

**JOURNAL OF THE HOUSE****Sixtieth Legislative Assembly**

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**Bismarck, February 15, 2007**

The House convened at 8:15 a.m., with Speaker Delzer presiding.

The prayer was offered by Rep. Hunskor.

The roll was called and all members were present except Representative Nelson.

A quorum was declared by the Speaker.

**SIXTH ORDER OF BUSINESS**

**SPEAKER DELZER DEEMED** approval of the amendments to HB 1004, HB 1006, HB 1007, Engrossed HB 1027, Engrossed HB 1320, Engrossed HB 1395, HB 1457, HB 1459, Engrossed HB 1487, and HB 1495.

HB 1004, HB 1006, HB 1007, Engrossed HB 1027, Engrossed HB 1320, Engrossed HB 1395, HB 1457, HB 1459, Engrossed HB 1487, and HB 1495, as amended, were placed on the Eleventh order of business on the calendar.

**SECOND READING OF HOUSE BILL**

**HB 1243:** A BILL for an Act to amend and reenact section 16.1-10-04 of the North Dakota Century Code, relating to publication of false information in political advertisements; 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 78 YEAS, 15 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Dietrich; Dosch; Drovda; Froelich; Froseth; Grande; Gulleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kempenich; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Monson; Mueller; Myxter; Nottestad; Owens; Pietsch; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Speaker Delzer

**NAYS:** Boe; Delmore; Ekstrom; Glassheim; Griffin; Gruchalla; Kelsh, S.; Kerzman; Meyer, S.; Onstad; Pinkerton; Solberg; Thorpe; Vig; Zaiser

**ABSENT AND NOT VOTING:** Nelson

Engrossed HB 1243 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1297:** A BILL for an Act to create and enact a new section to chapter 16.1-08.1 of the North Dakota Century Code, relating to campaign contributions to legislative candidates by certain persons.

**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 93 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovda; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.;

Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

**ABSENT AND NOT VOTING:** Nelson

Engrossed HB 1297 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1499:** A BILL for an Act to create and enact a new section to chapter 16.1-08.1 of the North Dakota Century Code, relating to campaign finance reporting; and to amend and reenact subsection 8 of section 16.1-08.1-01 of the North Dakota Century Code, relating to the definition of a political committee.

### 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 89 YEAS, 4 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleon; Haas; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunsakor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Monson; Mueller; Myxter; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

**NAYS:** Delmore; Hanson; Meyer, S.; Vig

**ABSENT AND NOT VOTING:** Nelson

Engrossed HB 1499 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1344:** A BILL for an Act to create and enact a new section to chapter 24-07 of the North Dakota Century Code, relating to section lines.

### 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 92 YEAS, 1 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleon; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunsakor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

**NAYS:** Thorpe

**ABSENT AND NOT VOTING:** Nelson

Engrossed HB 1344 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1421:** A BILL for an Act to create and enact two new sections to chapter 36-21.1 of the North Dakota Century Code, relating to agricultural and game and fish activities; and to amend and reenact sections 36-21.1-01 and 36-21.1-02 of the North Dakota Century Code, relating to the humane treatment of animals.

**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 93 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

**ABSENT AND NOT VOTING:** Nelson

Reengrossed HB 1421 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1476:** A BILL for an Act to create and enact a new section to chapter 40-05 of the North Dakota Century Code, relating to golf carts on city streets.

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

**YEAS:** Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlson; Charging; Clark; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Froelich; Froseth; Grande; Gulleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Martinson; Meier, L.; Meyer, S.; Mueller; Myxter; Nottestad; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Schmidt; Skarphol; Solberg; Sukut; Svedjan; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Delzer

**NAYS:** Aarsvold; Carlisle; Conrad; Ekstrom; Glassheim; Griffin; Gruchalla; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kroeber; Metcalf; Monson; Onstad; Owens; Ruby; Schneider; Thoreson; Thorpe; Wolf

**ABSENT AND NOT VOTING:** Nelson

Engrossed HB 1476 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1480:** A BILL for an Act to amend and reenact section 57-12-09 of the North Dakota Century Code, relating to notice of property tax assessment increases; and to provide an effective date.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 15 YEAS, 78 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Bellew; Boehning; Brandenburg; Dosch; Grande; Heller; Kasper; Koppelman; Meier, L.; Owens; Ruby; Schmidt; Schneider; Solberg; Thoreson

**NAYS:** Aarsvold; Amerman; Belter; Berg; Boe; Boucher; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Griffin; Gruchalla; Guleson; Haas; Hanson; Hatlestad; Hawken; Headland; Herbel; Hofstad; Hunsakor; Johnson, D.; Johnson, N.; Kaldor; Karls; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Kreidt; Kretschmar; Kroeber; Martinson; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Skarphol; Sukut; Svedjan; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

**ABSENT AND NOT VOTING:** Nelson

Engrossed HB 1480 lost.

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### SECOND READING OF HOUSE BILL

**HB 1486:** A BILL for an Act to amend and reenact subsection 5 of section 54-52.1-03 of the North Dakota Century Code, relating to participation by members of the legislative assembly in the uniform group insurance program.

