

JOURNAL OF THE SENATE

Sixtieth Legislative Assembly

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Bismarck, March 27, 2007

The Senate convened at 9:00 a.m., with President Dalrymple presiding.

The prayer was offered by Reverend Deanna Reikow, First Presbyterian Church, Mandan.

The roll was called and all members were present.

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 reexamined the Journal of the Fifty-third Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

page 578, line 25, after the third semicolon insert "and"

Page 578, line 26, remove "and to declare an emergency"

Page 939, remove lines 35 through 37

Page 949, line 34, replace "**engrossed**" with "**reengrossed**"

Page 949, line 36, replace "Engrossed" with "Reengrossed"

Page 949, line 38, after the second comma insert "remove "and" and" and after the semicolon insert "and"

Page 950, remove line 21

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

MOTION

SEN. CHRISTMANN MOVED that HB 1106 and HB 1107 be moved to the bottom of the Sixth order, which motion prevailed.

MOTION

SEN. CHRISTMANN MOVED that Engrossed HB 1001 and Engrossed HB 1014, which are on the Sixth order, be rereferred to the **Appropriations Committee**, which motion prevailed. Pursuant to Sen. Christmann's motion, Engrossed HB 1001 and Engrossed HB 1014 were rereferred.

CONSIDERATION OF AMENDMENTS

HB 1005, as engrossed: SEN. MATHERN (Appropriations Committee) MOVED that the amendments on SJ pages 992-993 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1460, as engrossed: SEN. HACKER (Industry, Business and Labor Committee) MOVED that the amendments on SJ pages 965-967 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1463, as engrossed: SEN. FISCHER (Appropriations Committee) MOVED that the amendments on SJ page 1016 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1487, as reengrossed and amended: SEN. TALLACKSON (Appropriations Committee) MOVED that the amendments on SJ page 967 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion failed on a verification vote.

CONSIDERATION OF AMENDMENTS

HCR 3034: SEN. WANZEK (Agriculture Committee) MOVED that the amendments on SJ pages 967-968 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HCR 3046: SEN. HECKAMAN (Human Services Committee) MOVED that the amendments on SJ page 968 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1002, as engrossed: SEN. TALLACKSON (Appropriations Committee) MOVED that the amendments on SJ pages 988-990 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1004, as engrossed: SEN. KILZER (Appropriations Committee) MOVED that the amendments on SJ pages 990-992 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1007, as engrossed: SEN. KILZER (Appropriations Committee) MOVED that the amendments on SJ pages 993-995 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1018, as engrossed: SEN. GRINDBERG (Appropriations Committee) MOVED that the amendments on SJ pages 999-1015 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1469, as engrossed and amended: SEN. FREBORG (Natural Resources Committee) MOVED that the amendments on SJ page 1017 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1515, as engrossed: SEN. WARDNER (Appropriations Committee) MOVED that the amendments on SJ page 1017 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

MOTION

SEN. CHRISTMANN MOVED that after action taken on the Sixth order, Engrossed SB 2418 be placed on the Eleventh order, as amended, for immediate second reading and final passage, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2418, as engrossed: SEN. J. LEE (Appropriations Committee) MOVED that the amendments on SJ page 985 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2418: A BILL for an Act to provide a contingent appropriation to the veterans' home for the purpose of building a new facility; and to provide for the issuance of evidences of indebtedness.

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 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Erbele; Fiebigler; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heckaman; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nothing; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjelm; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

Reengrossed SB 2418 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1233: A BILL for an Act to amend and reenact section 57-38-01.8 of the North Dakota Century Code, relating to assignment of a wind energy device installation tax credit as part of a power purchase agreement; and to provide an effective date.

MOTION

SEN. KLEIN MOVED that Engrossed HB 1233, as amended, be further amended as follows:

In lieu of the amendments adopted by the Senate as printed on page 836 of the Senate Journal, Engrossed House Bill No. 1233 is amended as follows:

Page 1, line 2, remove "as part of a power"

Page 1, line 3, remove "purchase agreement"

Page 3, line 1, replace "engaged in the sale" with "that constructs or expands electricity transmission lines and associated transmission substations in North Dakota after December 31, 2006"

Page 3, line 2, remove "of electricity at retail to customers or members"

Page 3, line 6, after the underscored period insert "If the credit has been sold, assigned, or otherwise transferred to an entity that constructs or expands electricity transmission lines and associated transmission substations in North Dakota after December 31, 2006, the amount of credit claimed by that entity in any taxable year may not exceed the amount of the investment by that entity in electricity transmission lines and associated transmission substations in North Dakota for that taxable year."

Page 4, line 24, replace "taxable years beginning" with "geothermal, solar, or wind energy devices installed"

Renumber accordingly

REQUEST

SEN. NETHING REQUESTED a verification vote on the proposed floor amendments to Engrossed HB 1233, as amended, which request was granted.

The question being on the adoption of the proposed floor amendments to Engrossed HB 1233, as amended, the proposed floor amendments were adopted on a verification vote.

HB 1233: A BILL for an Act to amend and reenact section 57-38-01.8 of the North Dakota Century Code, relating to assignment of a wind energy device installation tax credit; and to provide an effective date.

ROLL CALL

The question being on the final passage of the further amended bill, which has been read, the roll was called and there were 31 YEAS, 16 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson; Andrist; Bakke; Behm; Bowman; Dever; Erbele; Fiebiger; Flakoll; Grindberg; Hacker; Heckaman; Heitkamp; Holmberg; Klein; Krauter; Krebsbach; Lee, J.; Marcellais; Mathern; Nelson; Nething; O'Connell; Olafson; Pomeroy; Robinson; Seymour; Taylor; Triplett; Wanzek; Wardner

NAYS: Christmann; Cook; Fischer; Freborg; Horne; Kilzer; Lee, G.; Lindaas; Lyson; Oehlke; Potter; Stenehjerm; Tallackson; Tollefson; Urlacher; Warner

Engrossed HB 1233, as further amended, passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1472: A BILL for an Act to create and enact a new section to chapter 12.1-20, a new subsection to section 12.1-20-05, and a new subsection to section 12.1-20-12.1 of the North Dakota Century Code, relating to the presence near schools of certain sexual offenders; to amend and reenact subsection 14 of section 12.1-32-15 of the North Dakota Century Code, relating to liability of school officials; and to provide a penalty.

ROLL CALL

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

YEAS: Anderson; Andrist; Bakke; Bowman; Christmann; Cook; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heckaman; 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; Urlacher; Wanzek; Wardner; Warner

NAYS: Behm; Triplett

Engrossed HB 1472, as amended, passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1011: A BILL for an Act to provide an appropriation for defraying the expenses of the highway patrol; and to authorize line item transfers.

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 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heckaman; 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

Engrossed HB 1011, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. FREBORG MOVED that the Senate do not concur in the House amendments to Engrossed SB 2344 as printed on SJ pages 909-910 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 2344: Sens. G. Lee, Freborg, Bakke.

APPOINTMENT OF CONFERENCE COMMITTEE

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 Engrossed HB 1010, Engrossed HB 1088, Engrossed HB 1092, Engrossed HB 1093, Engrossed HB 1146, HB 1149, Engrossed HB 1157, Engrossed HB 1278, Engrossed HB 1402, HB 1422, Engrossed HB 1507, and Engrossed HB 1513, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on:

Engrossed HB 1010: Sens. Holmberg, Fischer, Seymour

Engrossed HB 1088: Sens. Hacker, Andrist, Potter

Engrossed HB 1092: Sens. Nething, Lyson, Nelson

Engrossed HB 1093: Sens. Wardner, Christmann, Tallackson

Engrossed HB 1146: Sens. Urlacher, Tollefson, Triplett

HB 1149: Sens. Lyson, Freborg, Triplett

Engrossed HB 1157: Sens. Olafson, Hacker, Warner

Engrossed HB 1278: Sens. Hacker, Wanzek, Potter

Engrossed HB 1402: Sens. Freborg, Lyson, Triplett

HB 1422: Sens. J. Lee, Dever, Warner

Engrossed HB 1507: Sens. Lyson, Olafson, Fiebiger

Engrossed HB 1513: Sens. Urlacher, Tollefson, Heitkamp

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.

