

## JOURNAL OF THE SENATE

## Sixtieth Legislative Assembly

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Bismarck, April 16, 2007

The Senate convened at 8:30 a.m., with President Dalrymple presiding.

The prayer was offered by Major Dale Hale, Director of Correctional Services, Northern Division, The Salvation Army, Bismarck.

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

A quorum was declared by the President.

## MOTION

**SEN. CHRISTMANN MOVED** that Senate Rule 402 be temporarily suspended for the purpose of introducing SCR 4036 and that the Senate be on the Ninth order of business for the first reading of SCR 4036, which motion prevailed.

## FIRST READING OF SENATE CONCURRENT RESOLUTION

Sens. Stenehjem, O'Connell and Reps. Berg, Boucher introduced:

**SCR 4036:** A concurrent resolution paying tribute to North Dakota military personnel who have died in Iraq or Afghanistan.

Was read the first time.

## MOTION

**SEN. CHRISTMANN MOVED** that the rules be suspended, that SCR 4036 not be printed, not be referred to committee, be read in title only, be printed in the Journal, and be placed on the calendar for immediate second reading and final passage, which motion prevailed.

Sens. Stenehjem, O'Connell and Reps. Berg, Boucher introduced:

## SENATE CONCURRENT RESOLUTION NO. 4036

A concurrent resolution paying tribute to North Dakota military personnel who have died in Iraq or Afghanistan.

**WHEREAS**, in addition to those memorialized by the Fifty-ninth Legislative Assembly, Spc. James Holmes, East Grand Forks; Spc. Dennis Ferderer, Jr., New Salem; Spc. Michael Hermanson, Fargo; Sgt. Travis Van Zoest, Bismarck; Cpl. Curtis Mehrer, Bismarck; Cpl. Jeremiah S. Santos, Devils Lake and Minot; Cpl. Paul A. Beyer, Jamestown; Cpl. Nathan J. Good Iron, Mandaree; Cpl. Christopher Kleinwachter, Wahpeton; and Maj. Alan R. Johnson, Montpelier, were called upon by the United States of America to fight for their country; and

**WHEREAS**, these brave, courageous, and valorous soldiers in performing their duty made that supreme sacrifice that great men and women have been called upon down through our country's history to make for the right to be free; and

**WHEREAS**, it is the intention of the Sixtieth Legislative Assembly, acting as the representatives of all the people of the state of North Dakota, to recognize these individuals;

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

That the Sixtieth Legislative Assembly of the state of North Dakota hereby pays solemn tribute to:

Spc. James Holmes, East Grand Forks;  
Spc. Dennis Ferderer, Jr., New Salem;  
Spc. Michael Hermanson, Fargo;  
Sgt. Travis Van Zoest, Bismarck;  
Cpl. Curtis Mehrer, Bismarck;  
Cpl. Jeremiah S. Santos, Devils Lake and Minot;  
Cpl. Paul A. Beyer, Jamestown;  
Cpl. Nathan J. Good Iron, Mandaree;  
Cpl. Christopher Kleinwachter, Wahpeton; and  
Maj. Alan R. Johnson, Montpelier

for the ultimate sacrifice they paid when called by the United States of America to serve their country with honor and dignity; and

**BE IT FURTHER RESOLVED**, that the people of the state of North Dakota hereby join together to express deepest sympathies to the parents and relatives of these brave soldiers and to express to them the fervent belief that these men did not die in vain.

#### **SECOND READING OF SENATE CONCURRENT RESOLUTION**

**SCR 4036:** A concurrent resolution paying tribute to North Dakota military personnel who have died in Iraq or Afghanistan.

The question being on the final adoption of the resolution, which has been read.

SCR 4036 was declared adopted and the title was agreed to on a voice vote.

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#### **MOTION**

**SEN. CHRISTMANN MOVED** that the remarks of Majority Leader Stenehjem and Minority Leader O'Connell be printed in the Journal, which motion prevailed.