### 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 56 YEAS, 37 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Bellew; Belter; Berg; Boe; Boehning; Brandenburg; Carlson; Charging; Clark; Dahl; Damschen; Delmore; Dietrich; Dosch; Drovdal; Froseth; Grande; Haas; Hatlestad; Headland; Heller; Herbel; Hofstad; Johnson, D.; Karls; Kasper; Kelsch, R.; Kempenich; Kingsbury; Klein; Klemin; Kreidt; Kretschmar; Martinson; Meier, L.; Monson; Nottestad; Owens; Pietsch; Pinkerton; Pollert; Porter; Price; Ruby; Skarphol; Sukut; Svedjan; Thoreson; Uglem; Vigesaa; Wald; Wall; Weiler; Wieland; Williams; Wolf

**NAYS:** Aarsvold; Amerman; Boucher; Carlisle; Conrad; DeKrey; Ekstrom; Froelich; Glassheim; Griffin; Gruchalla; Guleson; Hanson; Hawken; Hunsakor; Johnson, N.; Kaldor; Keiser; Kelsh, S.; Kerzman; Koppelman; Kroeber; Metcalf; Meyer, S.; Mueller; Myxter; Onstad; Potter; Schmidt; Schneider; Solberg; Thorpe; Vig; Weisz; Wrangham; Zaiser; Speaker Delzer

**ABSENT AND NOT VOTING:** Nelson

Engrossed HB 1486 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1358:** A BILL for an Act to create and enact section 12.1-31-03.1 of the North Dakota Century Code, relating to limitation of sales of cigarettes or other tobacco products through vending machines; to amend and reenact section 12.1-31-03 of the North Dakota Century Code, relating to sales to and use by minors of tobacco products; 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 91 YEAS, 1 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Guleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunsakor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

**NAYS:** Keiser

**ABSENT AND NOT VOTING:** Damschen; Nelson

Reengrossed HB 1358 passed and the title was agreed to.

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

**HB 1492:** A BILL for an Act to amend and reenact section 10-06.1-24 of the North Dakota Century Code, relating to a penalty for violation of the corporate farming provisions.

### **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 87 YEAS, 4 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser

**NAYS:** Bellew; Dosch; Porter; Speaker Delzer

**ABSENT AND NOT VOTING:** Herbel; Kempenich; Nelson

Engrossed HB 1492 passed and the title was agreed to.

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

**HB 1504:** A BILL for an Act to create and enact a new section to chapter 12-63 of the North Dakota Century Code, relating to tribal police officers; and to amend and reenact subsection 3 of section 12-63-01 of the North Dakota Century Code, relating to the definition of peace officer for purposes of the peace officer standards and training board.

### **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 86 YEAS, 6 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Berg; Boe; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleson; Haas; Hanson; Hatlestad; Hawken; Headland; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Potter; Price; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser

**NAYS:** Amerman; Bellew; Boehning; Porter; Ruby; Speaker Delzer

**ABSENT AND NOT VOTING:** Heller; Nelson

Engrossed HB 1504 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

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

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 57 YEAS, 36 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Boe; Boehning; Boucher; Brandenburg; Charging; Clark; Conrad; Delmore; Ekstrom; Froelich; Glassheim; Griffin; Gruchalla; Hanson; Hatlestad; Hawken; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kelsch, R.; Kelsh, S.; Kerzman; Klemmin; Koppelman; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mueller; Myxter; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Potter; Price; Schmidt; Schneider; Solberg; Sukut; Thoreson; Thorpe; Uglem; Vig; Wall; Wieland; Williams; Wolf; Zaiser

**NAYS:** Bellew; Belter; Berg; Carlisle; Carlson; Dahl; Damschen; DeKrey; Dietrich; Dosch; Drovdal; Froseth; Grande; Gulleson; Haas; Headland; Heller; Herbel; Kasper; Keiser; Kempenich; Kingsbury; Klein; Kreidt; Monson; Pollert; Porter; Ruby; Skarphol; Svedjan; Vigasaa; Wald; Weiler; Weisz; Wrangham; Speaker Delzer

**ABSENT AND NOT VOTING:** Nelson

HB 1246 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1361:** A BILL for an Act to provide an appropriation to the adjutant general for maintenance and repair of political subdivision-owned armories through matching grants; and to provide for a report to the budget section.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 42 YEAS, 50 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Boe; Boucher; Conrad; DeKrey; Delmore; Ekstrom; Froelich; Froseth; Glassheim; Griffin; Gruchalla; Gulleson; Hanson; Herbel; Hunskor; Johnson, N.; Kaldor; Karls; Kelsh, S.; Kerzman; Kingsbury; Kretschmar; Kroeber; Meier, L.; Metcalf; Meyer, S.; Mueller; Myxter; Onstad; Pinkerton; Potter; Schmidt; Schneider; Solberg; Thorpe; Vig; Weisz; Williams; Wolf; Zaiser

**NAYS:** Bellew; Belter; Berg; Boehning; Brandenburg; Carlisle; Carlson; Charging; Clark; Dahl; Damschen; Dietrich; Dosch; Drovdal; Grande; Hatlestad; Hawken; Headland; Heller; Hofstad; Johnson, D.; Kasper; Keiser; Kelsch, R.; Kempenich; Klein; Klemmin; Koppelman; Kreidt; Martinson; Monson; Nottestad; Owens; Pietsch; Pollert; Porter; Price; Ruby; Skarphol; Sukut; Svedjan; Thoreson; Uglem; Vigasaa; Wald; Wall; Weiler; Wieland; Wrangham; Speaker Delzer

**ABSENT AND NOT VOTING:** Haas; Nelson

HB 1361 lost.