REPORT OF STANDING COMMITTEE

HB 1003, as engrossed: 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). Engrossed HB 1003 was placed on the Sixth order on the calendar.

Page 1, line 6, replace "sections 1 and 2 of House Bill No. 1031, as" with "section 15-12-27 of the North Dakota Century Code, relating to North Dakota state university's eighteenth street development fund"

Page 1, line 7, remove "approved by the sixtieth legislative assembly, relating to the budgeting process"

Page 5, replace lines 5 through 31 with:

"SECTION 2. FUNDING ADJUSTMENTS OR ENHANCEMENTS INFORMATION. The amounts identified in this section represent the funding adjustments or enhancements to the base funding level for the North Dakota university system office and to the various entities and institutions under the supervision of the state board of higher education which are included in the appropriation in section 3 of this Act as follows:

Subdivision 1.

NORTH DAKOTA UNIVERSITY SYSTEM OFFICE AND INSTITUTIONS

Capital assets	\$2,475,971
Competitive research program	460,000
Board initiatives	(1,486,500)
System governance	514,972
Common information services	10,914,000
Operations pool	(388,559)
Equity pool	(2,000,000)
Contingency and capital emergency	(436,923)
Student financial assistance grants	2,483,095
Professional student exchange program	595,666
Scholars program	616,489
Native American scholarships	128,638
Education incentive programs	<u>512,412</u>
Total all funds - Adjustments/enhancements	\$14,389,261
Less estimated income - Adjustments/enhancements	<u>43,954</u>
Total general fund - Adjustments/enhancements	\$14,345,307

Subdivision 2.

BISMARCK STATE COLLEGE

Operations	\$2,917,590
Capital assets	<u>2,707,161</u>
Total all funds - Adjustments/enhancements	\$5,624,751
Less estimated income - Adjustments/enhancements	<u>1,962,255</u>
Total general fund - Adjustments/enhancements	\$3,662,496

Subdivision 3.

LAKE REGION STATE COLLEGE

Operations	\$1,137,678
Capital assets	<u>2,745,667</u>
Total all funds - Adjustments/enhancements	\$3,883,345
Less estimated income - Adjustments/enhancements	<u>3,007,600</u>
Total general fund - Adjustments/enhancements	\$875,745

Subdivision 4.

WILLISTON STATE COLLEGE

Operations	\$886,105
Capital assets	<u>(5,879,277)</u>
Total all funds - Adjustments/enhancements	(\$4,993,172)
Less estimated income - Adjustments/enhancements	<u>(5,660,000)</u>
Total general fund - Adjustments/enhancements	\$666,828

Subdivision 5.

UNIVERSITY OF NORTH DAKOTA

Operations	\$14,728,428
Capital assets	<u>(18,303,224)</u>
Total all funds - Adjustments/enhancements	<u>(\$3,574,796)</u>
Less estimated income - Adjustments/enhancements	<u>(24,131,554)</u>
Total general fund - Adjustments/enhancements	\$20,556,758

Subdivision 6.

NORTH DAKOTA STATE UNIVERSITY

Operations	\$14,013,525
Capital assets	<u>4,016,935</u>
Total all funds - Adjustments/enhancements	\$18,030,460
Less estimated income - Adjustments/enhancements	<u>(3,500,000)</u>
Total general fund - Adjustments/enhancements	\$21,530,460

Subdivision 7.

NORTH DAKOTA STATE COLLEGE OF SCIENCE

Operations	\$2,823,065
Capital assets	<u>1,198,613</u>
Total all funds - Adjustments/enhancements	\$4,021,678
Less estimated income - Adjustments/enhancements	<u>(1,104,920)</u>
Total general fund - Adjustments/enhancements	\$5,126,598

Subdivision 8.

DICKINSON STATE UNIVERSITY

Operations	\$2,186,729
Capital assets	<u>(465,484)</u>
Total all funds - Adjustments/enhancements	\$1,721,245
Less estimated income - Adjustments/enhancements	<u>(1,100,557)</u>
Total general fund - Adjustments/enhancements	\$2,821,802

Subdivision 9.

MAYVILLE STATE UNIVERSITY

Operations	\$886,159
Capital assets	<u>130,969</u>
Total all funds - Adjustments/enhancements	\$1,017,128
Less estimated income - Adjustments/enhancements	<u>(600,000)</u>
Total general fund - Adjustments/enhancements	\$1,617,128

Subdivision 10.

MINOT STATE UNIVERSITY

Operations	\$2,954,699
Capital assets	<u>367,024</u>
Total all funds - Adjustments/enhancements	\$3,321,723
Less estimated income - Adjustments/enhancements	<u>(7,295,850)</u>
Total general fund - Adjustments/enhancements	\$10,617,573

Subdivision 11.

VALLEY CITY STATE UNIVERSITY

Operations	\$1,577,070
Capital assets	<u>2,487,819</u>
Total general fund - Adjustments/enhancements	\$4,064,889

Subdivision 12.

MINOT STATE UNIVERSITY - BOTTINEAU

Operations	\$437,017
Capital assets	<u>(5,699,023)</u>
Total all funds - Adjustments/enhancements	<u>(\$5,262,006)</u>
Less estimated income - Adjustments/enhancements	<u>(5,987,095)</u>
Total general fund - Adjustments/enhancements	\$725,089

Subdivision 13.

UNIVERSITY OF NORTH DAKOTA SCHOOL OF MEDICINE
AND HEALTH SCIENCES

Operations	\$3,213,936
Total general fund - Adjustments/enhancements	\$3,213,936

Subdivision 14.

NORTH DAKOTA FOREST SERVICE

Operations	\$433,085
Capital assets	<u>78,566</u>
Total all funds - Adjustments/enhancements	\$511,651
Less estimated income - Adjustments/enhancements	<u>22,485</u>
Total general fund - Adjustments/enhancements	\$489,166
Total general fund - Section 2	\$90,313,775
Total estimated income - Section 2	(\$44,343,682)
Total all funds - Section 2	\$45,970,093

SECTION 3. APPROPRIATION. The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the North Dakota university system office and the various entities and institutions under the supervision of the state board of higher education for the purpose of defraying the expenses of those entities and institutions, for the biennium beginning July 1, 2007, and ending June 30, 2009, as follows:

Subdivision 1.

NORTH DAKOTA UNIVERSITY SYSTEM OFFICE AND INSTITUTIONS

Capital assets	\$16,754,112
Competitive research program	5,650,000
Board initiatives	398,500
System governance	6,083,394
Title II	695,600
Common information services	31,477,093
Professional liability insurance	1,350,000
Student financial assistance grants	5,987,497
Professional student exchange program	2,722,946
Scholars program	1,478,566
Native American scholarships	380,626
Education incentive programs	<u>1,740,314</u>
Total all funds	\$74,718,648
Less estimated income	<u>2,643,730</u>
Total general fund appropriation	\$72,074,918

Subdivision 2.

BISMARCK STATE COLLEGE

Operations	\$19,783,138
Capital assets	<u>6,695,942</u>
Total all funds	\$26,479,080
Less estimated income	<u>5,707,555</u>
Total general fund appropriation	\$20,771,525

Subdivision 3.

LAKE REGION STATE COLLEGE

Operations	\$6,527,667
Capital assets	<u>3,133,204</u>
Total all funds	\$9,660,871
Less estimated income	<u>3,007,600</u>
Total general fund appropriation	\$6,653,271

Subdivision 4.

WILLISTON STATE COLLEGE

Operations	\$6,639,102
Capital assets	<u>2,257,198</u>
Total all funds	\$8,896,300
Less estimated income	<u>2,300,000</u>
Total general fund appropriation	\$6,596,300

Subdivision 5.

UNIVERSITY OF NORTH DAKOTA

Operations	\$107,280,030
Capital assets	<u>81,828,875</u>
Total all funds	\$189,108,905
Less estimated income	<u>73,700,000</u>
Total general fund appropriation	\$115,408,905

Subdivision 6.

