, as engrossed: SEN. COOK (Political Subdivisions Committee) MOVED that the amendments on SJ page 931 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1392: SEN. HACKER (Political Subdivisions Committee) MOVED that the amendments on SJ page 932 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1403, as engrossed and amended: SEN. TRIPLETT (Appropriations Committee) MOVED that the amendments on SJ page 932 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1429, as engrossed: SEN. ROBINSON (Appropriations Committee) MOVED that the amendments on SJ page 932 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1465: SEN. BAKKE (Appropriations Committee) MOVED that the amendments on SJ page 932 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1472, as engrossed: SEN. OLAFSON (Judiciary Committee) MOVED that the amendments on SJ page 933 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1504, as engrossed: SEN. LYSON (Judiciary Committee) MOVED that the amendments on SJ page 934 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1086, as engrossed: SEN. BOWMAN (Appropriations Committee) MOVED that the amendments on SJ page 926 be adopted and then be placed on the Fourteenth order with **DO NOT PASS**.

REQUEST

SEN. OLAFSON REQUESTED a verification vote on the proposed amendments to Engrossed HB 1086, which request was granted.

MOTION

SEN. FLAKOLL MOVED that the proposed amendments to Engrossed HB 1086 be laid on the table which motion prevailed on a voice vote.

PRESIDENT DALRYMPLE ANNOUNCED that when an amendment is laid on the table the bill is also laid on the table. Therefore, Engrossed HB 1086 is laid on the table.

CONSIDERATION OF AMENDMENTS

HB 1319, as engrossed: SEN. LYSON (Natural Resources Committee) MOVED that the amendments on SJ pages 929-931 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1319: A BILL for an Act to create and enact two new sections to chapter 12.1-05 of the North Dakota Century Code, relating to the use of and liability for deadly force; and to amend and reenact section 12.1-05-07 of the North Dakota Century Code, relating to the use of deadly force.

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

YEAS: Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Erbele; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Stenehjem; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

NAYS: Fiebiger; Seymour

ABSENT AND NOT VOTING: Heckaman

Engrossed HB 1319, as amended, passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1394: A BILL for an Act to amend and reenact section 23-15-01 of the North Dakota Century Code, relating to the sale of fireworks.

MOTION

SEN. HORNE MOVED that Engrossed HB 1394 be amended as follows, which motion prevailed on a verification vote.

Page 1, line 23, after the period insert "A skyrocket, customarily known as a bottle rocket, is not permissible if the outside diameter of the casing is less than five-eighths inch [15.875 millimeters] and the length of the casing is less than three and one-half inches [88.9 millimeters]."

Renumber accordingly

MOTION

SEN. HORNE MOVED that Engrossed HB 1394 be further amended as follows, which motion failed on a verification vote.

Page 1, line 20, remove the overstrike over "~~twenty-seventh~~"

Page 1, line 21, remove "twentieth"

Renumber accordingly

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 25 YEAS, 21 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; Behm; Cook; Dever; Fiebiger; Grindberg; Horne; Kilzer; Krebsbach; Lee, J.; Marcellais; Mathern; Nelson; O'Connell; Oehlke; Olafson; Pomeroy; Seymour; Tallackson; Taylor; Tollefson; Urlacher; Wardner; Warner

NAYS: Andrist; Bowman; Christmann; Erbele; Fischer; Flakoll; Freborg; Hacker; Heitkamp; Holmberg; Klein; Krauter; Lee, G.; Lindaas; Lyson; Nething; Potter; Robinson; Stenehjem; Triplett; Wanzek

ABSENT AND NOT VOTING: Heckaman

Engrossed HB 1394, as amended, passed and the title was agreed to.

MOTION

SEN. CHRISTMANN MOVED that HB 1246 be moved to the top of the Fourteenth order, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1246: A BILL for an Act to create and enact a new section to chapter 50-24.1 of the North Dakota Century Code, relating to dental medical assistance reimbursement; to provide

an appropriation; to provide for a report to the legislative council; to provide an effective date; and to provide an expiration date.

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 39 YEAS, 7 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson; Andrist; Bakke; Behm; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heitkamp; Horne; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjem; Tallackson; Taylor; Triplett; Urlacher; Wanzek; Wardner; Warner

NAYS: Bowman; Christmann; Cook; Dever; Holmberg; Kilzer; Tollefson

ABSENT AND NOT VOTING: Heckaman

HB 1246, as amended, passed and the title was agreed to.

MOTION

SEN. STENEHJEM MOVED that the Senate stand at ease until 1:20 p.m., which motion prevailed.

THE SENATE RECONVENED, with President Pro Tem J. Lee presiding.

MOTION

SEN. CHRISTMANN MOVED that Engrossed HB 1429, as amended, be placed at the top of the Fourteenth order, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1429: A BILL for an Act to provide a transfer and appropriation from the general fund; to amend and reenact section 54-27.2-01 of the North Dakota Century Code, relating to the budget stabilization fund; and to provide an effective date.

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

YEAS: Anderson; Andrist; Bowman; Christmann; Cook; Dever; Erbele; Fischer; Flakoll; Freborg; Grindberg; Hacker; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Nething; Oehlke; Olafson; Pomeroy; Robinson; Seymour; Stenehjem; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

NAYS: Bakke; Behm; Fiebiger; Heitkamp; Marcellais; Mathern; Nelson; O'Connell; Potter; Tallackson

ABSENT AND NOT VOTING: Heckaman

Engrossed HB 1429, as amended, passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1091: A BILL for an Act to create and enact a new subdivision to subsection 1 of section 57-38-01.2, a new subdivision to subsection 2 of section 57-38-30.3, and a new subsection to section 57-38-57 of the North Dakota Century Code, relating to an individual income tax deduction for contributions to the North Dakota higher education savings plan; to amend and reenact section 6-09-38 of the North Dakota Century Code, relating to administrative fees of the North Dakota higher education savings plan and tax deductions for contributions to the plan; to provide a continuing appropriation; and to provide an effective date.

ROLL CALL

The question being on the final passage of the bill, which has been read, and is PLACED ON THE CALENDAR WITHOUT RECOMMENDATION, the roll was called and there were 45 YEAS, 1 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson; Andrist; Bakke; Behm; Bowman; Cook; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjem; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

NAYS: Christmann

ABSENT AND NOT VOTING: Heckaman

HB 1091 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1128: A BILL for an Act to create and enact chapter 54-17.7 and a new section to chapter 57-06 of the North Dakota Century Code, relating to the North Dakota pipeline authority, to provide for the planning, constructing, owning, financing, maintaining, operating, and disposing of pipeline facilities and related infrastructure, to authorize issuance of revenue bonds, and a tax exemption for pipeline facilities; to amend and reenact subdivision 1 of subsection 2 of section 28-32-01, subsection 5 of section 54-44.4-02, subsection 2 of section 54-60.1-01, and section 57-51.1-07.3 of the North Dakota Century Code, relating to Administrative Agencies Practice Act exemption for the pipeline authority; and procurement, business incentive exception, and deposits to the oil and gas research fund; to provide a continuing appropriation; 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 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjem; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Heckaman

Engrossed HB 1128 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF HOUSE BILL

HB 1197: A BILL for an Act to amend and reenact sections 31-13-03 and 31-13-07 of the North Dakota Century Code, relating to collection and testing of DNA samples for law enforcement identification purposes; and to provide an effective date.

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 25 YEAS, 21 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; Christmann; Dever; Erbele; Fischer; Flakoll; Grindberg; Hacker; Heitkamp; Holmberg; Kilzer; Klein; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Nething; O'Connell; Tallackson; Tollefson; Urlacher; Wanzek; Wardner

NAYS: Anderson; Bakke; Behm; Cook; Fiebiger; Freborg; Horne; Krauter; Marcellais; Mathern; Nelson; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjem; Taylor; Triplett; Warner

ABSENT AND NOT VOTING: Heckaman

Reengrossed HB 1197, as amended, passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1228: A BILL for an Act to amend and reenact subsection 5 of section 57-01-02.1 of the North Dakota Century Code, relating to retailers providing refund claim forms to purchasers eligible for refunds of city or county sales, use, or gross receipts taxes.

ROLL CALL

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

NAYS: Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjem; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Heckaman

HB 1228, as amended, lost.

MOTION

SEN. OLAFSON MOVED that the proposed amendments to Engrossed HB 1086 be moved from the table and that a verification vote be taken on the motion, which request was granted.