#### **REMARKS OF MAJORITY LEADER STENEHJEM**

Senate Concurrent Resolution 4036 honors those valiant North Dakota soldiers who have given their lives for their country in the past two years. It is right that we do so. Many courageous men and women have answered their country's call to protect the innocent and to preserve our freedom. These brave soldiers, however, followed that call of duty and made the supreme sacrifice with their very lives. We mourn their passing.

By this resolution, we seek to honor these fallen soldiers and to express our deepest sympathies to the relatives of these brave men.

#### **REMARKS OF MINORITY LEADER O'CONNELL**

I would just like to echo what Senator Stenehjem said. We cannot thank our soldiers enough. These brave men were called to duty and courageously answered that call.

We need to show how much we appreciate the efforts of our soldiers. I know any memorial we create can never come close to the sacrifices made by these members of the armed forces, but this is a step in the right direction. While our efforts will never match theirs, we can do our best to remember them and what they did for this great country.

This is a token to help illustrate to the friends and families that their memory is alive and well in the hearts of North Dakota's grateful citizens and our thoughts and prayers go out to them.

#### **MOTION**

**SEN. CHRISTMANN MOVED** that SCR 4036 be messaged to the House immediately, which motion prevailed.

#### **CONSIDERATION OF MESSAGE FROM THE HOUSE**

**SEN. LYSON MOVED** that the Senate do not concur in the House amendments to Reengrossed SB 2419 as printed on SJ pages 1385-1389 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 Reengrossed SB 2419: Sens. Lyson, Wardner, Triplett.

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

**MR. SPEAKER:** The Senate does not concur in the House amendments to SB 2419 and the President has appointed as a conference committee to act with a like committee from the House on:

**SB 2419:** Sens. Lyson; Wardner; Triplett

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

**MR. SPEAKER:** The Senate has passed and your favorable consideration is requested on: SCR 4036.

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

**MR. PRESIDENT:** The House has adopted the conference committee report and subsequently passed: HB 1317, HB 1445, HB 1488.

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

**MR. PRESIDENT:** The House has passed unchanged: SCR 4036.

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

**MR. SPEAKER:** Your signature is respectfully requested on: SCR 4036.

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

**MR. PRESIDENT:** The Speaker has signed: SCR 4036.

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

**MR. SPEAKER:** The President has signed: SCR 4036.

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

**MR. SPEAKER:** The President has signed: SB 2363.

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

**MR. SPEAKER:** The President has signed: HB 1166, HB 1278, HB 1403.

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

**MR. PRESIDENT:** Your signature is respectfully requested on: HB 1029, HB 1146, HB 1243, HB 1390.

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

**MR. PRESIDENT:** The Speaker has signed: SB 2057, SB 2060.

**DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following resolution was delivered to the Secretary of State for filing on April 16, 2007: SCR 4036.

**DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following bill was delivered to the Governor for approval on April 16, 2007: SB 2363.

**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.

**MOTION**

**SEN. CHRISTMANN MOVED** that SB 2352 be returned to the House, which motion prevailed on a verification vote.

**MOTION**

**SEN. CHRISTMANN MOVED** that HB 1317, HB 1445, HB 1488, and SB 2313 be placed at the bottom of the Seventh order, which motion prevailed.

**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**SEN. G. LEE MOVED** that the conference committee report on Engrossed SB 2344 as printed on SJ pages 1407-1408 be adopted, which motion prevailed on a voice vote.

Engrossed SB 2344, as amended, was placed on the Eleventh order.

**SECOND READING OF SENATE BILL**

**SB 2344:** A BILL for an Act to amend and reenact sections 15-10-17.4 and 15.1-35-08 of the North Dakota Century Code, relating to the provision of food and catering services by institutions of higher education and school districts.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 43 YEAS, 4 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; Nothing; O'Connell; Oehlke; Olafson; Pomeroy; Robinson; Stenehjem; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

**NAYS:** Mathern; Nelson; Potter; Seymour

Reengrossed SB 2344 passed and the title was agreed to.