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**MOTION**

**REP. BERG MOVED** that HB 1001, HB 1002, HB 1005, HB 1009, HB 1011, HB 1012, HB 1017, HB 1019, HB 1021, HB 1008, HB 1013, HB 1022, HB 1023, and HB 1024 be moved to the bottom of the calendar, which motion prevailed.

**MOTION**

**REP. BERG MOVED** that the rules be suspended and after action taken on the Sixth order, HB 1004, HB 1006, HB 1007, HB 1027, HB 1320, HB 1395, HB 1457, HB 1459, HB 1487, and HB 1495 be placed on the Eleventh order for second reading and final passage, which motion prevailed.

**SECOND READING OF HOUSE BILL**

**HB 1370:** A BILL for an Act to provide an appropriation for afterschool learning program grants.

**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 27 YEAS, 66 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Boe; Boucher; Charging; Conrad; Ekstrom; Froelich; Griffin; Gruchalla; Hanson; Hatlestad; Hunskor; Kelsh, S.; Kerzman; Metcalf; Meyer, S.; Mueller; Myxter; Onstad; Pinkerton; Schmidt; Schneider; Solberg; Sukut; Vig; Vigesaa; Wolf; Zaiser

**NAYS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boehning; Brandenburg; Carlisle; Carlson; Clark; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Froseth; Glassheim; Grande; Gulleson; Haas; Hawken; Headland; Heller; Herbel; Hofstad; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kempenich; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Monson; Nottestad; Owens; Pietsch; Pollert; Porter; Potter; Price; Ruby; Skarphol; Svedjan; Thoreson; Thorpe; Uglem; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Speaker Delzer

**ABSENT AND NOT VOTING:** Nelson

Engrossed HB 1370 lost.

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**SECOND READING OF HOUSE BILL**

**HB 1106:** A BILL for an Act to amend and reenact subsection 1 of section 54-03-20 and subsection 1 of section 54-35-10 of the North Dakota Century Code, relating to compensation and expense reimbursement of members of the legislative assembly; and to provide an effective date.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 63 YEAS, 29 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Grande; Haas; Hanson; Hawken; Headland; Heller; Herbel; Hofstad; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsch, R.; Kempenich; Kingsbury; Klein; Kreidt; Kretschmar; Martinson; Meier, L.; Monson; Myxter; Nottestad; Owens; Pietsch; Pollert; Potter; Price; Ruby; Schmidt; Skarphol; Svedjan; Thoreson; Uglem; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham

**NAYS:** Amerman; Ekstrom; Froelich; Froseth; Glassheim; Griffin; Gruchalla; Gulleson; Hatlestad; Hunskor; Kaldor; Kelsh, S.; Kerzman; Klemin; Kroeber; Metcalf; Meyer, S.; Mueller; Onstad; Pinkerton; Porter; Schneider; Solberg; Sukut; Thorpe; Vig; Vigesaa; Zaiser; Speaker Delzer

**ABSENT AND NOT VOTING:** Koppelman; Nelson

Engrossed HB 1106 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1107:** A BILL for an Act to amend and reenact subsections 1 and 5 of section 54-06-09 of the North Dakota Century Code, relating to mileage and travel expense reimbursement for state officials and employees.

**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 87 YEAS, 4 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore;

Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Grande; Gruchalla; Gulleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Monson; Mueller; Myxter; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weisz; Wieland; Williams; Wolf; Zaiser

**NAYS:** Griffin; Keiser; Meyer, S.; Speaker Delzer

**ABSENT AND NOT VOTING:** Nelson; Weiler; Wrangham

Engrossed HB 1107 passed and the title was agreed to.

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## SECOND READING OF HOUSE BILL

**HB 1176:** A BILL for an Act to amend and reenact sections 54-03-20, 54-06-09, and 54-35-10 of the North Dakota Century Code, relating to legislative compensation and state officer and employee mileage reimbursement; and to repeal sections 54-03-19.1 and 54-03-19.2 of the North Dakota Century Code, relating to the legislative compensation commission.

## ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 5 YEAS, 86 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Boe; Conrad; Froelich; Kerzman; Zaiser

**NAYS:** Aarsvold; Bellew; Belter; Berg; Boehning; Brandenburg; Carlisle; Carlson; Charging; Clark; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Speaker Delzer

**ABSENT AND NOT VOTING:** Amerman; Boucher; Nelson

HB 1176 lost.

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## SECOND READING OF HOUSE BILL

**HB 1175:** A BILL for an Act to amend and reenact section 54-35-10 of the North Dakota Century Code, relating to compensation and expense reimbursement for members and members-elect of the legislative assembly for attendance at the biennial meeting of the legislative council.