The question being, will the proposed amendments to Engrossed HB 1086 be moved from the table, the motion prevailed on a verification vote.

Therefore, Engrossed HB 1086 was placed on the Sixth order for consideration of the proposed amendments.

CONSIDERATION OF AMENDMENTS

HB 1086, as engrossed: SEN. BOWMAN (Appropriations Committee) MOVED that the amendments on SJ page 926 be adopted and then be placed on the Fourteenth order with **DO NOT PASS**.

REQUEST

SEN. OLAFSON REQUESTED a verification vote on the proposed amendments to Engrossed HB:1086, which request was granted.

Therefore, the question being the adoption of the proposed amendments to Engrossed HB 1086, the proposed amendments to HB 1086 failed on a verification vote.

Engrossed HB 1086 was placed on the Fourteenth order for immediate second reading.

SECOND READING OF HOUSE BILL

HB 1086: A BILL for an Act to amend and reenact sections 4-10.1-03 and 4-10.1-13 of the North Dakota Century Code, relating to definitions and referendums by potato growers; to repeal section 4-10.1-12 of the North Dakota Century Code, relating to refunds of nonparticipating potato growers; and to provide a contingent effective date.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 21 YEAS, 25 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; Behm; Fiebiger; Heitkamp; Horne; Krauter; Lindaas; Marcellais; Mathern; Nelson; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Tallackson; Taylor; Warner

NAYS: Andrist; Bowman; Christmann; Cook; Dever; Erbele; Fischer; Flakoll; Freborg; Grindberg; Hacker; Holmberg; Kilzer; Klein; Krebsbach; Lee, G.; Lee, J.; Lyson; Nething; Stenehjem; Tollefson; Triplett; Urlacher; Wanzek; Wardner

ABSENT AND NOT VOTING: Heckaman

Engrossed HB 1086 lost.

MOTION

SEN. STENEHJEM MOVED that the vote by which Engrossed HB 1086 failed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed on a verification vote.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. J. LEE MOVED that the Senate do not concur in the House amendments to Engrossed SB 2109 as printed on SJ page 832 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 2109: Sens. J. Lee, Dever, Warner.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. G. LEE MOVED that the Senate do not concur in the House amendments to SB 2111 as printed on SJ page 667 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 SB 2111: Sens. Andrist, G. Lee, Bakke.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. KLEIN MOVED that the Senate do not concur in the House amendments to Engrossed SB 2125 as printed on SJ page 826 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 2125: Sens. Klein, Hacker, Heitkamp.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. G. LEE MOVED that the Senate do not concur in the House amendments to Engrossed SB 2146 as printed on SJ page 705 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 2146: Sens. G. Lee, Nething, Potter.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. KLEIN MOVED that the Senate do not concur in the House amendments to Engrossed SB 2154 as printed on SJ page 883 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 2154: Sens. Klein, Wanzek, Heitkamp.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. G. LEE MOVED that the Senate do not concur in the House amendments to SB 2165 as printed on SJ page 730 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 SB 2165: Sens. Nething, Andrist, Fiebiger.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. COOK MOVED that the Senate do not concur in the House amendments to SB 2236 as printed on SJ page 667 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 SB 2236: Sens. Olafson, Hacker, Anderson.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. FLAKOLL MOVED that the Senate do not concur in the House amendments to Engrossed SB 2247 as printed on SJ page 851 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 2247: Sens. Wanzek, Klein, Behm.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. LYSON MOVED that the Senate do not concur in the House amendments to SB 2251 as printed on SJ page 851 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 SB 2251: Sens. Lyson, Urlacher, Heitkamp.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. FLAKOLL MOVED that the Senate do not concur in the House amendments to Engrossed SB 2277 as printed on SJ pages 851-852 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 2277: Sens. Erbele, Wanzek, Heckaman.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. LYSON MOVED that the Senate do not concur in the House amendments to SB 2293 as printed on SJ pages 755-756 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 SB 2293: Sens. Tollefson, Freborg, Heitkamp.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. FREBORG MOVED that the Senate do not concur in the House amendments to Engrossed SB 2309 as printed on SJ pages 897-898 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 2309: Sens. G. Lee, Flakoll, Taylor.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. KLEIN MOVED that the Senate do not concur in the House amendments to Engrossed SB 2389 as printed on SJ pages 756-759 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 2389: Sens. Wanzek, Hacker, Behm.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. COOK MOVED that the Senate do not concur in the House amendments to Engrossed SB 2392 as printed on SJ page 867 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 2392: Sens. Cook, Hacker, Warner.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. G. LEE MOVED that the Senate do not concur in the House amendments to Engrossed SB 2406 as printed on SJ page 745 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 2406: Sens. G. Lee, Andrist, Bakke.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. KLEIN MOVED that the Senate do not concur in the House amendments to SB 2411 as printed on SJ page 759 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 SB 2411: Sens. Hacker, Andrist, Behm.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. LYSON MOVED that the Senate do not concur in the House amendments to SCR 4001 as printed on SJ page 898 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 SCR 4001: Sens. Tollefson, Urlacher, Triplett.

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

MR. SPEAKER: The Senate has passed unchanged: HB 1091.

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

MR. SPEAKER: The Senate has passed, the emergency clause carried, unchanged: HB 1128.

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1197, HB 1246, HB 1319, HB 1394, HB 1429.

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

MR. SPEAKER: The Senate has failed to pass: HB 1086.

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

MR. SPEAKER: The Senate has amended and subsequently failed: HB 1228.

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

MR. SPEAKER: The Senate does not concur in the House amendments to SB 2109, SB 2111, SB 2125, SB 2146, SB 2154, SB 2165, SB 2236, SB 2247, SB 2251, SB 2277, SB 2293, SB 2309, SB 2389, SB 2392, SB 2406, SB 2411, and SCR 4001 and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2109: Sens. J. Lee; Dever; Warner

SB 2111: Sens. Andrist; G. Lee; Bakke

SB 2125: Sens. Klein; Hacker; Heitkamp

SB 2146: Sens. G. Lee; Nething; Potter

SB 2154: Sens. Klein; Wanzek; Heitkamp

SB 2165: Sens. Nething; Andrist; Fiebiger

SB 2236: Sens. Olafson; Hacker; Anderson

SB 2247: Sens. Wanzek; Klein; Behm

SB 2251: Sens. Lyson; Urlacher; Heitkamp

SB 2277: Sens. Erbele; Wanzek; Heckaman

SB 2293: Sens. Tollefson; Freborg; Heitkamp

SB 2309: Sens. G. Lee; Flakoll; Taylor

SB 2389: Sens. Wanzek; Hacker; Behm

SB 2392: Sens. Cook; Hacker; Warner

SB 2406: Sens. G. Lee; Andrist; Bakke

SB 2411: Sens. Hacker; Andrist; Behm

SCR4001: Sens. Tollefson; Urlacher; Triplett

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)

MR. PRESIDENT: The House has passed unchanged: SB 2345.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)

MR. PRESIDENT: The House has amended and subsequently passed: SB 2238.

HOUSE AMENDMENTS TO SENATE BILL NO. 2238

Page 1, line 2, replace the first comma with "and" and remove ", and 5"

Page 3, line 21, replace the first comma with "and" and remove ", and 5"

Page 4, remove lines 1 through 4

Renumber accordingly

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)

MR. PRESIDENT: The House does not concur in the Senate amendments to HB 1010, HB 1088, HB 1092, HB 1093, HB 1146, HB 1149, HB 1157, HB 1278, HB 1303, HB 1317, HB 1380, HB 1402, HB 1422, HB 1507, and HB 1513 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1010: Reps. Wieland; Kreidt; Kerzman
HB 1088: Reps. Dosch; Dietrich; Amerman
HB 1092: Reps. Kretschmar; Dahl; Delmore
HB 1093: Reps. Weiler; Grande; Pinkerton
HB 1146: Reps. Damschen; Hofstad; Hanson
HB 1149: Reps. Nottestad; DeKrey; Hunskor
HB 1157: Reps. N. Johnson; Hatlestad; Griffin
HB 1278: Reps. Vigesaa; Dosch; Thorpe
HB 1303: Reps. Drovda; Headland; Vig
HB 1317: Reps. Brandenburg; Headland; S. Kelsh
HB 1380: Reps. Froseth; Boehning; Amerman
HB 1402: Reps. Drovda; Clark; Hanson
HB 1422: Reps. Weisz; Hofstad; Potter
HB 1507: Reps. Koppelman; Charging; Griffin
HB 1513: Reps. Hofstad; DeKrey; Solberg

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)

MR. PRESIDENT: Your signature is respectfully requested on: HB 1073, HB 1365, HB 1477, HCR 3022, HCR 3036, HCR 3041, HCR 3043, HCR 3062.