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#### **CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**SEN. FLAKOLL MOVED** that the conference committee report on Reengrossed HB 1487 as printed on SJ pages 1409-1410 be adopted, which motion prevailed on a voice vote.

Reengrossed HB 1487, as amended, was placed on the Eleventh order.

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

**HB 1487:** A BILL for an Act to amend and reenact section 15-62.1-03 of the North Dakota Century Code, relating to rates of interest for student loans; and to declare an emergency.

#### **ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 46 YEAS, 1 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; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjerm; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

**NAYS:** Kilzer

Reengrossed HB 1487 passed, the title was agreed to, and the emergency clause was declared carried.

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#### **MOTION**

**SEN. CHRISTMANN MOVED** that Engrossed HB 1290, which is on the Seventh order, be laid over one legislative day, which motion prevailed.

#### **CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**SEN. FREBORG MOVED** that the conference committee report on HB 1149 as printed on SJ page 1408 be adopted, which motion prevailed on a voice vote.

HB 1149 was placed on the Fourteenth order.

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

**HB 1149:** A BILL for an Act to create and enact a new section to chapter 20.1-08 of the North Dakota Century Code, relating to the governor's proclamation concerning the youth deer hunting season; and to amend and reenact subsection 1 of section 20.1-03-11 and subsection 3 of section 20.1-03-12 of the North Dakota Century Code, relating to deer hunting age requirements and license fees.

#### **ROLL CALL**

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

**YEAS:** Anderson; Behm; Christmann; Cook; Dever; Erbele; Grindberg; Hacker; Holmberg; Horne; Klein; Krebsbach; O'Connell; Oehlke; Stenehjerm; Wanzek

**NAYS:** Andrist; Bakke; Bowman; Fiebiger; Fischer; Flakoll; Freborg; Heckaman; Heitkamp; Kilzer; Krauter; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; Olafson; Pomeroy; Potter; Robinson; Seymour; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wardner; Warner

HB 1149 lost.

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**REPORT OF CONFERENCE COMMITTEE**

**HB 1317, as engrossed:** Your conference committee (Sens. Cook, Oehlke, Anderson and Reps. Brandenburg, Headland, S. Kelsh) recommends that the **SENATE RECEDE** from the Senate amendments on HJ pages 1046-1047, adopt amendments as follows, and place HB 1317 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1046 and 1047 of the House Journal and pages 803-805 of the Senate Journal and that Engrossed House Bill No. 1317 be amended as follows:

Page 1, line 1, after the first "to" insert "create and enact a new section to chapter 49-02 of the North Dakota Century Code, relating to authority of the public service commission to adopt rules relating to decommissioning of commercial wind energy conversion facilities; to"

Page 1, after line 5, insert:

**"SECTION 1.** A new section to chapter 49-02 of the North Dakota Century Code is created and enacted as follows:

**Power of commission to establish rules to decommission wind energy conversion facilities.** The commission may adopt rules governing the decommissioning of commercial wind energy conversion facilities. The rules may address:

1. The anticipated life of the project;
2. The estimated decommissioning costs in current dollars;
3. The method and schedule for updating the costs of the decommissioning and restoration;
4. The method of ensuring that funds will be available for decommissioning and restoration; and
5. The anticipated manner in which the project will be decommissioned and the site restored."

Page 1, line 23, replace "This" with "Section 2 of this"

Renumber accordingly

Engrossed HB 1317 was placed on the Seventh order of business on the calendar.

**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**SEN. COOK MOVED** that the conference committee report on Engrossed HB 1317 be adopted, which motion prevailed on a voice vote.

Engrossed HB 1317, as amended, was placed on the Fourteenth order.

**SECOND READING OF HOUSE BILL**

**HB 1317:** A BILL for an Act to create and enact a new section to chapter 49-02 of the North Dakota Century Code, relating to authority of the public service commission to adopt rules relating to decommissioning of commercial wind energy conversion facilities; to amend and reenact the new section to chapter 57-06 of the North Dakota Century Code as created by section 2 of House Bill No. 1072, as approved by the sixtieth legislative assembly, relating to centrally assessed wind turbine electric generators; and to provide an effective date.