## 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 87 YEAS, 3 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Bellew; Belter; Berg; Boe; Boehning; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Myxter; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Price; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer



**NAYS:** Mueller; Porter; Ruby

**ABSENT AND NOT VOTING:** Amerman; Boucher; Nelson; Schmidt

HB 1175 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1368:** A BILL for an Act to create a highway funding stabilization fund; and to provide for a transfer and appropriation from the permanent oil tax trust fund.

### 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 20 YEAS, 70 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Amerman; DeKrey; Dosch; Drovdal; Froelich; Gulleson; Hatlestad; Kaldor; Kempenich; Kerzman; Owens; Pinkerton; Price; Ruby; Schmidt; Sukut; Thorpe; Vigasaa; Weisz; Zaiser

**NAYS:** Aarsvold; Bellew; Belter; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; Delmore; Dietrich; Ekstrom; Froseth; Glassheim; Grande; Griffin; Gruchalla; Haas; Hanson; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsch, R.; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Schneider; Solberg; Svedjan; Thoreson; Uglem; Vig; Wald; Wall; Weiler; Wieland; Williams; Wolf; Wrangham; Speaker Delzer

**ABSENT AND NOT VOTING:** Berg; Kelsh, S.; Nelson; Skarphol

Engrossed HB 1368 lost.

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### SECOND READING OF HOUSE BILL

**HB 1501:** A BILL for an Act to create and enact a new subsection to section 28-32-50 and a new section to chapter 61-28 of the North Dakota Century Code, relating to appeals regarding permits for livestock feedlots and other permitted facilities.

### 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 84 YEAS, 8 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Dietrich; Dosch; Drovdal; Froelich; Froseth; Glassheim; Grande; Gulleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kempenich; Kerzman; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Uglem; Vig; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Speaker Delzer

**NAYS:** Delmore; Ekstrom; Griffin; Gruchalla; Kelsh, S.; Schneider; Thorpe; Zaiser

**ABSENT AND NOT VOTING:** Kingsbury; Nelson

Engrossed HB 1501 passed and the title was agreed to.

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### MOTION

**REP. BERG MOVED** that HB 1487 be moved to the top of the calendar, which motion prevailed.

**SECOND READING OF HOUSE BILL**

**HB 1487:** A BILL for an Act to create a low-interest student loan program; to amend and reenact section 15-62.1-03 of the North Dakota Century Code, relating to rates of interest for student loans; to provide a transfer; to provide a continuing appropriation; and to declare an emergency.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 93 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Guleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunsakor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

**ABSENT AND NOT VOTING:** Nelson

Reengrossed HB 1487 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1401:** 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, and has committee recommendation of DO NOT PASS, the roll was called and there were 39 YEAS, 54 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Boe; Boucher; Conrad; Dahl; Delmore; Dosch; Drovdal; Ekstrom; Froelich; Glassheim; Griffin; Gruchalla; Guleson; Hanson; Hunsakor; Kaldor; Kasper; Kelsh, S.; Kerzman; Koppelman; Kroeber; Metcalf; Meyer, S.; Mueller; Myxter; Nottestad; Onstad; Owens; Pinkerton; Potter; Schmidt; Schneider; Solberg; Thorpe; Vig; Wolf; Zaiser

**NAYS:** Bellew; Belter; Berg; Boehning; Brandenburg; Carlisle; Carlson; Charging; Clark; Damschen; DeKrey; Dietrich; Froseth; Grande; Haas; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Johnson, D.; Johnson, N.; Karls; Keiser; Kelsch, R.; Kempenich; Kingsbury; Klein; Klemin; Kreidt; Kretschmar; Martinson; Meier, L.; Monson; Pietsch; Pollert; Porter; Price; Ruby; Skarphol; Sukut; Svedjan; Thoreson; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Speaker Delzer

**ABSENT AND NOT VOTING:** Nelson

Engrossed HB 1401 lost.

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**SECOND READING OF HOUSE BILL**

**HB 1512:** A BILL for an Act to provide for a frontier and rural medical access grant program to provide primary health care to the uninsured and underinsured in rural areas of the state; to provide for a report to the legislative council; 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 NOT PASS, the roll was called and there were 28 YEAS, 63 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Boe; Boucher; Brandenburg; Carlson; Charging; Damschen; DeKrey; Grande; Griffin; Kerzman; Kreidt; Kretschmar; Meyer, S.; Onstad; Pietsch; Porter; Price; Schneider; Solberg; Uglem; Vig; Vigasaa; Weisz; Wieland; Wolf; Zaiser

**NAYS:** Amerman; Bellew; Berg; Boehning; Carlisle; Clark; Conrad; Dahl; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Gruchalla; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kingsbury; Klein; Klemin; Koppelman; Kroeber; Martinson; Meier, L.; Metcalf; Monson; Mueller; Myxter; Nottestad; Owens; Pinkerton; Pollert; Potter; Ruby; Skarphol; Sukut; Svedjan; Thoreson; Thorpe; Wald; Wall; Weiler; Williams; Wrangham; Speaker Delzer

**ABSENT AND NOT VOTING:** Gulleeson; Nelson; Schmidt

Engrossed HB 1512 lost.