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

MR. SPEAKER: Your signature is respectfully requested on: SCR 4005, SCR 4006, SCR 4008, SCR 4017, SCR 4018, SCR 4019, SCR 4025, SCR 4028, SCR 4029.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)

MR. PRESIDENT: The Speaker has signed: SB 2160, SB 2201, SB 2305, SCR 4005, SCR 4006, SCR 4008, SCR 4017, SCR 4018, SCR 4019, SCR 4025, SCR 4029.

MOTION

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

MOTION

SEN. STENEHJEM MOVED that the Senate be on the Fourth, Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 10:00 a.m., Monday, March 26, 2007, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1009, 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 HB 1009 was placed on the Sixth order on the calendar.

Page 1, line 14, replace "265,000" with "10,265,000"

Page 1, after line 15, insert:

"Total all funds - Adjustments/enhancements	\$10,302,150
Less estimated income - Adjustments/enhancements	<u>5,000,000</u>

Page 1, line 16, replace "302,150" with "5,302,150"

Page 2, line 1, replace "475,000" with "10,475,000"

Page 2, after line 2, insert:

"Total all funds - Adjustments/enhancements	\$10,917,150
Less estimated income - Adjustments/enhancements	<u>5,000,000</u>

Page 2, line 3, replace "917,150" with "5,917,150"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1009 - State Fair Association - Senate Action

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
Capital assets	\$10,210,000	\$475,000	\$10,000,000	\$10,475,000
Premiums	<u>417,150</u>	<u>442,150</u>		<u>442,150</u>
Total all funds	\$10,627,150	\$917,150	\$10,000,000	\$10,917,150
Less estimated income	<u>5,000,000</u>		<u>5,000,000</u>	<u>5,000,000</u>
General fund	\$5,627,150	\$917,150	\$5,000,000	\$5,917,150
FTE	0.00	0.00	0.00	0.00

Dept. 665 - State Fair Association - Detail of Senate Changes

	RESTORES FUNDING FOR NEW GRANDSTAND ¹	TOTAL SENATE CHANGES
Capital assets	\$10,000,000	\$10,000,000
Premiums		
Total all funds	\$10,000,000	\$10,000,000
Less estimated income	<u>5,000,000</u>	<u>5,000,000</u>
General fund	\$5,000,000	\$5,000,000
FTE	0.00	0.00

¹ This amendment restores funding of \$10 million, \$5 million from the general fund and \$5 million from special funds, for a new grandstand. The following is a summary of the funding for the grandstand:

	2007-09 EXECUTIVE BUDGET	2007-09 HOUSE VERSION	2007-09 SENATE VERSION
General fund	\$5,000,000	\$0	\$5,000,000
Special funds	<u>5,000,000</u>		<u>5,000,000</u>
Total all funds	\$10,000,000	\$0	\$10,000,000

REPORT OF STANDING COMMITTEE

HB 1015, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1015 was placed on the Sixth order on the calendar.

Page 1, line 5, after "approval" insert "; to provide for a legislative council study"

Page 1, line 22, replace "8,138,211" with "11,482,019"

Page 1, line 23, replace "99,780,064" with "20,511,564"

Page 2, line 3, replace "109,095,173" with "33,170,481"

Page 2, line 5, replace "112,930,827" with "37,006,135"

Page 2, line 12, replace "35,213,361" with "38,557,169"

Page 2, line 13, replace "179,331,778" with "100,063,278"

Page 2, line 16, replace "237,996,004" with "162,071,312"

Page 2, line 18, replace "214,066,511" with "138,141,819"

Page 3, replace lines 23 through 31 with:

"SECTION 7. GRANT PROGRAMS. The total general fund appropriation line item in section 3 of this Act includes \$2,000,000 to be used by the field services division

to provide grants to North Dakota organizations for research-based programs to prevent criminal behavior and incarceration. The grant awards must range from \$25,000 to \$500,000.

SECTION 8. RECIDIVISM RISK REDUCTION. The total general fund appropriation line item in section 3 of this Act includes \$5,000,000 to be used by the prisons division for treatment and programming related to recidivism risk reduction."

Page 4, remove lines 1 through 16

Page 5, line 3, replace "\$88,332,091" with "\$3,999,591"

Page 5, remove line 8

Page 5, line 9, replace "70,000" with "\$70,000"

Page 5, line 10, replace "1,498,091" with "2,165,591"

Page 5, line 12, replace "88,332,091" with "3,999,591"

Page 5, after line 15, insert:

"SECTION 13. LEGISLATIVE COUNCIL STUDY - RETIREMENT CRITERIA FOR STATE CORRECTIONAL OFFICERS AND PEACE OFFICERS. The legislative council shall consider studying, during the 2007-08 interim, retirement program criteria and benefits for correctional officers and peace officers employed by state agencies, including the feasibility and desirability of allowing these employees to retire with full retirement benefits at age fifty-five or the "rule of 85"."

Page 5, line 16, replace "10" with "9"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1015 - Department of Corrections and Rehabilitation - Senate Action

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
Field Services	\$35,953,086	\$35,213,361	\$3,343,808	\$38,557,169
Prisons Division	140,093,278	179,331,778	(79,268,500)	100,063,278
Juvenile Community Services	8,895,140	8,895,140		8,895,140
Youth Correctional Center	14,608,184	14,555,725		14,555,725
Total all funds	\$199,549,688	\$237,996,004	(\$75,924,692)	\$162,071,312
Less estimated income	26,853,489	23,929,493		23,929,493
General fund	\$172,696,199	\$214,066,511	(\$75,924,692)	\$138,141,819
FTE	706.79	700.29	8.00	708.29

Dept. 530 - Department of Corrections and Rehabilitation - Detail of Senate Changes

	PREVENTION GRANTS 1	FUNDING FOR RECIDIVISM RISK REDUCTION 2	REMOVES FUNDING FOR PRISON EXPANSION 3	RESTORES FUNDING FOR CHAPLAINS 4	ADDS FUNDING FOR ADDITIONAL FTE 5	PROVIDES FUNDING FOR ADDITIONAL TRANSITION SERVICES 6
Field Services	\$2,000,000				\$471,411	\$448,950
Prisons Division		\$5,000,000	(\$85,000,000)	\$64,000		
Juvenile Community Services						
Youth Correctional Center						
Total all funds	\$2,000,000	\$5,000,000	(\$85,000,000)	\$64,000	\$471,411	\$448,950
Less estimated income						
General fund	\$2,000,000	\$5,000,000	(\$85,000,000)	\$64,000	\$471,411	\$448,950
FTE	0.00	0.00	0.00	2.00	3.00	0.00
	RESTORES PAROLE AND PROBATION OFFICERS 7	RESTORES FUNDING FOR DEFERRED MAINTENANCE 8	TOTAL SENATE CHANGES			
Field Services	\$423,447		\$3,343,808			
Prisons Division		\$667,500	(79,268,500)			
Juvenile Community Services						

Youth Correctional Center			
Total all funds	\$423,447	\$667,500	(\$75,924,692)
Less estimated income			
General fund	\$423,447	\$667,500	(\$75,924,692)
FTE	3.00	0.00	8.00

1 This amendment provides funding for grants to organizations to conduct programs to prevent criminal behavior and incarceration.

2 This amendment provides funding to the Prisons Division for treatment and programming related to recidivism risk reduction.

3 This amendment removes all funding associated with any new building and demolition projects.

4 This amendment restores funding removed by the House to convert 2 temporary chaplains to full-time equivalent positions.

5 This amendment provides funding for 3 FTE positions to assist with the special offender workload.

6 This amendment adds funding for 20 additional beds for transition for male inmates.

7 This amendment restores funding removed the House for 3 FTE parole and probation officers, including operating expenses.

8 This amendment restores funding removed by the House for deferred maintenance.

A section is added requiring the prevention grants to be awarded to research-based programs and limiting the grant awards from \$25,000 up to \$500,000.

A section is added requiring that \$5,000,000 added to the Prisons Division be used for treatment and programs related to recidivism risk reduction.