NORTH DAKOTA STATE UNIVERSITY

Operations	\$89,818,175
Capital assets	<u>43,209,161</u>
Total all funds	\$133,027,336
Less estimated income	<u>34,000,000</u>
Total general fund appropriation	\$99,027,336

Subdivision 7.

NORTH DAKOTA STATE COLLEGE OF SCIENCE

Operations	\$27,809,893
Capital assets	<u>4,756,865</u>
Total all funds	\$32,566,758
Less estimated income	<u>1,700,000</u>
Total general fund appropriation	\$30,866,758

Subdivision 8.

DICKINSON STATE UNIVERSITY

Operations	\$16,898,356
Capital assets	<u>9,018,763</u>
Total all funds	\$25,917,119
Less estimated income	<u>8,000,000</u>
Total general fund appropriation	\$17,917,119

Subdivision 9.

MAYVILLE STATE UNIVERSITY

Operations	\$9,889,789
Capital assets	<u>1,989,963</u>
Total all funds	\$11,879,752
Less estimated income	<u>900,000</u>
Total general fund appropriation	\$10,979,752

Subdivision 10.

MINOT STATE UNIVERSITY

Operations	\$30,170,548
Capital assets	<u>9,578,894</u>
Total all funds	\$39,749,442
Less estimated income	<u>1,239,150</u>
Total general fund appropriation	\$38,510,292

Subdivision 11.

VALLEY CITY STATE UNIVERSITY

Operations	\$13,383,596
Capital assets	<u>2,996,235</u>
Total general fund appropriation	\$16,379,831

Subdivision 12.

MINOT STATE UNIVERSITY - BOTTINEAU

Operations	\$4,771,477
Capital assets	<u>410,702</u>
Total all funds	\$5,182,179
Less estimated income	<u>12,905</u>
Total general fund appropriation	\$5,169,274

Subdivision 13.

UNIVERSITY OF NORTH DAKOTA SCHOOL OF MEDICINE
AND HEALTH SCIENCES

Operations	<u>\$34,574,938</u>
Total general fund appropriation	\$34,574,938

Subdivision 14.

NORTH DAKOTA FOREST SERVICE

Operations	\$3,358,731
Capital assets	<u>180,204</u>
Total all funds	\$3,538,935
Less estimated income	<u>997,486</u>
Total general fund appropriation	\$2,541,449
Total general fund appropriation - Section 3	\$477,471,668
Total estimated income appropriation - Section 3	\$134,208,426
Total all funds appropriation - Section 3	\$611,680,094
Grand total general fund appropriation - H.B. 1003	\$477,471,668

Grand total estimated income appropriation - H.B. 1003
Grand total all funds appropriation - H.B. 1003

\$156,922,426
\$634,394,094"

Page 6, remove lines 1 through 31

Page 7, remove lines 1 through 30

Page 8, remove lines 1 through 30

Page 9, remove lines 1 through 30

Page 10, remove lines 1 through 31

Page 11, remove lines 1 through 30

Page 12, remove lines 1 through 23

Page 12, line 24, after "**INITIATIVES**" insert "- **REPORT TO THE SIXTY-FIRST LEGISLATIVE ASSEMBLY**", after "The" insert "board initiatives line item in subdivision 1 of section 3 of this Act includes the", and remove "of the funding included in"

Page 12, line 25, remove "the board initiatives line item in subdivision 1 of section 3 of this Act must be used"

Page 12, line 26, after "funds" insert "and the sum of \$98,500 for a recruiting initiative for Minot state university and Minot state university - Bottineau. Minot state university shall provide additional funding of \$98,500 from special funds for the initiative. The funding for the initiative is provided for a two-year pilot basis. Both Minot state university and Minot state university - Bottineau shall report on the effectiveness of the initiative to the appropriations committees of the sixty-first legislative assembly"

Page 13, remove lines 1 through 4

Page 13, line 5, replace "\$28,652,267" with "\$31,477,093"

Page 13, remove lines 14 through 18

Page 13, line 25, replace "\$317,460" with "\$523,380"

Page 16, remove lines 27 through 31

Page 17, line 1, after "**LIMIT**" insert "- **BUDGET SECTION APPROVAL**"

Page 17, line 4, after "year" insert "unless the board receives prior budget section approval"

Page 17, line 7, replace "\$42,322,010" with "\$39,979,343"

Page 17, line 12, replace "2,400,000" with "2,773,800"

Page 17, line 13, replace "3,700,000" with "6,000,000"

Page 17, line 15, replace "11,559,500" with "11,143,033"

Page 17, line 16, replace "23,431,710" with "18,831,710"

Page 17, line 18, replace "42,322,010" with "39,979,343"

Page 17, remove lines 19 through 31

Page 18, remove lines 1 through 15

Page 18, line 17, replace "make available" with "use"

Page 18, line 19, replace "the payment of any consulting services relating to the legislative" with "completing and furnishing the thatcher hall renovation and addition at Minot state university - Bottineau"

Page 18, line 20, remove "council study of higher education"

Page 18, after line 21, insert:

"SECTION 20. LEGISLATIVE INTENT - NORTHERN TIER NETWORK. It is the intent of the sixtieth legislative assembly that higher education institutions utilizing the northern tier network be responsible for funding the related ongoing maintenance costs for the network.

SECTION 21. NORTH DAKOTA STATE UNIVERSITY - COLLEGE OF BUSINESS BUILDING. The state board of higher education may enter an agreement or agreements with the North Dakota state university foundation or other private entity and do all things necessary and proper to authorize construction by the foundation or other private entity of a college of business building off the North Dakota state university campus, using donations, gifts, or other private funds.

SECTION 22. LEGISLATIVE COUNCIL STUDY - HIGHER EDUCATION.

1. The legislative council shall consider appointing a higher education committee for the 2007-08 interim. If appointed, the committee shall spend a majority of time studying the means by which the North Dakota university system can further contribute to developing and attracting the human capital to meet North Dakota's economic and workforce needs, and if time allows, the committee may visit select higher education institutions.
2. The study must focus on ways to increase postsecondary access, improve the quality of education, contain costs and other means, including productivity, to maximize the usage of the North Dakota university system in meeting the human capital needs of the state.
3. The study must include a review of policy recommendations, as appropriate, which address the postsecondary delivery system, including the mix of institutions, educational attainment gaps, degree production gaps, recruitment and retention of students, and workforce training needs.
4. The study must include a review of the impact of the state's changing demographics on the university system long-term financing plan.
5. The study must recommend goals for each of the higher education cornerstones.
6. The study may include the use of a higher education roundtable format.
7. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-first legislative assembly.
8. The state board of higher education also shall take the recommendations into account and make appropriate changes to practices, board policy, and budget needs and allocation.

SECTION 23. LEGISLATIVE COUNCIL STUDY - PROFESSIONAL STUDENT EXCHANGE PROGRAMS. The legislative council shall consider studying, during the 2007-08 interim, higher education professional student exchange programs. The study should include review of:

1. The amount of annual tuition and fees paid by students for health care-related professional education programs.
2. The amount of annual support fees paid by the state for health care-related professional education programs.
3. The number of state-supported slots funded and demand for state-supported slots, including the consideration of basing the number of slots on the estimated workforce needs to fill positions due to retirements, geographic, and professional specific service needs.
4. The present repayment provisions and loan forgiveness programs to determine cost-effectiveness, equality issues, and development of program enhancements that would aid in the recruitment of professional students to return to the state to practice their chosen profession.

5. Discontinuation of the contracts with the western interstate commission on higher education for access to veterinary medicine programs and consideration of negotiating contracts for veterinary medicine with Kansas, Iowa, and Minnesota.

The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-first legislative assembly."