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#### **SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 3009:** A concurrent resolution directing the Legislative Council to study the feasibility and desirability of providing incentives to the private sector to construct a refinery or expand current refinery capacity in the state.

The question being on the final adoption of the amended resolution, which has been read, and has committee recommendation of DO NOT PASS.

Engrossed HCR 3009 was declared lost on a verification vote.

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#### **SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 3010:** A concurrent resolution urging Congress to implement country of origin labeling for all meat products.

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

HCR 3010 was declared adopted, and the title was agreed to on a voice vote.

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#### **SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 3025:** A concurrent resolution directing the Legislative Council to study possible methods of growing North Dakota's population and increasing the available workforce in the state.

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

HCR 3025 was declared adopted, and the title was agreed to on a voice vote.

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#### **SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 3027:** A concurrent resolution recognizing Bono for his humanitarian work in urging decisionmakers and religious leaders to set aside their philosophical differences to ease the burden of those who have the least among us.

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

Engrossed HCR 3027 was declared lost on a verification vote.

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#### **SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 3029:** A concurrent resolution supporting the North Dakota Congressional Delegation's efforts to promote travel and tourism to the United States and urging Congress to enact legislation to construct a national program to encourage travel and tourism to this county.

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO NOT PASS.

HCR 3029 was declared lost on a verification vote.

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#### **SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 3038:** A concurrent resolution supporting the efforts of the President of the United States, the North Dakota Congressional Delegation, North Dakota Insurance Commissioner Jim Poolman, North Dakota Attorney General Wayne Stenehjem, and United States Attorney Drew Wrigley to make prescription drugs safer and more affordable and urging Congress to take the necessary actions to study the lifesaving value, affordability, accessibility, and efficacy of prescription drugs for all Americans.

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

Engrossed HCR 3038 was declared adopted on a voice vote.

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#### **SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 3040:** A concurrent resolution urging the United States Trade Representative to negotiate changes in provisions of the North America Free Trade Agreement which appear to impose liability upon governing bodies in this country for enforcing a law or rule that protects the health, safety, and welfare of the citizens of this country and North Dakota.

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO NOT PASS.

HCR 3040 was declared lost on a voice vote.

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#### **MOTION**

**REP. MONSON MOVED** the passage of all the resolutions on the Consent Calendar with exception of HCR 3047, which motion prevailed.

#### **SECOND READING OF HOUSE CONCURRENT RESOLUTIONS ON CONSENT CALENDAR**

**HCR 3004:** A concurrent resolution directing the Legislative Council to study issues relating to child custody, visitation, and child support in this state, including issues of fairness and equity as they relate to the issuance and enforcement of child custody, visitation, and child support orders and whether the state should pursue nonadversarial alternatives for the resolution of family law disputes.

**HCR 3007:** A concurrent resolution urging Congress to require a nationwide referendum of beef producers before allowing an increase in the beef checkoff rate.

**HCR 3033:** A concurrent resolution urging Congress not to allow the importation of Canadian cattle over 30 months of age.

**HCR 3046:** A concurrent resolution directing the Legislative Council to study ways in which various public and private entities can cooperate to promote healthy lifestyles for children and create awareness about the interplay of healthy lifestyle choices and educational success.

The question being on the final adoption of the resolutions, which have been read.

HCR 3004, HCR 3007, HCR 3033, and HCR 3046 were declared adopted on a voice vote, and the titles were agreed to.

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#### **SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 3047:** A concurrent resolution directing the Legislative Council to study grain inspection and grading procedures.

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

HCR 3047 was declared lost on a verification vote.

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### MOTION

**REP. MONSON MOVED** that the House stand in recess until 12:15 p.m., which motion prevailed.

**THE HOUSE RECONVENED** pursuant to recess taken, with Speaker Delzer presiding.

### REPORT OF STANDING COMMITTEE

**HB 1014: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (22 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1014 was placed on the Sixth order on the calendar.

Page 1, line 3, after the second semicolon insert "to create and enact a new section to chapter 6-09.17 of the North Dakota Century Code, relating to partnership in assisting community expansion fund incentive limitations;" and after "reenact" insert "subsection 6 of section 6-09-15 and"

Page 1, line 4, after "the" insert "powers of the Bank of North Dakota and the"

Page 1, line 5, after the semicolon insert "to provide a contingent appropriation;"

Page 3, line 11, replace "(225,000)" with "60,000"

Page 3, line 12, replace "8,089,126" with "8,374,126"

Page 3, line 13, replace "6,204,994" with "6,489,994"

Page 3, line 23, replace "(\$1,200,000)" with "\$2,300,000"

Page 3, line 27, replace "1,775,000" with "5,275,000"

Page 3, line 29, replace "3,200,000" with "6,700,000"

Page 4, line 11, replace "5,084,132" with "8,869,132"

Page 4, line 12, replace "11,335,799" with "11,620,799"

Page 4, line 13, replace "16,419,931" with "20,489,931"

Page 4, line 27, replace "29,475,016" with "29,475,016"

Page 4, after line 27, insert:

"Oil and gas division contingency 285,000"

Page 4, line 28, replace "58,870,922" with "59,155,922"

Page 4, line 29, replace "50,108,132" with "50,393,132"