A section is added directing the Legislative Council to consider a study of the retirement criteria for state correctional officers and peace officers.

REPORT OF STANDING COMMITTEE

HB 1016, 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 HB 1016 was placed on the Sixth order on the calendar.

Page 1, line 2, after "Dakota" insert "; and to amend and reenact section 52-02.1-02 of the North Dakota Century Code, relating to job service North Dakota program services"

Page 1, line 22, replace "173,568" with "(426,432)"

Page 2, line 4, replace "3,957,787" with "3,357,787"

Page 2, line 6, replace "635,955" with "35,955"

Page 2, line 13, replace "13,452,481" with "12,852,481"

Page 2, line 18, replace "63,729,058" with "63,129,058"

Page 2, line 20, replace "2,136,967" with "1,536,967"

Page 3, after line 3, insert:

"SECTION 7. AMENDMENT. Section 52-02.1-02 of the North Dakota Century Code is amended and reenacted as follows:

52-02.1-02. Job service North Dakota - Agreements. Program services developed and coordinated by job service North Dakota must be provided to primary sector businesses found eligible for loans or grants under this chapter. Job service North Dakota may enter into an agreement to establish a project with an employer which meets the following conditions:

1. Sets a date of commencement of the project.

2. Identifies program costs, including deferred costs, which are to be paid from available sources including new jobs credit from withholding to be received or derived from new jobs resulting from the project.
3. Provides for a guarantee by the employer of payment for program costs.
4. Provides that any deferral of program cost payments may not exceed ten years from the date of commencement of the project.
5. Provides that on-the-job training costs for employees may not exceed fifty percent of the annual gross payroll costs of the new jobs in the first full year after the date of commencement of the project. For purposes of this subsection, "gross payroll" is the gross wages and salaries for the new jobs.
6. Provides the maximum amount of new jobs credit from withholding or tuition and fee payments allowed for a project.
7. Provides that every employee participating in the new jobs training program must be paid an income of at least ~~seven ten~~ dollars ~~and fifty cents~~ per hour, plus benefits, by the end of the first year of employment under the project and for the remaining life of the loan.

A project requiring a loan from the department or a community may not be approved, and an agreement may not be executed by job service North Dakota, until notification from the department or community that the employer has qualified for a loan. Upon execution of the agreement, job service North Dakota shall notify the state tax commissioner of the agreement and the identity of the employer. Job service North Dakota may adopt rules to implement this chapter. Job service North Dakota shall prepare an annual report for the governor and the legislative assembly with respect to the new jobs training program."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1016 - Job Service North Dakota - Senate Action

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$33,028,475	\$33,028,475		\$33,028,475
Operating expenses	12,852,481	13,452,481	(\$600,000)	12,852,481
Capital assets	20,000	20,000		20,000
Grants	8,438,220	8,438,220		8,438,220
Workforce 20/20	1,489,882	1,489,882		1,489,882
Reed Act - Unemployment insurance computer	7,300,000	7,300,000		7,300,000
Total all funds	\$63,129,058	\$63,729,058	(\$600,000)	\$63,129,058
Less estimated income	<u>61,592,091</u>	<u>61,592,091</u>		<u>61,592,091</u>
General fund	\$1,536,967	\$2,136,967	(\$600,000)	\$1,536,967
FTE	308.00	308.00	0.00	308.00

Dept. 380 - Job Service North Dakota - Detail of Senate Changes

	REMOVES FUNDING FOR WEB SITE SPIDER PROGRAM 1	TOTAL SENATE CHANGES
Salaries and wages		
Operating expenses	(\$600,000)	(\$600,000)
Capital assets		
Grants		
Workforce 20/20		
Reed Act - Unemployment insurance computer		
Total all funds	(\$600,000)	(\$600,000)
Less estimated income		
General fund	(\$600,000)	(\$600,000)
FTE	0.00	0.00

¹ This amendment removes funding of \$600,000 from the general fund added by the House for a web site spider program to identify job listings available in North Dakota.

This amendment also amends North Dakota Century Code Section 52-02.1-02 to increase the wage eligibility rate for the new jobs training program from \$7.50 to \$10 per hour.

REPORT OF STANDING COMMITTEE

HB 1017, 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 HB 1017 was placed on the Sixth order on the calendar.

Page 1, line 14, replace "226,747" with "917,231"

Page 1, line 15, replace "107,500" with "186,722"

Page 1, line 16, replace "334,247" with "1,103,953"

Page 1, line 21, replace "1,269,674" with "1,960,158"

Page 1, line 22, replace "374,417" with "453,639"

Page 1, line 23, replace "1,644,091" with "2,413,797"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1017 - Office of Administrative Hearings - Senate Action

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$1,269,674	\$1,269,674	\$690,484	\$1,960,158
Operating expenses	<u>424,417</u>	<u>374,417</u>	<u>79,222</u>	<u>453,639</u>
Total all funds	\$1,694,091	\$1,644,091	\$769,706	\$2,413,797
Less estimated income	<u>1,694,091</u>	<u>1,644,091</u>	<u>769,706</u>	<u>2,413,797</u>
General fund	\$0	\$0	\$0	\$0
FTE	8.00	8.00	5.00	13.00

Dept. 140 - Office of Administrative Hearings - Detail of Senate Changes

	ADDS FUNDING FOR DEPARTMENT OF TRANSPORTATION HEARINGS ¹	TOTAL SENATE CHANGES
Salaries and wages	\$690,484	\$690,484
Operating expenses	<u>79,222</u>	<u>79,222</u>
Total all funds	\$769,706	\$769,706
Less estimated income	<u>769,706</u>	<u>769,706</u>
General fund	\$0	\$0
FTE	5.00	5.00

¹ The Senate added funding relating to Senate Bill No. 2375, which transfers Department of Transportation hearings responsibility to the Office of Administrative Hearings.

REPORT OF STANDING COMMITTEE

HB 1020, 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 HB 1020 was placed on the Sixth order on the calendar.

Page 1, line 5, replace "for a study; to authorize hemp seed procurement" with "legislative intent; to provide for a report to the sixty-first legislative assembly"

Page 3, line 7, replace "4,214,956" with "3,914,956"

Page 3, line 8, replace "(207,238)" with "(99,438)"

Page 3, line 9, replace "4,007,718" with "3,815,518"

Page 3, line 11, replace "3,163,685" with "2,971,485"

Page 3, line 19, replace "11,002,726" with "11,025,726"

Page 3, line 21, replace "37,096" with "60,096"

Page 3, line 24, replace "10,276,066" with "10,499,150"

Page 3, line 26, replace "13,227,555" with "13,450,639"

Page 4, line 2, replace "(155,724)" with "(455,724)"

Page 4, line 3, replace "762,491" with "812,491"

Page 4, line 5, replace "3,364,839" with "3,114,839"

Page 4, line 7, replace "2,767,775" with "2,517,775"

Page 4, line 12, replace "19,478,742" with "19,282,626"

Page 4, line 14, replace "29,451,115" with "29,254,999"

Page 4, line 24, replace "41,757,455" with "41,457,455"

Page 4, line 25, replace "630,000" with "737,800"

Page 4, line 26, replace "42,387,455" with "42,195,255"

Page 4, line 28, replace "18,521,831" with "18,329,631"

Page 5, line 6, replace "27,455,663" with "27,478,663"

Page 5, line 8, replace "1,200,000" with "1,223,000"

Page 5, line 11, replace "85,732,779" with "85,955,863"

Page 5, line 13, replace "44,021,622" with "44,244,706"

Page 5, line 20, replace "3,774,816" with "3,474,816"

Page 5, line 21, replace "3,034,369" with "3,084,369"

Page 5, line 23, replace "24,870,515" with "24,620,515"

Page 5, line 25, replace "11,154,084" with "10,904,084"

Page 5, line 30, replace "76,090,929" with "75,894,813"

Page 6, line 2, replace "184,349,869" with "184,153,753"

Page 7, replace lines 29 through 31 with:

"SECTION 9. LEGISLATIVE INTENT - BEEF RESEARCH FACILITY. It is the intent of the sixtieth legislative assembly that if the state board of agricultural research and education and the director of the agricultural experiment station decide to use funding appropriated in subdivision 4 of section 3 of this Act for a beef research facility, a documented agreement as to the location of the facility must be provided from applicable city and county government officials.