Page 20, line 9, replace "Sections 1 and 2 of House Bill No. 1031, as approved by the" with "Section 15-12-27 of the North Dakota Century Code is"

Page 20, line 10, remove "sixtieth legislative assembly, are"

Page 20, line 16, replace "9" with "7, 13,"

ReNUMBER accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1003 - Summary of Senate Action

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
University System office				
Total all funds	\$73,348,533	\$72,080,990	\$2,637,658	\$74,718,648
Less estimated income	2,437,810	2,686,810	(43,080)	2,643,730
General fund	\$70,910,723	\$69,394,180	\$2,680,738	\$72,074,918
Bismarck State College				
Total all funds	\$20,799,330	\$20,587,433	\$5,891,647	\$26,479,080
Less estimated income	27,805	27,805	5,679,750	5,707,555
General fund	\$20,771,525	\$20,559,628	\$211,897	\$20,771,525
Lake Region State College				
Total all funds	\$9,660,871	\$9,607,299	\$53,572	\$9,660,871
Less estimated income	3,007,600	2,007,600	1,000,000	3,007,600
General fund	\$6,653,271	\$7,599,699	(\$946,428)	\$6,653,271
Williston State College				
Total all funds	\$7,996,300	\$8,830,366	\$65,934	\$8,896,300
Less estimated income	1,400,000	2,300,000		2,300,000
General fund	\$6,596,300	\$6,530,366	\$65,934	\$6,596,300
University of North Dakota				
Total all funds	\$193,608,905	\$191,861,920	\$1,246,985	\$193,108,905
Less estimated income	78,200,000	74,100,000	3,600,000	77,700,000
General fund	\$115,408,905	\$117,761,920	(\$2,353,015)	\$115,408,905
UND Medical Center				
Total all funds	\$33,874,938	\$34,238,963	\$335,975	\$34,574,938
Less estimated income				
General fund	\$33,874,938	\$34,238,963	\$335,975	\$34,574,938
North Dakota State University				
Total all funds	\$119,527,336	\$133,439,378	\$11,587,958	\$145,027,336
Less estimated income	20,500,000	35,500,000	10,500,000	46,000,000
General fund	\$99,027,336	\$97,939,378	\$1,087,958	\$99,027,336
State College of Science				
Total all funds	\$38,830,758	\$38,917,159	\$363,599	\$39,280,758
Less estimated income	8,414,000	8,414,000		8,414,000
General fund	\$30,416,758	\$30,503,159	\$363,599	\$30,866,758
Dickinson State University				
Total all funds	\$25,917,119	\$25,729,961	\$187,158	\$25,917,119
Less estimated income	8,000,000	8,000,000		8,000,000
General fund	\$17,917,119	\$17,729,961	\$187,158	\$17,917,119
Mayville State University				
Total all funds	\$11,736,719	\$12,208,021	(\$328,269)	\$11,879,752
Less estimated income	900,000	900,000		900,000
General fund	\$10,836,719	\$11,308,021	(\$328,269)	\$10,979,752
Minot State University				
Total all funds	\$39,698,842	\$39,445,085	\$304,357	\$39,749,442
Less estimated income	5,575,550	1,239,150		1,239,150
General fund	\$34,123,292	\$38,205,935	\$304,357	\$38,510,292
Valley City State University				
Total all funds	\$15,979,831	\$15,851,252	\$528,579	\$16,379,831
Less estimated income				
General fund	\$15,979,831	\$15,851,252	\$528,579	\$16,379,831
Minot State University - Bottineau				
Total all funds	\$5,182,179	\$5,138,046	\$44,133	\$5,182,179
Less estimated income	12,905	12,905		12,905
General fund	\$5,169,274	\$5,125,141	\$44,133	\$5,169,274
Forest Service				
Total all funds	\$3,538,935	\$3,513,993	\$24,942	\$3,538,935
Less estimated income	997,486	997,486		997,486

General fund	\$2,541,449	\$2,516,507	\$24,942	\$2,541,449
Bill Total				
Total all funds	\$599,700,596	\$611,449,866	\$22,944,228	\$634,394,094
Less estimated income	129,473,156	136,185,756	20,736,670	156,922,426
General fund	\$470,227,440	\$475,264,110	\$2,207,558	\$477,471,668

House Bill No. 1003 - General Fund Summary

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
University System office	\$70,910,723	\$69,394,180	\$2,680,738	\$72,074,918
Bismarck State College	20,771,525	20,559,628	211,897	20,771,525
Lake Region State College	6,653,271	7,599,699	(946,428)	6,653,271
Williston State College	6,596,300	6,530,366	65,934	6,596,300
University of North Dakota	115,408,905	117,761,920	(2,353,015)	115,408,905
UND Medical Center	33,874,938	34,238,963	335,975	34,574,938
North Dakota State University	99,027,336	97,939,378	1,087,958	99,027,336
State College of Science	30,416,758	30,503,159	363,599	30,866,758
Dickinson State University	17,917,119	17,729,961	187,158	17,917,119
Mayville State University	10,836,719	11,308,021	(328,269)	10,979,752
Minot State University	34,123,292	38,205,935	304,357	38,510,292
Valley City State University	15,979,831	15,851,252	528,579	16,379,831
Minot State University - Bottineau	5,169,274	5,125,141	44,133	5,169,274
Forest Service	<u>2,541,449</u>	<u>2,516,507</u>	<u>24,942</u>	<u>2,541,449</u>
Total general fund	\$470,227,440	\$475,264,110	\$2,207,558	\$477,471,668

Detail of Senate Changes to the General Fund

	RESTORES COMPENSATION PACKAGE TO 5/5 ¹	INCREASES FUNDING FOR THE COMPETITIVE RESEARCH PROGRAM ²	INCREASES FUNDING FOR BOARD INITIATIVES ³	INCREASES FUNDING FOR SUPPORT OF THE CONNECTND SYSTEM ⁴	INCREASES FUNDING FOR THE NORTHERN TIER NETWORK ⁵	REMOVES FUNDING FOR THE OPERATIONS POOL ⁶
University System office	\$199,479	\$150,000	\$98,500	\$2,300,000	\$373,800	(\$144,559)
Bismarck State College	211,897					
Lake Region State College	53,572					
Williston State College	65,934					
University of North Dakota	1,246,985					
UND Medical Center	335,975					
North Dakota State University	1,087,958					
State College of Science	263,599					
Dickinson State University	187,158					
Mayville State University	88,198					
Minot State University	304,357					
Valley City State University	128,579					
Minot State University - Bottineau	44,133					
Forest Service	<u>24,942</u>					
Total general fund	\$4,242,766	\$150,000	\$98,500	\$2,300,000	\$373,800	(\$144,559)

	REMOVES FUNDING FOR CONTINGENCY AND CAPITAL EMERGENCY ⁷	INCREASES FUNDING FOR THE KANSAS STATE UNIVERSITY VETERINARY MEDICINE PROGRAM ⁸	REMOVES FUNDING FOR EDUCATION INCENTIVE PROGRAMS ⁹	ADJUSTS FUNDING FOR OPERATIONS	ADJUSTS FUNDING FOR CAPITAL ASSETS ¹⁰	TOTAL GENERAL FUND CHANGES
University System office	(\$296,482)					\$2,680,738
Bismarck State College						211,897
Lake Region State College					(\$1,000,000)	(946,428)
Williston State College						65,934
University of North Dakota					(3,600,000)	(2,353,015)
UND Medical Center						335,975
North Dakota State University						1,087,958
State College of Science				\$100,000		363,599
Dickinson State University						187,158
Mayville State University					(416,467)	(328,269)
Minot State University						304,357
Valley City State University				400,000		528,579
Minot State University - Bottineau						44,133
Forest Service						<u>24,924</u>
Total general fund	(\$296,482)	\$0	\$0	\$500,000	(\$5,016,467)	\$2,207,558

House Bill No. 1003 - Other Funds Summary

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
University System office	\$2,437,810	\$2,686,810	(\$243,080)	\$2,643,730
Bismarck State College	27,805	27,805	5,679,750	5,707,555
Lake Region State College	3,007,600	2,007,600	1,000,000	3,007,600
Williston State College	1,400,000	2,300,000		2,300,000
University of North Dakota	78,200,000	74,100,000	3,600,000	77,700,000
UND Medical Center				
North Dakota State University	20,500,000	35,500,000	10,500,000	46,000,000
State College of Science	8,414,000	8,414,000		8,414,000
Dickinson State University	8,000,000	8,000,000		8,000,000
Mayville State University	900,000	900,000		900,000
Minot State University	5,575,550	1,239,150		1,239,150