Page 5, line 9, replace "4,500,000" with "8,000,000"

Page 5, line 13, replace "11,050,000" with "14,550,000"

Page 5, line 15, replace "10,100,000" with "13,600,000"

Page 5, line 30, replace "18,862,790" with "22,362,790"

Page 6, line 1, replace "166,565,430" with "166,850,430"

Page 6, line 2, replace "185,428,220" with "189,213,220"

Page 6, after line 2, insert:

**"SECTION 4. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-FIRST LEGISLATIVE ASSEMBLY.** The total general fund appropriation line item in section 3 of this Act includes \$4,680,000 for the one-time funding items identified in this section. This amount is not a part of the agency's base budget to be used in preparing the 2009-11 executive budget. The industrial commission shall report to the appropriations committees of the sixty-first legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2007, and ending June 30, 2009.

Biofuels PACE	\$4,200,000
Fossil restoration fund	250,000
Core and sample library repairs	<u>230,000</u>
Total	\$4,680,000"

Page 7, remove lines 15 through 19

Page 9, after line 6, insert:

**"SECTION 17. TRANSFER - BUDGET SECTION APPROVAL.** Notwithstanding any other provision of law, the Bank of North Dakota may transfer any unobligated funds that have been appropriated by the legislative assembly for the medical partnership in assisting community expansion fund to the partnership in assisting community expansion fund, upon approval by the budget section.

**SECTION 18. AMENDMENT.** Subsection 6 of section 6-09-15 of the North Dakota Century Code is amended and reenacted as follows:

6. Lease, assign, ~~sell~~, exchange, transfer, convey, grant, pledge, or mortgage all real and personal property, title to which has been acquired in any manner."

Page 9, after line 16, insert:

**"SECTION 20.** A new section to chapter 6-09.17 of the North Dakota Century Code is created and enacted as follows:

**Partnership in assisting community expansion fund incentive limitation.** A biodiesel production facility or ethanol production facility that receives interest buydown from the biofuels partnership in assisting community expansion fund is not eligible to receive interest buydown from the partnership in assisting community expansion fund for the same project during the same biennium.

**SECTION 21. CONTINGENT OIL AND GAS DIVISION FUNDING - EMERGENCY COMMISSION APPROVAL.** The funds appropriated in the oil and gas division contingency line item in subdivision 1 of section 3 of this Act are from the land and minerals trust fund. If funds are required due to the average drilling rig count exceeding forty-five active rigs for each month in any consecutive three-month period, the oil and gas division may spend moneys from this line item upon emergency commission approval. The oil and gas division may hire up to two full-time equivalent positions with the contingency funds."

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### House Bill No. 1014 - Summary of House Action

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Industrial Commission			
Total all funds	\$58,870,922	\$285,000	\$59,155,922
Less estimated income	<u>50,108,132</u>	<u>285,000</u>	<u>50,393,132</u>
General fund	\$8,762,790	\$0	\$8,762,790
Bank of North Dakota			
Total all funds	\$48,242,359	\$3,500,000	\$51,742,359
Less estimated income	<u>38,142,359</u>		<u>38,142,359</u>
General fund	\$10,100,000	<u>\$3,500,000</u>	\$13,600,000
Housing Finance Agency			
Total all funds	\$41,534,102	\$0	\$41,534,102
Less estimated income	<u>41,534,102</u>		<u>41,534,102</u>
General fund	\$0	\$0	\$0
Mill and Elevator			
Total all funds	\$36,780,837	\$0	\$36,780,837

Less estimated income	36,780,837		36,780,837
General fund	\$0	\$0	\$0
Bill Total			
Total all funds	\$185,428,220	\$3,785,000	\$189,213,220
Less estimated income	166,565,430	285,000	166,850,430
General fund	\$18,862,790	\$3,500,000	\$22,362,790

**House Bill No. 1014 - Industrial Commission - House Action**

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$7,215,116		\$7,215,116
Operating expenses	2,255,690		2,255,690
Capital assets	264,500		264,500
Grants - Lignite research and development	19,410,600		19,410,600
Grants - Fossil excavation and restoration	250,000		250,000
Grants - Bond payments	29,475,016		29,475,016
Oil and Gas Division contingency		\$285,000	285,000
Total all funds	\$58,870,922	\$285,000	\$59,155,922
Less estimated income	50,108,132	285,000	50,393,132
General fund	\$8,762,790	\$0	\$8,762,790
FTE	55.37	0.00	55.37

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

	ADDS OIL AND GAS DIVISION CONTINGENCY <sup>1</sup>	TOTAL HOUSE CHANGES
Salaries and wages		
Operating expenses		
Capital assets		
Grants - Lignite research and development		
Grants - Fossil excavation and restoration		
Grants - Bond payments		
Oil and Gas Division contingency	\$285,000	\$285,000
Total all funds	\$285,000	\$285,000
Less estimated income	285,000	285,000
General fund	\$0	\$0
FTE	0.00	0.00

<sup>1</sup> This amendment adds an Oil and Gas Division contingency of \$285,000 relating to increased oil rig activity and 2 related FTE positions.