SECTION 10. LEGISLATIVE INTENT - OPERATING POOL FUNDING. It is the intent of the sixtieth legislative assembly that the appropriation from the permanent oil tax trust fund as provided in subdivision 4 of section 3 of this Act is to be available only for providing funding for operations of the Dickinson research center and the amount provided is to be limited to the lesser of \$750,000 or the amount actual oil revenues are less than budgeted for the research center for the biennium beginning July 1, 2007, and ending June 30, 2009.

SECTION 11. LEGISLATIVE INTENT - USE OF LIVESTOCK FACILITIES. It is the intent of the sixtieth legislative assembly that the agricultural experiment station consider options to ensure that the use of the livestock facilities at Dickinson, Hettinger, Carrington, and Streeter are being maximized.

SECTION 12. NATIONAL CATTLEMEN'S BEEF ASSOCIATION FUNDING - REPORT TO SIXTY-FIRST LEGISLATIVE ASSEMBLY. The agricultural experiment station shall provide a report to the sixty-first legislative assembly regarding the funding received during the biennium beginning July 1, 2007, and ending June 30, 2009, from the national cattlemen's beef association."

Page 8, remove lines 1 through 6

Page 8, line 18, replace "\$9,032,750" with "\$9,705,834"

Page 8, replace line 26 with:

"Main research center facilities

523,084"

Page 8, remove line 31

Page 9, line 3, replace "9,782,750" with "9,705,834"

Page 9, line 5, replace "\$10,107,750" with "\$8,430,834" and replace "\$1,101,000" with "\$1,051,000"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1020 - Summary of Senate Action

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
Transportation Institute				
Total all funds	\$27,479,547	\$27,455,663	\$23,000	\$27,478,663
Less estimated income	26,255,663	26,255,663		26,255,663
General fund	\$1,223,884	\$1,200,000	\$23,000	\$1,223,000
Branch Research Centers				
Total all funds	\$24,374,515	\$24,870,515	(\$250,000)	\$24,620,515
Less estimated income	13,716,431	13,716,431		13,716,431
General fund	\$10,658,084	\$11,154,084	(\$250,000)	\$10,904,084
NDSU Extension Service				
Total all funds	\$41,322,455	\$42,387,455	(\$192,200)	\$42,195,255
Less estimated income	23,865,624	23,865,624		23,865,624
General fund	\$17,456,831	\$18,521,831	(\$192,200)	\$18,329,631
Northern Crops Institute				
Total all funds	\$2,598,111	\$2,673,111	\$0	\$2,673,111
Less estimated income	1,479,719	1,479,719		1,479,719
General fund	\$1,118,392	\$1,193,392	\$0	\$1,193,392
Main Research Station				
Total all funds	\$86,698,779	\$85,732,779	\$223,084	\$85,955,863
Less estimated income	41,261,157	41,711,157		41,711,157
General fund	\$45,437,622	\$44,021,622	\$223,084	\$44,244,706
Agronomy Seed Farm				
Total all funds	\$1,230,346	\$1,230,346	\$0	\$1,230,346
Less estimated income	1,230,346	1,230,346		1,230,346
General fund	\$0	\$0	\$0	\$0
Bill Total				
Total all funds	\$183,703,753	\$184,349,869	(\$196,116)	\$184,153,753
Less estimated income	107,808,940	108,258,940		108,258,940
General fund	\$75,894,813	\$76,090,929	(\$196,116)	\$75,894,813

House Bill No. 1020 - Transportation Institute - Senate Action

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
Transportation Institute	\$27,479,547	\$27,455,663	\$23,000	\$27,478,663
Total all funds	\$27,479,547	\$27,455,663	\$23,000	\$27,478,663
Less estimated income	26,255,663	26,255,663		26,255,663
General fund	\$1,223,884	\$1,200,000	\$23,000	\$1,223,000
FTE	43.40	43.40	0.00	43.40

Dept. 627 - Transportation Institute - Detail of Senate Changes

	RESTORES FUNDING FOR OPERATIONS ¹	TOTAL SENATE CHANGES
Transportation Institute	<u>\$23,000</u>	<u>\$23,000</u>
Total all funds	\$23,000	\$23,000
Less estimated income	_____	_____
General fund	\$23,000	\$23,000
FTE	0.00	0.00

¹ The Senate restored funding for operations of the Upper Great Plains Transportation Institute.

House Bill No. 1020 - Branch Research Centers - Senate Action

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
Dickinson Research Center	\$6,077,229	\$6,077,229		\$6,077,229
Central Grasslands Research Center	2,267,506	2,267,506		2,267,506
Hettinger Research Center	2,441,212	2,441,212		2,441,212
Langdon Research Center	1,697,293	1,697,293		1,697,293
North Central Research Center	3,524,816	3,774,816	(\$300,000)	3,474,816
Williston Research Center	2,884,369	3,034,369	50,000	3,084,369
Carrington Research Center	<u>5,482,090</u>	<u>5,578,090</u>	_____	<u>5,578,090</u>
Total all funds	\$24,374,515	\$24,870,515	(\$250,000)	\$24,620,515
Less estimated income	<u>13,716,431</u>	<u>13,716,431</u>	_____	<u>13,716,431</u>
General fund	\$10,658,084	\$11,154,084	(\$250,000)	\$10,904,084
FTE	95.26	96.86	0.00	96.86

Dept. 628 - Branch Research Centers - Detail of Senate Changes

	PROVIDES ADDITIONAL FUNDING FOR IRRIGATION RESEARCH POSITION ¹	REMOVES FUNDING FOR EQUIPMENT STORAGE FACILITY ²	TOTAL SENATE CHANGES
Dickinson Research Center			
Central Grasslands Research Center			
Hettinger Research Center			
Langdon Research Center			
North Central Research Center		(\$300,000)	(\$300,000)
Williston Research Center	\$50,000		\$50,000
Carrington Research Center	_____	_____	_____
Total all funds	\$50,000	(\$300,000)	(\$250,000)
Less estimated income	_____	_____	_____
General fund	\$50,000	(\$300,000)	(\$250,000)
FTE	0.00	0.00	0.00

¹ The Senate provided an additional \$50,000 for costs associated with an irrigation research position at the Williston Research Center which was added by the House. This amendment provides additional funding for salaries and operating costs needed for the position.

² The Senate removed funding added by the House for an equipment storage and maintenance shop facility at the North Central Research Center.

House Bill No. 1020 - NDSU Extension Service - Senate Action

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
Extension Service	\$40,692,455	\$41,757,455	(\$300,000)	\$41,457,455
Soil Conservation Committee	<u>630,000</u>	<u>630,000</u>	<u>107,800</u>	<u>737,800</u>
Total all funds	\$41,322,455	\$42,387,455	(\$192,200)	\$42,195,255
Less estimated income	<u>23,865,624</u>	<u>23,865,624</u>	_____	<u>23,865,624</u>
General fund	\$17,456,831	\$18,521,831	(\$192,200)	\$18,329,631
FTE	257.86	260.46	0.00	260.46

Dept. 630 - NDSU Extension Service - Detail of Senate Changes

ADDS FUNDING FOR SOIL	ADDS FUNDING FOR SMITHSONIAN	REMOVES FUNDING FOR PARENTING	TOTAL
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	CONSERVATION GRANTS ¹	SOIL EXHIBIT ²	RESOURCE CENTERS ³	SENATE CHANGES
Extension Service Soil Conservation Committee	<u>\$100,000</u>	<u>\$7,800</u>	<u>(\$300,000)</u>	<u>(\$300,000)</u> <u>107,800</u>
Total all funds	\$100,000	\$7,800	(\$300,000)	(\$192,200)
Less estimated income				
General fund	\$100,000	\$7,800	(\$300,000)	(\$192,200)
FTE	0.00	0.00	0.00	0.00

¹ The Senate added \$100,000 for soil conservation grants.

² The Senate added \$7,800 for costs relating to the Smithsonian soil exhibit.

³ The Senate removed funding added by the House for statewide parenting resource centers.