Valley City State University				
Minot State University - Bottineau	12,905	12,905		12,905
Forest Service	<u>997,486</u>	<u>997,486</u>		<u>997,486</u>
Total other funds	\$129,473,156	\$136,185,756	\$20,736,670	\$156,922,426

Detail of Senate Changes to Other Funds

	RESTORES COMPENSATION PACKAGE TO 5/5 ¹	INCREASES FUNDING FOR THE COMPETITIVE RESEARCH PROGRAM ²	INCREASES FUNDING FOR BOARD INITIATIVES ³	INCREASES FUNDING FOR SUPPORT OF THE CONNECTND SYSTEM ⁴	INCREASES FUNDING FOR THE NORTHERN TIER NETWORK ⁵	REMOVES FUNDING FOR THE OPERATIONS POOL ⁶
University System office						
Bismarck State College						
Lake Region State College						
Williston State College						
University of North Dakota						
UND Medical Center						
North Dakota State University						
State College of Science						
Dickinson State University						
Mayville State University						
Minot State University						
Valley City State University						
Minot State University - Bottineau						
Forest Service						
Total other funds	\$0	\$0	\$0	\$0	\$0	\$0
	REMOVES FUNDING FOR CONTINGENCY AND CAPITAL EMERGENCY ⁷	INCREASES FUNDING FOR THE KANSAS STATE UNIVERSITY VETERINARY MEDICINE PROGRAM ⁸	REMOVES FUNDING FOR EDUCATION INCENTIVE PROGRAMS ⁹	ADJUSTS FUNDING FOR OPERATIONS	ADJUSTS FUNDING FOR CAPITAL ASSETS ¹⁰	TOTAL OTHER FUNDS CHANGES
University System office		\$205,920	(\$249,000)			(\$43,080)
Bismarck State College					\$5,679,750	5,679,750
Lake Region State College					1,000,000	1,000,000
Williston State College						
University of North Dakota					3,600,000	3,600,000
UND Medical Center						
North Dakota State University					10,500,000	10,500,000
State College of Science						
Dickinson State University						
Mayville State University						
Minot State University						
Valley City State University						
Minot State University - Bottineau						
Forest Service						
Total other funds	\$0	\$205,920	(\$249,000)	\$0	\$20,779,750	\$20,736,670

House Bill No. 1003 - All Funds Summary

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
University System office	\$73,348,533	\$72,080,990	\$2,637,658	\$74,718,648
Bismarck State College	20,799,330	20,587,433	5,891,647	26,479,080
Lake Region State College	9,660,871	9,607,299	53,572	9,660,871
Williston State College	7,996,300	8,830,366	65,934	8,896,300
University of North Dakota	193,608,905	191,861,920	1,246,985	193,108,905
UND Medical Center	33,874,938	34,238,963	335,975	34,574,938
North Dakota State University	119,527,336	133,439,378	11,587,958	145,027,336
State College of Science	38,830,758	38,917,159	363,599	39,280,758
Dickinson State University	25,917,119	25,729,961	187,158	25,917,119
Mayville State University	11,736,719	12,208,021	(328,269)	11,879,752
Minot State University	39,698,842	39,445,085	304,357	39,749,442
Valley City State University	15,979,831	15,851,252	528,579	16,379,831
Minot State University - Bottineau	5,182,179	5,138,046	44,133	5,182,179
Forest Service	<u>3,538,935</u>	<u>3,513,993</u>	<u>24,942</u>	<u>3,538,935</u>
Total all funds	\$599,700,596	\$611,449,866	\$22,944,228	\$634,394,094
FTE	2134.59	2136.59	0.00	2136.59

Detail of Senate Changes to All Funds

	RESTORES COMPENSATION PACKAGE TO 5/5 ¹	INCREASES FUNDING FOR THE COMPETITIVE RESEARCH PROGRAM ²	INCREASES FUNDING FOR BOARD INITIATIVES ³	INCREASES FUNDING FOR SUPPORT OF THE CONNECTND SYSTEM ⁴	INCREASES FUNDING FOR THE NORTHERN TIER NETWORK ⁵	REMOVES FUNDING FOR THE OPERATIONS POOL ⁶
University System office	\$199,479	\$150,000	\$98,500	\$2,300,000	\$373,800	(\$144,559)
Bismarck State College	211,897					
Lake Region State College	53,572					
Williston State College	65,934					
University of North Dakota	1,246,985					

UND Medical Center	335,975					
North Dakota State University	1,087,958					
State College of Science	263,599					
Dickinson State University	187,158					
Mayville State University	88,198					
Minot State University	304,357					
Valley City State University	128,579					
Minot State University - Bottineau	44,133					
Forest Service	<u>24,942</u>					
Total all funds	\$4,242,766	\$150,000	\$98,500	\$2,300,000	\$373,800	(\$144,559)
FTE	0.00	0.00	0.00	0.00	0.00	0.00
	REMOVES FUNDING FOR CONTINGENCY AND CAPITAL EMERGENCY ⁷	INCREASES FUNDING FOR THE KANSAS STATE UNIVERSITY VETERINARY MEDICINE PROGRAM ⁸	REMOVES FUNDING FOR EDUCATION INCENTIVE PROGRAMS ⁹	ADJUSTS FUNDING FOR OPERATIONS	ADJUSTS FUNDING FOR CAPITAL ASSETS ¹⁰	TOTAL ALL FUNDS CHANGES
University System office	(\$296,482)	\$205,920	(\$249,000)			\$2,637,658
Bismarck State College					\$5,679,750	5,891,647
Lake Region State College						53,572
Williston State College						65,934
University of North Dakota						1,246,985
UND Medical Center						335,975
North Dakota State University					10,500,000	11,587,958
State College of Science				\$100,000		363,599
Dickinson State University						187,158
Mayville State University					(416,467)	(328,269)
Minot State University						304,357
Valley City State University				400,000		528,579
Minot State University - Bottineau						44,133
Forest Service						<u>24,942</u>
Total all funds	(\$296,482)	\$205,920	(\$249,000)	\$500,000	\$15,763,283	\$22,944,228
FTE	0.00	0.00	0.00	0.00	0.00	0.00

¹ This amendment restores funding for salary increases of 5 percent for each year of the 2007-09 biennium.

² This amendment increases funding for competitive research by \$150,000 from the general fund, from \$5,550,000 as provided for in the executive budget recommendation to \$5,650,000.

³ This amendment increases funding for board initiatives by \$98,500 from the general fund, from \$300,000 to \$398,500. The funding of \$98,500 is to be used in conjunction with \$98,500 of special funds from Minot State University for a shared recruiting initiative for Minot State University and Minot State University - Bottineau. The initiative is a pilot project and both Minot State University and Minot State University - Bottineau are to report to the 61st Legislative Assembly on the effectiveness of the initiative.

⁴ This amendment increases one-time funding provided for support of the ConnectND system by \$2,300,000 from the general fund, from \$3,700,000 as provided for in the executive budget to \$6,000,000.

⁵ This amendment increases one-time funding for the Northern Tier Network project by \$373,800, from \$2,400,000 to \$2,773,800 from the general fund.

⁶ This amendment removes funding of \$144,559 from the general fund for the operations pool.

⁷ This amendment removes funding of \$296,482 from the general fund for contingency and capital emergency.

⁸ This amendment increases funding for the Kansas State University veterinary medicine program by \$205,920, from \$317,460 to \$523,380 from the student loan trust fund, to fund five new students per year in the 2007-09 biennium.

⁹ This amendment decreases funding for the education incentive programs by \$249,000, from \$1,989,314, as provided for by the House, to \$1,227,902. The additional funding of \$249,000 was related to increases in the teacher shortage loan forgiveness program as provided in House Bill No. 1249. House Bill No. 1249 was defeated by the Senate; therefore, the additional funding provided for in House Bill No. 1003 is removed.