**House Bill No. 1014 - Bank of North Dakota - House Action**

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$20,295,359		\$20,295,359
Operating expenses	13,297,000		13,297,000
Capital assets	1,900,000		1,900,000
Contingencies	1,700,000		1,700,000
PACE fund	4,500,000	\$3,500,000	8,000,000
Ag PACE fund	1,400,000		1,400,000
Beginning farmer revolving loan fund	950,000		950,000
Biofuels PACE fund	4,200,000		4,200,000
Total all funds	\$48,242,359	\$3,500,000	\$51,742,359
Less estimated income	38,142,359		38,142,359
General fund	\$10,100,000	\$3,500,000	\$13,600,000
FTE	176.50	0.00	176.50

**Dept. 471 - Bank of North Dakota - Detail of House Changes**

	ADDS FUNDING TO PACE <sup>1</sup>	TOTAL HOUSE CHANGES
Salaries and wages		
Operating expenses		
Capital assets		
Contingencies		
PACE fund	\$3,500,000	\$3,500,000

Ag PACE fund  
Beginning farmer revolving loan  
fund  
Biofuels PACE fund

Total all funds	\$3,500,000	\$3,500,000
Less estimated income		
General fund	\$3,500,000	\$3,500,000
FTE	0.00	0.00

<sup>1</sup> This amendment adds \$3,500,000 to the partnership in assisting community expansion (PACE) fund.

This amendment adds a section to allow the Bank of North Dakota to make transfers from the medical PACE fund and the PACE fund, subject to Budget Section approval.

#### House Bill No. 1014 - Mill and Elevator - House Action

This amendment removes the transfer of \$5,000,000 from the North Dakota Mill and Elevator Association to the general fund resulting in a decrease of general fund revenues of \$5,000,000.

#### REPORT OF STANDING COMMITTEE

**HB 1016: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (21 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). HB 1016 was placed on the Sixth order on the calendar.

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

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

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

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

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

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

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

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

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

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

	PROVIDES FUNDING FOR WEB SITE SPIDER PROGRAM 1	TOTAL HOUSE CHANGES
Salaries and wages		
Operating expenses	\$600,000	\$600,000
Capital assets		
Grants		
Workforce 20/20		
Reed Act - Unemployment insurance computer		



Total all funds	\$600,000	\$600,000
Less estimated income	_____	_____
General fund	\$600,000	\$600,000
FTE	0.00	0.00

<sup>1</sup> This amendment provides funding of \$600,000 from the general fund for a web site spider program to identify job listings available in North Dakota. The funds are intended to supplement any federal funds made available to fund this spider program.

#### REPORT OF STANDING COMMITTEE

**HB 1018: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (22 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1018 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "and" with "to provide an appropriation to the department of career and technical education; to provide a continuing appropriation; to provide for reports to the sixty-first legislative assembly; to provide for a report to the legislative council;" and after "exemptions" insert "; to create and enact a new section to chapter 15-20.1 and a new section to chapter 54-60 of the North Dakota Century Code, relating to a program to provide grants for innovation and to create a beginning again North Dakota pilot program; and to provide an expiration date"

Page 1, line 24, replace "4,110,668" with "446,720"

Page 2, line 4, replace "1,518,522" with "652,278"

Page 2, line 8, replace "4,915,965" with "385,773"

Page 2, line 10, replace "6,988,955" with "2,458,763"

Page 2, line 18, replace "13,642,636" with "9,978,688"

Page 2, line 23, replace "2,163,090" with "1,296,846"

Page 2, line 27, replace "81,531,029" with "77,000,837"

Page 2, line 29, replace "26,169,736" with "21,639,544"

Page 3, replace lines 15 through 25 with:

**"SECTION 8. EXEMPTION - STATE EMPLOYEE COMPENSATION ADJUSTMENT GUIDELINES - REPORT.** Notwithstanding the provisions of Senate Bill No. 2189, as approved by the sixtieth legislative assembly, the department of commerce shall develop and implement a system for providing compensation adjustments to its employees for the biennium beginning July 1, 2007, and ending June 30, 2009. The system must provide for the determination of each employee's compensation adjustments to be based on performance, merit, and equity. Of the funds appropriated in section 3 of this Act, the department may utilize up to \$428,542 for these compensation adjustments. The department shall provide a report on its compensation system to the human resource management services division of the office of management and budget by December 31, 2007.

**SECTION 9. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-FIRST LEGISLATIVE ASSEMBLY.** The total general fund appropriation line item in section 3 of this Act includes \$3,000,000 for transfer to the development fund and \$50,000 for tax expenditure and business incentive expenditure reports which are one-time funding items. These amounts are not a part of the agency's base budget to be used in preparing the 2009-11 executive budget. The department of commerce shall report to the appropriations committees of the sixty-first legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2007, and ending June 30, 2009.

**SECTION 10. TRADE OFFICE - MATCHING FUND REQUIREMENT.** The total general fund appropriation in section 3 of this Act includes \$1,400,000 for funding relating to the North Dakota trade office. The department of commerce may spend these funds only to the extent that the North Dakota trade office provides one dollar of matching funds from private or other public sources for each two dollars provided by the department for the biennium beginning July 1, 2007, and ending June 30, 2009.