**ROLL CALL**

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

**YEAS:** 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 1317, as amended, passed and the title was agreed to.

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**REPORT OF CONFERENCE COMMITTEE**

**HB 1445, as engrossed:** Your conference committee (Sens. G. Lee, Nething, Fiebiger and Reps. Vigasaa, Weisz, Schmidt) recommends that the **SENATE RECEDE** from the Senate amendments on HJ page 1112, adopt amendments as follows, and place HB 1445 on the Seventh order:

That the Senate recede from its amendments as printed on page 1112 of the House Journal and page 887 of the Senate Journal and that Engrossed House Bill No. 1145 be amended as follows:

Page 2, line 2, replace "sixty-five" with "fifty-five", replace "104.61" with "88.51", and after the period insert "A licensed driver over sixteen years of age may operate a registered class III off-highway vehicle on a paved highway designated and posted at a speed not exceeding sixty-five miles [104.61 kilometers] per hour."

Renumber accordingly

Engrossed HB 1445 was placed on the Seventh order of business on the calendar.

**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**SEN. G. LEE MOVED** that the conference committee report on Engrossed HB 1445 be adopted, which motion prevailed on a voice vote.

Engrossed HB 1445, as amended, was placed on the Fourteenth order.

**SECOND READING OF HOUSE BILL**

**HB 1445:** A BILL for an Act to create and enact a new section to chapter 39-29 of the North Dakota Century Code, relating to equipment of registered off-highway vehicles; and to amend and reenact subsection 1 of section 39-29-09 of the North Dakota Century Code, relating to the operation of off-highway vehicles.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 37 YEAS, 10 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

**NAYS:** Christmann; Dever; Flakoll; Freborg; Marcellais; Mathern; Nelson; Nething; Seymour; Stenehjem

Engrossed HB 1445, as amended, passed and the title was agreed to.

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

**MR. SPEAKER:** The Senate accedes to the House request for the return of: SB 2352.

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

**MR. SPEAKER:** The Senate has adopted the conference committee report and subsequently passed: SB 2344.

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

**MR. SPEAKER:** The Senate has adopted the conference committee report and subsequently passed: HB 1317, HB 1445, HB 1487.

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

**MR. SPEAKER:** The Senate has adopted the conference committee report and subsequently failed: HB 1149.

**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 1460 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

**HB 1460:** Reps. N. Johnson; Keiser; Boe

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

**MR. PRESIDENT:** The Speaker has appointed as a conference committee to act with a like committee from the Senate on:

**SB 2419:** Reps. Keiser; Damschen; S. Meyer

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

**MR. PRESIDENT:** The House has adopted the conference committee report on: HB 1107, HB 1394.

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

**MR. PRESIDENT:** The House has adopted the conference committee report and subsequently passed: SB 2103.

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

**MR. PRESIDENT:** The House has adopted the conference committee report and subsequently passed: SB 2090.

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

**MR. PRESIDENT:** The House has not adopted the conference committee report on: SB 2309.

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

**MR. PRESIDENT:** The Speaker has signed: HB 1166, HB 1215, HB 1278, HB 1351, HB 1403, HB 1420, HCR 3010.

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

**MR. SPEAKER:** The President has signed: SB 2326.

**DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following bill was delivered to the Governor for approval on April 16, 2007: SB 2326.

**DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following resolutions were delivered to the Secretary of State for filing on April 9, 2007: SCR 4016, SCR 4022, SCR 4030, SCR 4032.

**COMMUNICATION FROM GOVERNOR JOHN HOEVEN**

This is to inform you that on April 13, 2007, I have signed the following: SB 2036, SB 2111, SB 2125, SB 2154, SB 2204, SB 2236, SB 2247, SB 2274, SB 2277, and SB 2411.