¹⁰ Bismarck State College - This amendment appropriates funding of \$5,679,750 from special funds for reauthorization of the college's student housing project.

Lake Region State College - This amendment changes the funding source for the college's wind energy project as follows:

	EXECUTIVE BUDGET	HOUSE VERSION	PROPOSED SENATE VERSION
General fund		\$1,000,000	
Special funds	<u>\$3,007,600</u>	<u>2,007,600</u>	<u>\$3,007,600</u>
Total	\$3,007,600	\$3,007,600	\$3,007,600

University of North Dakota - This amendment changes the funding source of the UND School of Medicine and Health Sciences new Bismarck family medicine residency facility as follows:

	EXECUTIVE BUDGET	HOUSE VERSION	PROPOSED SENATE VERSION
General fund		\$3,600,000	
Special funds	<u>\$4,500,000</u>	<u>400,000</u>	<u>\$4,000,000</u>

Total	\$4,500,000	\$4,000,000	\$4,000,000
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North Dakota State University - This amendment increases the special funds appropriation to the university to reauthorize the Bison Sports Arena renovation project by \$10,500,000, from \$15,000,000 to \$25,500,000.

Mayville State University - This amendment decreases funding added by the House for the payoff of special assessments and other deferred maintenance issues by \$416,467 from the general fund, from \$559,500 to \$143,033.

House Bill No. 1003 - Other Changes - Senate Action

This amendment also:

- Amends Section 17 of the engrossed bill to provide that the State Board of Higher Education shall limit any annual tuition increase for the 2007-08 and 2008-09 academic years to not more than 5 percent for each year unless the board receives prior Budget Section approval.
- Adds a section to provide that participating higher education institutions are responsible for funding maintenance costs associated with the Northern Tier Network.
- Adds a section to allow the State Board of Higher Education to authorize construction of a College of Business building off the North Dakota State University campus.
- Adds sections to provide for a study of higher education and professional student exchange programs and removes study language added by the House.
- Amends Section 23 of the engrossed bill relating to the use of unspent 2005-07 general fund appropriations to provide that the State Board of Higher Education shall use \$200,000 of the unspent 2005-07 general fund appropriation for completing and furnishing the Thatcher Hall renovation and addition at Minot State University - Bottineau.
- Amends Section 26 of the engrossed bill to remove the repeal of Sections 1 and 2 of House Bill No. 1031 and to repeal Section 15-12-27 of the North Dakota Century Code relating to North Dakota State University's 18th Street Development Fund.

CONSIDERATION OF AMENDMENTS

HB 1003, as engrossed: SEN. HOLMBERG (Appropriations Committee) MOVED that the amendments be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1218, as engrossed: Political Subdivisions Committee (Sen. Cook, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (3 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1218 was placed on the Sixth order on the calendar.

Page 1, line 2, after "electricians" insert "; and to provide for a legislative council study"

Page 2, remove lines 4 and 5

Page 2, line 6, remove the overstrike over "3-", after "Class" insert "For licensure as a class", and remove the overstrike over "~~B electrician, eighteen months' experience in farmstead or residential wiring.~~"

Page 2, after line 6, insert:

"SECTION 2. LEGISLATIVE COUNCIL STUDY - LICENSURE OF ELECTRICIANS. The legislative council shall consider studying, during the 2007-08 interim, the licensure, training, and classroom education requirements for electricians in this state; reciprocity agreements with other states and the effect of those agreements on standards in this state; and the effect of the licensure, training, classroom education requirements, and reciprocity agreements on the availability of qualified electricians in North Dakota. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-first legislative assembly."

Renumber accordingly

CONSIDERATION OF AMENDMENTS

HB 1218, as engrossed: SEN. ANDERSON (Political Subdivisions Committee) MOVED that the amendments be adopted and then be placed on the Fourteenth order with **DO PASS**.

REQUEST

SEN. HACKER REQUESTED a verification vote on the proposed amendments to Engrossed HB 1218, which request was granted.

The question being the adoption of the proposed amendments to Engrossed HB 1218, the proposed amendments were adopted on a verification vote.

REPORT OF STANDING COMMITTEE

HB 1488: 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). HB 1488 was placed on the Sixth order on the calendar.

In lieu of the amendments printed on pages 933 and 934 of the Senate Journal, House Bill No. 1488 is amended as follows:

Page 1, line 2, after "facilities" insert "; and to provide for a report to the legislative council"

Page 1, line 14, after the underscored period insert "As part of the survey process, the department shall develop, in consultation with basic care facilities, and shall implement a two-tiered system of identifying areas of noncompliance with the health portions of the survey."

Page 1, after line 14, insert:

"SECTION 2. STATE DEPARTMENT OF HEALTH - REPORT TO LEGISLATIVE COUNCIL. Before August 1, 2008, the state department of health shall provide a report to the legislative council regarding the impact of implementation of this Act, including whether the department will be recommending any legislative changes to the basic care survey process."

Renumber accordingly

CONSIDERATION OF AMENDMENTS

HB 1488: SEN. J. LEE (Human Services Committee) MOVED that the amendments be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1126: A BILL for an Act to create and enact a new subsection to section 53-06.2-01 and three new subsections to section 53-06.2-04 of the North Dakota Century Code, relating to the definition of the racing promotion fund and to the duties of the racing commission; and to amend and reenact subsection 4 of section 53-06.2-05, subsection 1 of section 53-06.2-07, subsection 4 of section 53-06.2-08, sections 53-06.2-10.1 and 53-06.2-11, and subsection 2 of section 53-06.2-13 of the North Dakota Century Code, relating to parimutuel wagering.

ROLL CALL

The question being on the final passage of the further amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 40 YEAS, 7 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

NAYS: Anderson; Andrist; Christmann; Cook; Nething; O'Connell; Potter

Engrossed HB 1126, as further amended, passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1171: A BILL for an Act to amend and reenact section 15-04-23 of the North Dakota Century Code, relating to service fee payments to counties by the board of university and school lands.

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 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heckaman; 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

Engrossed HB 1171 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1215: A BILL for an Act to amend and reenact section 61-34-04 of the North Dakota Century Code, relating to drought livestock water assistance program maximum payments; and to declare an emergency.

ROLL CALL

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

YEAS: Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heckaman; 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

Engrossed HB 1215, as further amended, passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF HOUSE BILL

HB 1256: A BILL for an Act to create and enact chapter 43-15.2 of the North Dakota Century Code, relating to the creation of a legend prescription drug and device donation and repository program; and to provide an appropriation.

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 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heckaman; 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

Engrossed HB 1256, as amended, passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1260: A BILL for an Act to amend and reenact sections 15.1-12-24 and 15.1-12-27 of the North Dakota Century Code, relating to the definition of a nonoperating school district and the attachment of property in a school district dissolution.

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

YEAS: Grindberg

NAYS: Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Hacker; Heckaman; 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

HB 1260, as amended, lost.

REQUEST

SEN. GRINDBERG REQUESTED the record show he intended to vote NAY on HB 1260, as amended, which request was granted.

MOTION

SEN. CHRISTMANN MOVED that Engrossed HB 1273, as amended, which is on the Fourteenth order, be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1279: A BILL for an Act to amend and reenact sections 57-51-01 and 57-51-02.4 of the North Dakota Century Code, relating to eliminating the expiration date of the shallow gas gross production tax exemption; and to provide an effective date.

ROLL CALL

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

YEAS: Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heckaman; 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

HB 1279 passed and the title was agreed to.

MOTION

SEN. HOLMBERG MOVED that Engrossed HB 1290, which is on the Fourteenth order, be rereferred to the **Appropriations Committee**, which motion prevailed. Pursuant to Sen. Holmberg's motion, Engrossed HB 1290 was rereferred.

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

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2418.

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

MR. SPEAKER: The Senate has passed unchanged: HB 1171, HB 1279.

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1011, HB 1233, HB 1472.