House Bill No. 1020 - Main Research Station - Senate Action

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
Main Research Station	<u>\$86,698,779</u>	<u>\$85,732,779</u>	<u>\$223,084</u>	<u>\$85,955,863</u>
Total all funds	\$86,698,779	\$85,732,779	\$223,084	\$85,955,863
Less estimated income	<u>41,261,157</u>	<u>41,711,157</u>		<u>41,711,157</u>
General fund	\$45,437,622	\$44,021,622	\$223,084	\$44,244,706
FTE	348.08	348.88	0.00	348.88

Dept. 640 - Main Research Station - Detail of Senate Changes

	REMOVES FUNDING FOR INDUSTRIAL HEMP RESEARCH ¹	ADDS FUNDING FOR FACILITIES ²	TOTAL SENATE CHANGES
Main Research Station	<u>(\$300,000)</u>	<u>\$523,084</u>	<u>\$223,084</u>
Total all funds	(\$300,000)	\$523,084	\$223,084
Less estimated income			
General fund	(\$300,000)	\$523,084	\$223,084
FTE	0.00	0.00	0.00

¹ The Senate removed funding added by the House for conducting industrial hemp research at the Main Research Center and removed Sections 9 and 10 of Engrossed House Bill No. 1020 relating to a hemp procurement study and authorization.

² The Senate added \$523,084 for facilities. The State Board of Agricultural Research and Education and the director of the Agricultural Experiment Station may determine to use this funding either for the Main Research Center greenhouse project or for a proposed beef research facility. If the funding is used for a beef research facility, a documented agreement as to the location of the facility must be provided from applicable city and county government officials. The total general fund authorization in the Senate version of House Bill No. 1020 is the same as the executive recommendation.

The Senate added a section of intent providing that if the Main Research Center proceeds with a beef research center in Fargo, appropriate city and county officials agree to the location of the facility.

The Senate provided that the operating pool of \$750,000 from the permanent oil tax trust fund be used for operating costs at the Dickinson Research Center and be limited to the amount oil revenues are less than budgeted for the biennium.

The Senate added a section of intent that the livestock facilities at Dickinson, Hettinger, Carrington, and Streeter be examined to ensure the use of the facilities are being maximized.

The Senate provided for the Agricultural Experiment Station to provide a report to the 61st Legislative Assembly regarding funding received from the National Cattlemen's Beef Association.

REPORT OF STANDING COMMITTEE

HB 1021, as engrossed: 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). Engrossed HB 1021 was placed on the Sixth order on the calendar.

Page 1, line 2, after "15.1-02" insert ", a new section to chapter 23-01,"

Page 1, line 4, after "instruction" insert ", creation of a health information technology steering committee,"

Page 2, line 3, replace "8,544,259" with "8,396,245"

Page 2, line 6, replace "479,226" with "449,226"

Page 2, line 7, replace "19,977" with "249,977"

Page 2, line 10, replace "11,333" with "111,333"

Page 2, line 13, replace "15,643,098" with "15,795,084"

Page 2, line 14, replace "14,253,781" with "14,105,767"

Page 2, line 15, replace "1,389,317" with "1,689,317"

Page 2, line 22, replace "37,871,433" with "37,723,419"

Page 2, line 25, replace "6,496,005" with "6,466,005"

Page 2, line 26, replace "906,574" with "1,136,574"

Page 2, line 29, replace "698,313" with "798,313"

Page 3, line 1, replace "124,550,325" with "124,702,311"

Page 3, line 2, replace "113,188,171" with "113,040,157"

Page 3, line 3, replace "11,362,154" with "11,662,154"

Page 3, line 5, after "between" insert "the salaries and wages, operating expenses, and capital assets"

Page 3, line 11, replace "\$1,351,490" with "\$1,611,490"

Page 3, after line 16, insert:

"Geographic information system data acquisition	100,000
Kindergarten through grade 12 video grants	190,000"

Page 3, line 17, replace "200,000" with "170,000"

Page 3, line 18, replace "1,351,490" with "1,611,490"

Page 3, line 20, replace "thirty-one" with "thirty"

Page 3, after line 23, insert:

"SECTION 7. VIDEO SUPPORT SERVICES - NORTH DAKOTA UNIVERSITY SYSTEM ASSISTANCE. Section 3 of this Act includes the sum of \$300,110 to be provided by the North Dakota University System for the cost of two full-time equivalent positions and related operating expenses to provide support for video services in school districts."

Page 4, after line 22, insert:

"SECTION 9. A new section to chapter 23-01 of the North Dakota Century Code is created and enacted as follows:

North Dakota health information technology steering committee. The North Dakota health information technology steering committee consists of the state health officer or the state health officer's designee, the governor or the governor's designee, the executive director of the department of human services or the executive director's designee, individuals appointed by the governor to represent state government interests, and individuals appointed by the state health officer to represent health information technology stakeholders."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1021 - Information Technology Department - Senate Action

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$38,446,651	\$37,871,433	(\$148,014)	\$37,723,419
Operating expenses	57,149,648	57,062,912		57,062,912
Capital assets	12,145,250	12,145,250		12,145,250
Division of Independent Study	6,376,005	6,496,005	(30,000)	6,466,005
Educational Technology Council	906,574	906,574	230,900	1,136,574
EduTech	2,722,348	2,722,348		2,722,348
Wide area network	4,066,926	4,066,926		4,066,926
Geographic information system	698,313	698,313	100,000	798,313
Criminal justice information sharing	2,352,448	2,352,448		2,352,448
Statewide longitudinal data system		228,116		228,116
Total all funds	\$124,864,163	\$124,550,325	\$151,986	\$124,702,311
Less estimated income	<u>113,595,729</u>	<u>113,188,171</u>	<u>(148,014)</u>	<u>113,040,157</u>
General fund	\$11,268,434	\$11,362,154	\$300,000	\$11,662,154
FTE	312.20	309.20	(1.00)	308.20

Dept. 112 - Information Technology Department - Detail of Senate Changes

	REMOVES FUNDING AND FTE POSITION RELATED TO SUPPORT OF THE NORTHERN TIER NETWORK 1	REDUCES FUNDING FOR ONLINE NORTH DAKOTA STUDIES RESOURCES AND CURRICULUM 2	PROVIDES FUNDING FOR K-12 VIDEO GRANTS 3	INCREASES FUNDING FOR K-12 CLASSROOM TRANSFORMATION GRANTS 4	PROVIDES FUNDING FOR GIS DATA ACQUISITION 5	TOTAL SENATE CHANGES
Salaries and wages	(\$148,014)					(\$148,014)
Operating expenses						
Capital assets						
Division of Independent Study		(\$30,000)				(30,000)
Educational Technology Council			\$190,000	\$40,000		230,000
EduTech						
Wide area network						
Geographic information system					\$100,000	100,000
Criminal justice information sharing						
Statewide longitudinal data system						
Total all funds	(\$148,014)	(\$30,000)	\$190,000	\$40,000	\$100,000	\$151,986
Less estimated income	<u>(148,014)</u>					<u>(148,014)</u>
General fund	\$0	(\$30,000)	\$190,000	\$40,000	\$100,000	\$300,000
FTE	(1.00)	0.00	0.00	0.00	0.00	(1.00)

1 This amendment removes funding of \$148,014 from special funds and 1 FTE position relating to support of the Northern Tier network.

2 This amendment reduces funding for the Division of Independent Study for developing online North Dakota studies resources and curriculum by \$30,000, from \$120,000 to \$90,000.

3 This amendment provides funding of \$190,000 from the general fund to the Educational Technology Council for providing kindergarten through grade 12 video grants.

4 This amendment provides funding to the Educational Technology Council for increasing kindergarten through grade 12 classroom transformation grants by \$40,000, from \$349,000 as provided in the executive budget to \$389,000.

5 This amendment provides funding of \$100,000 from the general fund for geographic information system data acquisition.

This amendment:

- Amends Section 4 of the engrossed bill to limit transfer of funds between the salaries and wages, operating expenses, and capital assets line items.
- Amends Section 5 of the engrossed bill to reflect one-time funding for the 2007-09 biennium.

- Adds a new section providing that the North Dakota University System is to provide funding of \$300,110 for the cost of 2 FTE positions and related operating expenses for support for video services in school districts.
- Adds a new section to create a new section to North Dakota Century Code Chapter 23-01 relating to the creation of a health information technology steering committee.

This amendment also recognizes additional department collections of \$1,204,688 for the 2005-07 biennium due to the receipt of a portion of e-rate reimbursement funding for costs incurred during fiscal year 2002. The Information Technology Department was originally denied e-rate reimbursement funding for fiscal year 2002 due to a technicality in the filing of forms for the e-rate program. Therefore, this amendment results in an increase of \$1,204,688 in the beginning general fund balance for the 2007-09 biennium.