**MOTION**

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

**MOTION**

**SEN. CHRISTMANN MOVED** that the Senate be on the Fourth, Fifth, Seventh, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 8:30 a.m., Tuesday, April 17, 2007, which motion prevailed.

**REPORT OF CONFERENCE COMMITTEE**

**SB 2017, as engrossed:** Your conference committee (Sens. Christmann, Grindberg, Lindaas and Reps. Klein, Wald, Aarsvold) recommends that the **HOUSE RECEDE** from the House amendments on SJ pages 1200-1201, adopt amendments as follows, and place SB 2017 on the Seventh order:

That the House recede from its amendments as printed on pages 1200 and 1201 of the Senate Journal and pages 1180 and 1181 of the House Journal and that Engrossed Senate Bill No. 2017 be amended as follows:

Page 1, line 2, after "department" insert "; to provide for a statement of legislative intent; to provide for a report to the legislative council; to provide for a study"

Page 2, line 2, replace "(871,688)" with "488,062"

Page 2, line 3, replace "1,058,372" with "2,058,372"

Page 2, after line 6, insert:

"Recruitment and retention study

30,000"

Page 2, line 7, replace "0" with "240,000"

Page 2, line 8, replace "4,530,302" with "7,160,052"

Page 2, line 18, replace "5,292,434" with "6,652,184"

Page 2, line 19, replace "12,286,351" with "13,286,351"

Page 2, after line 24, insert:

"Recruitment and retention study

30,000"

Page 2, line 25, replace "800,000" with "1,040,000"

Page 2, line 26, replace "55,731,361" with "58,361,111"

Page 2, after line 31, insert:

**"SECTION 5. CONTINGENT APPROPRIATION - GRANTS.** The grants line item in section 3 of this Act includes \$109,750 for a grant to the parks and recreation department for boat ramp improvements at Fort Stevenson state park. The \$109,750 may be spent only if the corps of engineers does not begin construction of a marina at Fort Stevenson state park by March 31, 2008.

**SECTION 6. LEGISLATIVE INTENT.** It is the intent of the sixtieth legislative assembly that \$100,000 contained in the grants line item in section 3 of this Act be used to carry out a grant program to encourage hunting by youth. The director of the game and fish department may provide grants under this program to local communities to fund shooting ranges and other related activities to encourage hunting by youth. It is the intent of the sixtieth legislative assembly that \$1,000,000 contained in the land habitat and deer depredation line item in section 3 of this Act be used by the department to develop a private land open to sportsmen program for youth under age eighteen.

**SECTION 7. GAME AND FISH DEPARTMENT TO STUDY RECRUITMENT AND RETENTION OF HUNTERS IN NORTH DAKOTA - REPORT TO LEGISLATIVE COUNCIL.** The game and fish department shall study the recruitment and retention of hunters in North Dakota. The study must include identification of programs to recruit and retain hunters in this state. The department shall report its findings to the legislative council before September 1, 2008."

Page 3, line 1, replace "\$800,000" with "\$1,040,000"

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### Senate Bill No. 2017 - Game and Fish Department - Conference Committee Action

	EXECUTIVE BUDGET	SENATE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	HOUSE VERSION	COMPARISON TO HOUSE
Salaries and wages	\$19,033,535	\$19,033,535		\$19,033,535	\$19,033,535	
Operating expenses	11,690,087	11,690,087		11,690,087	11,690,087	
Capital assets	3,284,241	3,284,241		3,284,241	3,284,241	
Grants	5,252,184	5,292,434	\$1,359,750	6,652,184	6,992,434	(\$340,250)
Land habitat and deer depredation	12,286,351	12,286,351	1,000,000	13,286,351	14,286,351	(1,000,000)
Noxious weed control	450,000	450,000		450,000	450,000	
Grants, gifts, and donations	500,000	500,000		500,000	500,000	
Nongame wildlife conservation	120,000	120,000		120,000	120,000	
Lonetree Reservoir	1,594,713	1,594,713		1,594,713	1,594,713	
Wildlife services	680,000	680,000		680,000	680,000	
Ramp improvements and marina development		800,000	240,000	1,040,000	800,000	240,000
Recruitment and retention study			30,000	30,000	30,000	
Total all funds	\$54,891,111	\$55,731,361	\$2,629,750	\$58,361,111	\$59,461,361	(\$1,100,250)
Less estimated income	<u>54,891,111</u>	<u>55,731,361</u>	<u>2,629,750</u>	<u>58,361,111</u>	<u>59,461,361</u>	<u>(1,100,250)</u>
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	155.00	155.00	0.00	155.00	155.00	0.00