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1126, HB 1256.

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 1215.

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

MR. SPEAKER: The Senate has amended and subsequently failed: HB 1260.

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

MR. SPEAKER: The Senate does not concur in the House amendments to SB 2344 and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2344: Sens. G. Lee; Freborg; Bakke

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 1010: Sens. Holmberg; Fischer; Seymour

HB 1088: Sens. Hacker; Andrist; Potter

HB 1092: Sens. Nething; Lyson; Nelson

HB 1093: Sens. Wardner; Christmann; Tallackson

HB 1146: Sens. Urlacher; Tollefson; Triplett

HB 1149: Sens. Lyson; Freborg; Triplett

HB 1157: Sens. Olafson; Hacker; Warner

HB 1278: Sens. Hacker; Wanzek; Potter

HB 1402: Sens. Freborg; Lyson; Triplett

HB 1422: Sens. J. Lee; Dever; Warner

HB 1507: Sens. Lyson; Olafson; Fiebiger

HB 1513: Sens. Urlacher; Tollefson; Heitkamp

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

MR. PRESIDENT: The House has passed unchanged: SB 2217, SB 2353, SCR 4026.

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

MR. PRESIDENT: The House has amended and subsequently passed: SB 2093, SB 2094, SB 2163, SB 2268, SB 2336, SB 2352, SCR 4022.

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2093

Page 1, line 1, remove "to create and enact a new section to chapter 11-10 of the North Dakota"

Page 1, line 2, remove "Century Code, relating to authorizing counties to enter purchasing card agreements;"

Page 1, line 3, after the second comma insert "and" and replace the second "and" with a comma

Page 1, line 4, remove "subsection 4 of section"

Page 1, line 6, replace "expenditures" with "authority"

Page 1, remove lines 17 through 24

Page 2, remove lines 1 through 16

Page 3, replace lines 12 through 31 with:

"44-08-05.1. Payments - Requirements for approval Purchasing card authority - Penalty -Action for violations.

1. Any public officer or employee who has the power to approve a payment for a department, agency, or institution for travel expenses or any other state expenditure of public funds shall determine before approving the payment:
- 4- a. That the expenditure for travel or other expenditures were for lawful and official purposes.
- 2- b. If for employee travel reimbursement, that the travel actually occurred and that the sums claimed for travel expenses are actually due the individual who is seeking reimbursement, allowance, or payment.
- 3- c. If the payment is for expenditure other than travel expense, that the expenditure is lawful and that the payment contains no false claims.

~~For purchases made with the use of a purchasing card authorized under section 54-44.4-11, an~~

2. The director of the office of management and budget, the state board of higher education, the governing body of any political subdivision, and the board of any school district may establish and administer a purchasing card system for use by its officers, employees, representatives, or agents. If the director of the office of management and budget establishes a cooperative purchasing contract under section 54-44.4-13, each participating government entity is responsible for its purchasing card system.
3. An employee of the office of management and budget designated by the director of the office of management and budget, on behalf of all state agencies, may review and approve payments under this section made with a purchasing card and make payments pursuant thereto. The director of the office of management and budget may designate the state agencies that are required to use the purchasing card system.
4. Any public officer or employee who willfully fraudulently uses a purchasing card or knowingly approves a payment with knowledge it contains for false or unlawful claims or that it which does not otherwise meet the requirements of this section for approval is guilty of theft and punishable under chapter 12-1-23 may be subject to criminal prosecution under title 12.1. Any public officer or employee who, without the use of ordinary care and diligence, negligently uses a purchasing card or approves a payment for a department, agency, or institution containing false or unlawful claims or which does not otherwise meet the requirements of this section for approval is personally liable for any funds improperly expended. The director of the office of management and budget, members of the office of the budget, state auditor Any public officer, employee, or any other person individual who has knowledge of an actual or possible violation of this section shall make such that information known to the attorney general or the appropriate state's attorney. The attorney general or appropriate state's attorney shall investigate any alleged violation and, if a violation appears to exist, shall prosecute under chapter 12-1-23. If there is probable cause to believe that a violation has occurred, the attorney general or appropriate state's attorney shall initiate a criminal prosecution under title 12.1 or bring a civil suit against the public officer or employee for the recovery of such the funds as may actually have been improperly paid against the payee and officer or employee who approved the payment in violation of the above requirements or shall bring both such criminal action and civil suit. The officer or employee who approves any payment negligently has the right of subrogation against the payee of the payment in the event public funds have been improperly paid to the payee, or may initiate a prosecution and a civil suit."

Page 4, remove lines 1 through 10

Page 4, line 11, replace "Subsection 4 of section" with "Section"

Page 4, replace lines 13 through 18 with:

"54-44.4-11. Small purchases.

1. A procurement not exceeding the amount established by written directive of the director of the office of management and budget ~~under section 54-44.4-02~~ or by the state board of higher education under subsection 5 of section 15-10-17 may be made in accordance with small purchase procedures.
2. A small purchase need not be made through competitive sealed bidding or competitive sealed proposals. However, small purchases must be made with competition that is practicable under the circumstances.
3. Procurement requirements may not be artificially divided as to constitute a small purchase under this section.
4. ~~The director of the office of management and budget may establish and administer, including by contract with a provider, a system of procurement for commodities agencies are authorized to purchase under this section. If~~

~~the director establishes a purchasing card system under this subsection, the director may designate which agencies are required to use the purchasing card system for purchasing commodities under this section. The office of management and budget shall develop and operate a searchable web site or on the office's web site provide a link to a searchable web site accessible to the public at no cost to the user which lists, and updates monthly, each purchase made by a state agency through the use of a purchasing card. Each purchase listed must include the recipient of the funds, the amount of the purchase, the agency making the purchase, and any other information required by the office of management and budget."~~

Renumber accordingly

HOUSE AMENDMENTS TO SENATE BILL NO. 2094

Page 1, line 1, replace "section" with "sections" and after "46-02-15" insert "and 46-02-20"

Page 1, line 2, after "printing" insert "and services provided by in-plant print shops"

Page 1, after line 9, insert:

"SECTION 2. AMENDMENT. Section 46-02-20 of the North Dakota Century Code is amended and reenacted as follows:

46-02-20. In-plant print shops. Central duplicating services of the office of management and budget or by departments, institutions, state offices, and printing services under the jurisdiction of the board of higher education, with the exception of the state ~~school~~ college of science, the university of North Dakota, ~~and the North Dakota state university of North Dakota—Valley City, and Valley City state university,~~ may not provide the following services: printing or duplicating of all coated stock, continuous forms, snap-out forms, envelopes over twenty thousand, process color, and print or duplicate paper larger than eleven inches [27.94 centimeters] by seventeen inches [43.18 centimeters], excluding work done on plotters."

Renumber accordingly

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2163

Page 4, line 1, replace "a record created under section 23-06.6-07" with "an intention not to make an anatomical gift of an individual's body or part expressed by the individual in accordance with section 23-06.6-06 or"

Page 19, line 1, after the underscored period insert "The procurement organization shall provide the coroner or medical examiner with all information the organization has which could relate to the cause or manner of the decedent's death."

Page 19, line 6, after "organ" insert "for transplantation"

Renumber accordingly

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2268

Page 2, line 1, replace "hypothocating" with "hypothecating"

Page 3, line 18, after the underscored semicolon insert "and"

Page 3, line 20, remove "and"

Page 3, remove lines 21 and 22

Page 4, line 21, after the underscored semicolon insert "or"

Page 4, remove lines 22 through 25

Page 4, line 26, replace "f." with "e."