REPORT OF STANDING COMMITTEE

HB 1044, as engrossed and amended: 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). Engrossed HB 1044, as amended, was placed on the Sixth order on the calendar.

In lieu of the amendments adopted by the Senate as printed on page 798 of the Senate Journal, Engrossed House Bill No. 1044 is amended as follows:

Page 1, line 2, after the second semicolon insert "and"

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

Page 6, line 26, remove "- EXPIRATION DATE"

Page 6, line 27, replace "2007, and before August 1, 2009," with "2008"

Page 6, line 28, remove "and is thereafter ineffective"

ReNUMBER accordingly

REPORT OF STANDING COMMITTEE

HB 1125, as reengrossed and amended: 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). Reengrossed HB 1125, as amended, was placed on the Sixth order on the calendar.

In lieu of the amendments adopted by the Senate as printed on pages 745 and 746 of the Senate Journal, Reengrossed House Bill No. 1125 is amended as follows:

Page 1, line 8, replace "veterinarian" with "board of animal health"

Page 2, line 13, remove "include consideration of"

Page 2, line 14, replace "The" with "Consider the"

Page 2, line 17, replace "The" with "Consider the"

Page 2, line 19, replace "The" with "Consider the"

Page 2, line 20, replace "The" with "Consider the"

Page 2, line 22, replace "The" with "Consider the"

Page 2, after line 22, insert:

"f. Give priority to a veterinarian on whose behalf state-funded student support fees have not been paid."

Page 2, remove lines 24 and 25

Page 2, line 26, replace "b." with "a."

Page 2, remove line 27

Page 2, line 28, remove "the date of the application"

Page 2, line 29, replace "c." with "b."

Page 4, line 4, replace "one" with "six months of the first"

Page 4, line 5, replace "equaling twenty" with "up to fifteen thousand dollars"

Page 4, line 6, remove "percent of the applicant's original student loan"

Page 4, line 8, replace "equaling twenty percent of the applicant's original student loan" with "up to fifteen thousand dollars"

Page 4, line 10, replace "equaling thirty percent of the applicant's original student loan" with "up to twenty-five thousand dollars"

Page 4, line 12, replace "equaling thirty percent of the applicant's original student loan" with "up to twenty-five thousand dollars"

Page 4, line 24, after the underscored period insert "During the 2007-09 biennium, the state health department may receive no more than seven percent of the appropriated moneys and the state veterinarian may receive no more than three percent of the appropriated moneys for administration of the loan repayment program."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1127, as engrossed: Political Subdivisions Committee (Sen. Cook, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1127 was placed on the Sixth order on the calendar.

Page 2, line 5, after the underscored period insert "A request to have material designated as confidential is exempt as defined in section 44-04-17.1."

Page 2, line 25, overstrike "borrow money", remove "in an amount not to exceed six million dollars", and overstrike "and"

Page 2, line 26, replace "provided that the" with "and to"

Page 2, line 27, remove "industrial commission may"

Page 2, line 29, after the first "the" insert "Bank of North Dakota and the"

Page 3, line 12, after the period insert "A request to have material designated as confidential is exempt as defined in section 44-04-17.1."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1171, as engrossed: Political Subdivisions Committee (Sen. Cook, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1171 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1243, as engrossed: Government and Veterans Affairs Committee (Sen. Dever, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1243 was placed on the Sixth order on the calendar.

Page 1, line 7, overstrike "may" and insert immediately thereafter "is guilty of a class A misdemeanor if that person", remove the overstrike over "knowingly", remove "not willfully", and overstrike "sponsor" and insert immediately thereafter ", or with reckless disregard for its truth or falsity, publishes"

Page 1, line 9, remove the overstrike over the overstruck comma

Page 1, line 13, overstrike "or"

Page 1, line 14, after the comma insert "electronic transmission," and overstrike "Any person who violates the provisions of this"

Page 1, line 15, overstrike "section is guilty of a class A misdemeanor" and insert immediately thereafter "This section does not apply to a newspaper, television or radio station, or other commercial medium that is not the source of the political advertisement or news release"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1290, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO NOT PASS** (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1290 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1296, as reengrossed and amended: 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). Reengrossed HB 1296, as amended, was placed on the Sixth order on the calendar.

In lieu of the amendments adopted by the Senate as printed on pages 746 and 747 of the Senate Journal, Reengrossed House Bill No. 1296 is amended as follows:

Page 2, after line 2, insert:

"23-40-03. Strategic plan. The state department of health shall establish and update regularly a strategic plan for an integrated emergency medical services program in this state which includes a comprehensive statewide emergency medical services system. The strategic plan may include consideration of transportation distances to hospitals, the size of service areas, the distance between emergency medical services operations, the age of emergency medical services personnel, the use of and the willingness to use first responders, the feasibility of consolidation of emergency medical services operations, the types of calls received, and call volume."

Page 2, line 3, replace "**23-40-03**" with "**23-40-04**"

Page 2, line 4, after the first "determinations" insert ", level of local matching funds determinations,"

Page 2, line 6, replace "and continually update this strategic plan for an" with "a sliding percent formula for determining the percentage of an applicant's local matching fund obligation. The sliding percent formula must be based on the department's strategic plan and must include consideration of how the applicant fits into the strategic plan and consideration of the needs of emergency medical services operations in the applicant's neighboring service areas."

Page 2, remove line 7

Page 2, line 8, remove "emergency medical services system."

Page 2, line 10, replace "equal to seventy-five" with "at the level determined by the state health officer, but which must be at least ten percent but not more than ninety"

Page 2, line 12, replace "**23-40-04**" with "**23-40-05**"

Page 2, line 16, replace "**23-40-05**" with "**23-40-06**"

Page 3, line 6, replace "**23-40-04**" with "**23-40-05**"

Page 3, line 22, replace "\$1,000,000" with "\$1,500,000"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1309: 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). HB 1309 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 create and enact a new section to chapter 54-24.2 of the North Dakota Century Code, relating to reimbursement for certain public libraries; and to provide an expiration date."

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 54-24.2 of the North Dakota Century Code is created and enacted as follows:

State aid to libraries - Reimbursement.

1. The state library shall withhold from the amount of state aid to which a public library is entitled during the 2007-09 biennium any amount the public library received in excess of that to which it was entitled during the 2005-07 biennium, as a result of a statutory dispute regarding the meaning of a mill levy.
2. From the amounts withheld under subsection 1, the state library shall provide to each public library that received less than the amount to which it was entitled during the 2005-07 biennium, the difference between the amount the library received during the 2005-07 biennium and the amount that it would have received, but for the statutory dispute regarding the meaning of a mill levy.

SECTION 2. EXPIRATION DATE. This Act is effective through June 30, 2009, and after that date is ineffective."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1321, as engrossed: Political Subdivisions Committee (Sen. Cook, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (4 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed HB 1321 was placed on the Sixth order on the calendar.

Page 1, line 3, after the first semicolon insert "and" and remove "; and to provide an expiration date"

Page 1, line 16, remove the overstrike over "~~twenty five~~" and remove "~~ten~~"

Page 1, line 19, remove the overstrike over "~~twenty five~~" and remove "~~ten~~"

Page 1, line 20, after "2." insert "Subject to subsections 5 and 6, a city, by ordinance, may extend the application of the city's zoning regulations to two times the distance allowed under subdivisions a, b, and c of subsection 1 if the extension is approved by at least five of six members of a committee established to review the proposed extension. The committee must consist of three members appointed by the governing body of the city and three members appointed, jointly, by the governing bodies of any political subdivision that is exercising zoning authority within the territory to be extraterritorially zoned.

3."

Page 2, line 1, overstrike "3." and insert immediately thereafter "4."

Page 2, line 10, overstrike "4." and insert immediately thereafter "5."

Page 2, line 26, overstrike "5." and insert immediately thereafter "6."

Page 3, line 28, overstrike "6." and insert immediately thereafter "7."

Page 4, line 1, overstrike "7." and insert immediately thereafter "8."

Page 4, line 5, overstrike "8." and insert immediately thereafter "9."