#### Dept. 720 - Game and Fish Department - Detail of Conference Committee Changes



	YOUTH PLOTS 1	RECRUITMENT AND RETENTION STUDY 2	YOUTH HUNTING GRANT PROGRAM 3	SWEETBRIAR DAM PROJECT 4	BOAT RAMP IMPROVEMENTS 5	ADDS FUNDING FOR RAMP IMPROVEMENTS AND MARINA DEVELOPMENT 6
Salaries and wages						
Operating expenses						
Capital assets						
Grants			\$100,000	\$1,000,000	\$259,750	
Land habitat and deer depredation	\$1,000,000					
Noxious weed control						
Grants, gifts, and donations						
Nongame wildlife conservation						
Lonetree Reservoir						
Wildlife services						
Ramp improvements and marina development						\$240,000
Recruitment and retention study		\$30,000				
Total all funds	\$1,000,000	\$30,000	\$100,000	\$1,000,000	\$259,750	\$240,000
Less estimated income	<u>1,000,000</u>	<u>30,000</u>	<u>100,000</u>	<u>1,000,000</u>	<u>259,750</u>	<u>240,000</u>
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

TOTAL  
CONFERENCE  
COMMITTEE  
CHANGES

Salaries and wages	
Operating expenses	
Capital assets	
Grants	\$1,359,750
Land habitat and deer depredation	1,000,000
Noxious weed control	
Grants, gifts, and donations	
Nongame wildlife conservation	
Lonetree Reservoir	
Wildlife services	
Ramp improvements and marina development	240,000
Recruitment and retention study	30,000
Total all funds	\$2,629,750
Less estimated income	<u>2,629,750</u>
General fund	\$0
FTE	0.00

1 This amendment reduces funding for a youth PLOTS program from \$2,000,000 as provided by the House to \$1,000,000.

2 This amendment provides funding for a study on recruitment and retention of hunters in North Dakota.

3 This amendment provides funding for a grant program to local communities to fund shooting ranges and other related activities to encourage hunting by youth.

4 This amendment provides \$1,000,000 from the game and fish fund to the State Water Commission for the Sweetbriar Dam project. The funding from the game and fish fund is contingent upon other funding being made available for the project by the State Water Commission.

5 This amendment increases funding for boat ramp improvements at Fort Stevenson State Park and Graham's Island. This is an increase of \$159,750 from the House version. The Senate had removed all funding for the improvements.

6 Increases funding for ramp improvements and marina development from \$800,000 as provided by the Senate to \$1,040,000.

A section is added providing legislative intent relating to the grant program to encourage youth hunting and the youth PLOTS program.

A section is added directing the Game and Fish Department to conduct a study on recruitment and retention of hunters in North Dakota.

A section is added providing a contingent appropriation of \$109,750 for a grant to the Parks and Recreation Department for boat ramp improvements at Fort Stevenson State Park if the Corps of Engineers does not begin construction of the marina by March 31, 2008.

Engrossed SB 2017 was placed on the Seventh order of business on the calendar.

### REPORT OF CONFERENCE COMMITTEE

**SB 2094:** Your conference committee (Sens. Hacker, Andrist, Heitkamp and Reps. Dosch, Ruby, Zaiser) recommends that the **HOUSE RECEDE** from the House amendments on

SJ page 1041, adopt amendments as follows, and place SB 2094 on the Seventh order:

That the House recede from its amendments as printed on page 1041 of the Senate Journal and page 1113 of the House Journal and that Senate Bill No. 2094 be amended as follows:

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, except for jobs generated on computer printers which do not exceed eleven inches [27.94 centimeters] by seventeen inches [43.18 centimeters] and five hundred total image pages; 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

SB 2094 was placed on the Seventh order of business on the calendar.