Page 6, line 6, replace "contact" with "contract"

Page 7, line 20, replace "on" with "one"

Page 9, line 19, after "policy" insert "that has been or will be the subject of a viatical settlement contract"

Page 11, line 12, after "fee" insert "for a provider license and a two hundred dollar fee for a broker license"

Page 12, line 10, replace "two" with "one"

Page 12, line 16, replace "two" with "one"

Page 12, line 20, replace "paragraph" with "section"

Page 12, line 25, remove "shall be in the favor"

Page 12, line 26, remove "of this state and" and replace "commission" with "commissioner"

Page 14, line 15, replace "on" with "one"

Page 14, line 27, remove "At the commissioner's discretion, the commissioner may"

Page 14, remove line 28

Page 23, line 25, replace "paid" with "delivered" and replace "viator" with "escrow agent by or on behalf of the settlement provider"

Page 23, line 28, after "loans" insert an underscored comma

Page 23, line 29, after "settlement" insert "provider"

Page 24, line 3, after "viator" insert "by the later of the expiration of the rescission period or"

Page 25, line 14, replace ", including the amount and" with an underscored semicolon

Page 25, removes lines 15 through 17

Page 26, line 1, remove "State whether the funds will be escrowed with an independent third party"

Page 26, line 2, replace "during the transfer process, and if so, provide" with "Provide"

Page 30, line 1, after "a" insert "viatical settlement", after the underscored comma insert "viatical settlement", and after "transaction" insert an underscored comma

Page 30, line 2, after "of" insert "viatical settlement"

Page 30, line 3, after "disclose" insert "all nonproprietary information" and replace "a" with "the details of the"

Page 30, line 7, after the underscored period insert "Any disclosure required under this section must be in writing."

Page 31, line 30, replace "an absolute" with "a"

Page 32, line 2, replace "viator" with "escrow agent by or on behalf of the viatical settlement provider"

Page 33, line 2, after the second "the" insert "later to occur of the expiration of any then remaining rescission period or the"

Page 33, line 28, after "application" insert "for"

Page 34, line 13, after "dies" insert "or no remaining beneficiaries are then surviving"

Page 35, line 7, after "settlement" insert "in connection with the issuance of the policy"

Page 35, line 10, remove "or other party entering into a"

Page 35, line 11, remove "viatical settlement contract with a viator"

Page 36, line 19, replace "No viatical settlement provider shall enter into a viatical settlement contract unless" with "It is unlawful for an insurance company to engage in any transaction, act, or practice or course of business or dealing which restricts, limits, or"

impairs in any way the lawful transfer of ownership, change of beneficiary, or assignment of a policy to effectuate a viatical settlement contract."

Page 36, remove lines 20 through 30

Page 37, line 1, remove "The purpose of this section is to"

Page 37, remove lines 2 through 14

Page 37, line 15, remove "2."

Page 37, line 24, after the underscored period insert "The commissioner may adopt rules to implement this section."

Page 37, remove lines 25 through 30

Page 38, remove lines 1 through 31

Page 39, remove lines 1 through 31

Page 40, remove lines 1 through 31

Page 41, remove lines 1 through 30

Page 42, remove lines 1 through 15

Renumber accordingly

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2336

Page 1, line 15, after the underscored period insert "To the extent permitted by federal law and rules promulgated by the secretary of the United States department of health and human services, the rules adopted under this section must be based on the income of the obligated parent and include a limitation on the obligation of a low-income parent to provide medical support unless health insurance coverage is available to the parent at no or nominal cost."

Page 1, line 23, replace "and enter into an" with "for children who are not eligible for public health coverage under chapter 50-29. To the extent permitted by federal law and rules promulgated by the secretary of the United States department of health and human services, the rules adopted by the public authority under this section may not impair a child's ability to apply for and receive public health coverage under chapter 50-29."

Page 2, remove lines 1 and 2

Page 2, line 22, remove "The public"

Page 2, remove lines 23 through 25

Page 3, line 2, replace "or" with ", reimbursement for public health coverage provided under chapter 50-29, and"

Page 3, remove lines 3 and 4

Renumber accordingly

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2352

Page 1, line 1, replace "provide for" with "create and enact a new section to chapter 12.1-31 of the North Dakota Century Code, relating to" and after "tattooing" insert ", branding, subdermal implantation, scarifying,"

Page 1, replace lines 4 through 9 with:

"**SECTION 1.** A new section to chapter 12.1-31 of the North Dakota Century Code is created and enacted as follows:

Tattooing, branding, subdermal implants, scarifying, and body piercing - Minors.

1. As used in this section:

- a. "Brand" means the use of heat, cold, or any chemical compound to imprint permanent markings on an individual's skin.
- b. "Pierce" means the puncture of any part of an individual's body to insert studs, pins, rings, chains, or other jewelry or adornment.
- c. "Scarify" means to cut, tear, or abrade an individual's skin for the purpose of creating permanent mark or design on the skin.
- d. "Subdermal implant" means to insert a foreign object beneath the skin to decorate an individual's body. The term does not include implantations for medical purposes.
- e. "Tattoo" means to mark the skin of an individual by insertion of permanent colors through puncture of the skin."

Page 1, line 10, after "tattoo" insert ", brand, subdermal implant, scarify."

Page 1, line 11, after "tattooing" insert ", branding, subdermal implanting, scarifying."

Page 1, line 15, after the second underscored comma insert "branding, self-branding, scarifying, self-scarifying, subdermal implantation, self-subdermal implantation,"

Page 1, line 17, after "tattooing" insert ", branding, subdermal implantation, scarifying."

Page 1, line 18, after "tattooing" insert ", branding, subdermal implantation, scarifying."

Renumber accordingly

HOUSE AMENDMENTS TO ENGROSSED SENATE CONCURRENT RESOLUTION NO. 4022

Page 1, line 5, replace "a successful" with "at the" and after "efforts" insert ", it"

Page 1, line 14, after "Delegation" insert "and to the President of the United States"

Renumber accordingly

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

MR. PRESIDENT: The House has failed to pass: SB 2073, SB 2121, SB 2315, SB 2377, SCR 4023.

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 1348 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1348: Reps. Headland; Froseth; Froelich

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

MR. PRESIDENT: The Speaker has signed: SB 2345.

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

MR. SPEAKER: The President has signed: SB 2345.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bill was delivered to the Governor for approval on March 27, 2007: SB 2345.

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

MR. SPEAKER: Your signature is respectfully requested on: SB 2145.

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

MR. PRESIDENT: The Speaker has signed: SB 2145.

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

MR. PRESIDENT: The Speaker has signed: HB 1119, HB 1124, HB 1274, HB 1400, HB 1450, HB 1455, HB 1471, HB 1511, HCR 3037, HCR 3057, HCR 3061.

MOTION

SEN. CHRISTMANN 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 9:00 a.m., Wednesday, March 28, 2007, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2419: Natural Resources Committee (Sen. Lyson, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2419 was placed on the Sixth order on the calendar.

Page 1, line 18, replace "covered by" with "subject to"

Page 1, line 23, replace "Indian tribes" with "the Three Affiliated Tribes" and after "revenue" insert "levied and collected"

Page 1, line 24, replace "an Indian reservation" with "the Fort Berthold Reservation"

Page 2, line 1, replace "Agreements" with "An agreement" and replace "are" with "is"

Page 2, line 3, replace "those" with "oil and gas gross production taxes and oil extraction taxes" and after the second "to" insert "production from"

Page 2, line 4, after "the" insert "exterior" and replace "an Indian reservation" with "the Fort Berthold Reservation"

Page 2, line 5, replace "taxes" with "tax revenue calculated for apportionment to the state general fund"

Page 2, line 6, replace "state" with "tax commissioner" and remove "its"

Page 2, line 9, replace "state returns" with "tax commissioner refunds taxes" and remove "taxes paid"

Page 2, line 10, replace "state" with "tax commissioner" and replace "recoup" with "recover"

Page 2, line 12, replace "state" with "tax commissioner" and remove "exclusive"

Page 2, line 13, after "57-51.1" insert "as applied to wells subject to any agreement authorized by this chapter"

Page 2, line 17, replace "agreements" with "an agreement"

Page 2, line 19, replace "dealing with" with "relating to"

Page 2, line 20, replace "Agreements" with "An agreement" and replace "are" with "is"

Page 2, line 21, remove "those in"

Page 2, line 22, after "fund" insert "an agreement"

Page 2, line 23, remove "agreements"

Renumber accordingly

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

William R. Horton, Secretary