Page 4, line 19, remove the overstrike over "~~twenty five~~" and remove "~~ten~~"

Page 4, line 20, remove the overstrike over "~~twenty five~~" and remove "~~ten~~"

Page 5, line 13, remove the overstrike over "~~twenty-five~~" and remove "ten"

Page 5, line 14, remove the overstrike over "~~twenty-five~~" and remove "ten"

Page 5, line 27, replace "study" with "consider studying"

Page 6, line 1, replace "the" with "May 1, 2007,"

Page 6, line 2, remove "effective date of this Act"

Page 6, remove lines 5 and 6

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1326: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1326 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 create and enact a new subsection to section 45-11-01 and a new section to chapter 47-25 of the North Dakota Century Code, relating to the issuance of a state license, permit, or registration to a person with a fictitious name or trade name.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new subsection to section 45-11-01 of the North Dakota Century Code is created and enacted as follows:

A state agency may not issue or renew a license, permit, or registration to a partnership under a fictitious name or under a designation that does not show the names of the persons interested as partners unless the partnership has filed a fictitious name certificate with the secretary of state.

SECTION 2. A new section to chapter 47-25 of the North Dakota Century Code is created and enacted as follows:

State licenses, permits, or registrations - Trade name limitations. A state agency may not issue or renew a license, permit, or registration to a person under a trade name unless the recipient of the license, permit, or registration has registered the trade name as provided under this chapter."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1330, as amended, Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1330, as amended, was placed on the Sixth order on the calendar.

In addition to the amendments adopted by the Senate as printed on page 642 of the Senate Journal, House Bill No. 1330 is further amended as follows:

Page 2, line 9, remove "twenty-five"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1332: Political Subdivisions Committee (Sen. Cook, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1332 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1395, as reengrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO**

PASS (8 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed HB 1395 was placed on the Sixth order on the calendar.

Page 1, line 1, after "colleges" insert "; and to provide an appropriation"

Page 2, line 7, replace "**GRANT ASSISTANCE - SOURCE**. The state board of higher education" with "**APPROPRIATION**. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of "

Page 2, line 8, remove "shall use" and replace "from the student financial" with "to the state board of higher education"

Page 2, remove line 9

Page 2, line 10, remove "legislative assembly,"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment adds an appropriation of \$700,000 from the general fund to the State Board of Higher Education for providing grant assistance payments to tribally controlled community colleges.

REPORT OF STANDING COMMITTEE

HB 1404, as engrossed and amended: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO NOT PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1404, as amended, was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1434, as reengrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed HB 1434 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1435, as reengrossed and amended: 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). Reengrossed HB 1435, as amended, was placed on the Sixth order on the calendar.

In addition to the amendments adopted by the Senate as printed on pages 808 and 809 of the Senate Journal, Reengrossed House Bill No. 1435 is further amended as follows:

Page 2, line 7, replace "\$2,500,000" with "\$1,850,000"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1446, as engrossed: Political Subdivisions Committee (Sen. Cook, Chairman) recommends **DO PASS** (3 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1446 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1457, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO NOT PASS** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed HB 1457 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1460, as engrossed: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1460 was placed on the Sixth order on the calendar.

Page 1, line 2, after the semicolon insert "and"

Page 1, line 3, remove "; to provide an effective date; and to provide an expiration date"

Page 1, remove lines 5 through 23

Page 2, remove lines 1 through 30

Page 3, remove lines 1 through 19

Page 3, line 26, overstrike ", at least one of which must be a participant in"

Page 3, line 27, overstrike "the risk management program, at least two" and insert immediately thereafter ". Two" and overstrike "which" and insert immediately thereafter "the employer members"

Page 3, line 28, after "premiums" insert ", which at the time of the member's initial appointment were" and overstrike ", at least" and insert immediately thereafter an underscored semicolon

Page 3, line 29, overstrike "which" and insert immediately thereafter "the employer members" and overstrike "of" and insert immediately thereafter ", which at the time of the member's initial appointment was at least"

Page 3, line 30, overstrike ", at least" and insert immediately thereafter an underscored semicolon and overstrike "which" and insert immediately thereafter "the employer members"

Page 3, line 31, overstrike "of" and insert immediately thereafter ", which at the time of the member's initial appointment was", overstrike the comma and insert immediately thereafter an underscored semicolon, and overstrike "at"

Page 4, line 1, overstrike "least one" and insert immediately thereafter "two of the employer members must be" and overstrike "representative" and insert immediately thereafter "representatives"

Page 4, line 2, overstrike "representative" and insert immediately thereafter "representatives"

Page 4, line 4, overstrike "; at least one member must have"

Page 4, line 5, overstrike "received workforce safety and insurance benefits; and at least" and insert immediately thereafter ". Of the three employee members,"

Page 4, line 6, after "labor" insert "and one member must have received workforce safety and insurance wage-loss benefits at some time during the ten years before the member's initial appointment"

Page 4, line 15, after the second "members" insert "whose initial appointment was before August 1, 2007,"

Page 4, line 16, remove the overstrike over "~~three~~" and insert immediately thereafter "consecutive terms and board members whose initial appointment was after July 31, 2007, may not serve more than"

Page 4, line 22, overstrike "the"

Page 4, line 25, replace "greater North Dakota chamber of commerce" with "a coordinating committee appointed by the governor, composed of representatives from the associated general contractors of North Dakota, the North Dakota petroleum council, the greater North Dakota chamber of commerce, the North Dakota motor carriers association, the North Dakota healthcare association, the national federation of independent business, the lignite energy council, and other statewide business interests"

Page 4, line 26, remove "working together with other business organizations in the state"

Page 5, line 10, replace "Section 1 of this" with "This"

Page 5, line 11, replace "Under section 1 of this Act, a board" with "The board member serving on August 1, 2007, as the representative of the risk management program shall serve the remainder of the appointed term as the employer at-large representative. The employee board member serving on August 1, 2007, as the employee who has received workforce safety and insurance benefits shall continue to serve through the expiration of the member's appointed term, regardless of the member's wage-loss benefit history."

Page 5, remove lines 12 through 18

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1466: Judiciary Committee (Sen. Nething, Chairman) recommends **BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1466 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1474: Political Subdivisions Committee (Sen. Cook, Chairman) recommends **DO PASS** (3 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1474 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1483, as reengrossed: Political Subdivisions Committee (Sen. Cook, Chairman) recommends **DO PASS** (3 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed HB 1483 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1487, as reengrossed and amended: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed HB 1487, as amended, was placed on the Sixth order on the calendar.

In lieu of the amendments adopted by the Senate as printed on page 763 of the Senate Journal, Reengrossed House Bill No. 1487 is amended as follows:

Page 2, line 14, remove "in this"

Page 2, line 15, remove "state"

Page 2, after line 17, insert:

"6. If an individual who receives a loan under this section ceases to be a student in good standing at an institution of higher education prior to completing the individual's course of study, the terms and conditions applicable to the individual's loan become identical to those terms and conditions otherwise applicable to guaranteed student loans."

Page 2, line 18, replace "6." with "7."

Page 2, line 22, replace "7." with "8."

Page 2, line 25, replace "8." with "9."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1495, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO NOT PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1495 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3034: Agriculture Committee (Sen. Flakoll, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HCR 3034 was placed on the Sixth order on the calendar.

Page 1, line 2, after "of" insert "addressing the current imbalance in the funding and governance of the North Dakota State Potato Council and of"

Page 1, after line 2, insert:

"WHEREAS, the North Dakota Potato Industry Promotion Act was enacted in 1967 with the specific intent of dividing the state into five districts containing "as nearly equal potato acreage as practicable" with one participating potato grower elected from each district; and

WHEREAS, the potato districts have remained geographically unchanged since 1976, with potato districts 1 through 4 consisting of six counties and district 5 consisting of the remaining 47 counties; and

WHEREAS, currently the majority of North Dakota potato production occurs within the 47 counties of district 5; and"

Page 1, after line 21, insert:

"BE IT FURTHER RESOLVED, that the Legislative Council study the feasibility and desirability of addressing the current imbalance of representation in and funding of the North Dakota State Potato Council and the expenditure of checkoff funds by the council and the associations supported by potato checkoff funds; and"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HCR 3046: Human Services Committee (Sen. J. Lee, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3046 was placed on the Sixth order on the calendar.

Page 1, line 2, after "cooperate" insert "with families"

Page 1, line 16, after "cooperate" insert "with families"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HCR 3049: Political Subdivisions Committee (Sen. Cook, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3049 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3059, as engrossed: Political Subdivisions Committee (Sen. Cook, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HCR 3059 was placed on the Fourteenth order on the calendar.

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

William R. Horton, Secretary