#### REPORT OF CONFERENCE COMMITTEE

**SB 2284, as engrossed:** Your conference committee (Sens. Nething, Olafson, Fiebiger and Reps. DeKrey, Klemin, Delmore) recommends that the **HOUSE RECEDE** from the House amendments on SJ pages 831-832, adopt amendments as follows, and place SB 2284 on the Seventh order:

That the House recede from its amendments as printed on pages 831 and 832 of the Senate Journal and page 933 of the House Journal and that Engrossed Senate Bill No. 2284 be amended as follows:

Page 1, line 8, remove the overstrike over "~~not to exceed~~", after "~~seven~~" insert "fifteen", remove the overstrike over "~~thousand~~", and remove the overstrike over "~~dollars~~,"

Page 1, line 9, overstrike ", to"

Page 1, overstrike line 10

Page 1, line 11, overstrike "dependent of the debtor"

Page 1, line 12, replace "eighteen" with "fifteen", remove "four", overstrike "hundred", and remove "fifty"

Renumber accordingly

Engrossed SB 2284 was placed on the Seventh order of business on the calendar.

#### REPORT OF CONFERENCE COMMITTEE

**SB 2313, as engrossed:** Your conference committee (Sens. Flakoll, Freborg, Taylor and Reps. Monson, Hawken, Gulleason) recommends that the **HOUSE RECEDE** from the House amendments on SJ page 1199, adopt amendments as follows, and place SB 2313 on the Seventh order:

That the House recede from its amendments as printed on page 1199 of the Senate Journal and page 1229 of the House Journal and that Engrossed Senate Bill No. 2313 be amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for the purchase and distribution of automated external defibrillators to schools."

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:****SECTION 1. Automated external defibrillators - Purchase and distribution.**

The superintendent of public instruction shall purchase automated external defibrillators and distribute the defibrillators to school districts in this state for placement in schools or at the site of school-related activities."

Renumber accordingly

Engrossed SB 2313 was placed on the Seventh order of business on the calendar.

**REPORT OF CONFERENCE COMMITTEE**

**SB 2323:** Your conference committee (Sens. Erbele, Wanzek, Heckaman and Reps. D. Johnson, Klein, Mueller) recommends that the **SENATE ACCEDE** to the House amendments on SJ pages 1070-1071 and place SB 2323 on the Seventh order.

SB 2323 was placed on the Seventh order of business on the calendar.

**REPORT OF CONFERENCE COMMITTEE**

**HB 1107, as engrossed:** Your conference committee (Sens. Christmann, Holmberg, Seymour and Reps. Haas, Dahl, Potter) recommends that the **SENATE RECEDE** from the Senate amendments on HJ page 1470 and place HB 1107 on the Seventh order.

Engrossed HB 1107 was placed on the Seventh order of business on the calendar.

**REPORT OF CONFERENCE COMMITTEE**

**HB 1394, as engrossed:** Your conference committee (Sens. Oehlke, Dever, Horne and Reps. Grande, Boehning, Amerman) recommends that the **SENATE RECEDE** from the Senate amendments on HJ page 1125 and place HB 1394 on the Seventh order.

Engrossed HB 1394 was placed on the Seventh order of business on the calendar.

**REPORT OF CONFERENCE COMMITTEE**

**HB 1488:** Your conference committee (Sens. Dever, Erbele, Pomeroy and Reps. Kreidt, Damschen, Kaldor) recommends that the **HOUSE ACCEDE** to the Senate amendments on HJ page and place HB 1488 on the Seventh order.

HB 1488 was placed on the Seventh order of business on the calendar.

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

**William R. Horton, Secretary**