**SECTION 11. INTERNSHIP PROGRAM - REPORT TO SIXTY-FIRST LEGISLATIVE ASSEMBLY.** The department of commerce shall report to the

appropriations committees of the sixty-first legislative assembly regarding the internship program. The report must include information on the program's activities, statistics, and accomplishments to date during the biennium beginning July 1, 2007, and ending June 30, 2009.

**SECTION 12. APPROPRIATION.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$70,000, or so much of the sum as may be necessary, to the department of career and technical education for the purpose of funding grants for innovation, for the biennium beginning July 1, 2007, and ending June 30, 2009.

**SECTION 13.** A new section to chapter 15-20.1 of the North Dakota Century Code is created and enacted as follows:

**Grants for innovation.** The department shall design and implement a program to provide a dollar-for-dollar match to elementary or secondary teachers or schools and to institutions of higher education for the purpose of funding innovative science, technology, or innovation programs for students in kindergarten through grade twelve. The department shall award the grants on a competitive basis. A grant awarded under this section to an elementary or secondary teacher or school may not exceed seven thousand five hundred dollars and a grant awarded to an institution of higher education may not exceed twenty-five thousand dollars. The matching funds of a grant recipient may come from a public source, a private source, or any combination of public and private sources. The department shall consult with the department of commerce in making award determinations.

**SECTION 14.** A new section to chapter 54-60 of the North Dakota Century Code is created and enacted as follows:

**Beginning again North Dakota pilot program - Continuing appropriation - Report to legislative council.**

1. The department shall implement and administer a beginning again North Dakota pilot program. The purpose of the program is to develop a data base of skills and other assets of communities and residents to be used to advance the internal and external attitude and image of this state and the communities in this state. The department shall implement this program in one city with a population of not more than one thousand five hundred and one city with a population of more than one thousand five hundred but not more than three thousand five hundred.
2. The department shall assemble state and local asset data from a broad range of sources. The sources for data may include the department, Bank of North Dakota, game and fish department, state historical society, Indian affairs commission, job service North Dakota, parks and recreation department, superintendent of public instruction, North Dakota university system, workforce safety and insurance, and state and local public and private entities. The nature of the data regarding skills and other assets may cover a broad range of information that may be valuable to advance the attitude or image of the state and communities in the state. The data may include natural resources, real estate, educational resources, cultural resources, vocational resources, financial resources, and infrastructure resources.
3. The department shall use the information assembled in the data base to assist in strategic plans for development. Additionally, the department may use the information in the data base to assist local developers in strategic plans for development.
4. The department may contract with a public or private third party to provide any or all of the services necessary to implement and administer the program. The department may solicit support and contributions from public and private sources for the purpose of furthering the program. The department may charge a fee for the services provided to the community. The department shall deposit in a special account in the state treasury all funds collected under this subsection. All funds deposited under this section are appropriated to the department on a continuing basis for the purpose of furthering the program.

5. The two cities shall be willing to participate and provide significant financial resources to provide for the costs of the pilot program.
6. During the 2007-08 interim, the commissioner shall provide a report to the legislative council regarding the implementation of the program, successes and failures of the program, and whether the program should be continued or be continued and expanded to additional communities.

**SECTION 15. EXPIRATION DATE.** Section 14 of this Act is effective through June 30, 2009, and after that date is ineffective."

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### House Bill No. 1018 - Summary of House Action

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Board for Career and Technical Education			
Total all funds	\$0	\$70,000	\$70,000
Less estimated income			
General fund	\$0	\$70,000	\$70,000
Department of Commerce			
Total all funds	\$81,531,029	(\$4,530,192)	\$77,000,837
Less estimated income	55,361,293		55,361,293
General fund	\$26,169,736	(\$4,530,192)	\$21,639,544
Bill Total			
Total all funds	\$81,531,029	(\$4,460,192)	\$77,070,837
Less estimated income	55,361,293		55,361,293
General fund	\$26,169,736	(\$4,460,192)	\$21,709,544

#### House Bill No. 1018 - Board for Career and Technical Education - House Action

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Grants		\$70,000	\$70,000
Total all funds	\$0	\$70,000	\$70,000
Less estimated income			
General fund	\$0	\$70,000	\$70,000
FTE	0.00	0.00	0.00

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

	ADDS INNOVATION GRANTS FUNDING <sup>1</sup>	TOTAL HOUSE CHANGES
Grants	\$70,000	\$70,000
Total all funds	\$70,000	\$70,000
Less estimated income		
General fund	\$70,000	\$70,000
FTE	0.00	0.00

<sup>1</sup> Sections are added requiring the Department of Career and Technical Education to implement an innovation grants program and appropriating \$70,000 from the general fund for innovation grants.

#### House Bill No. 1018 - Department of Commerce - House Action

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$8,617,235		\$8,617,235
Operating expenses	13,642,636	(\$3,663,948)	9,978,688
Capital assets	25,000		25,000
Grants	48,374,748		48,374,748
North Dakota Development Fund	3,000,000		3,000,000
Discretionary funds	1,450,127		1,450,127
Economic development initiatives	2,163,090	(866,244)	1,296,846
Agricultural products utilization	2,808,193		2,808,193
Economic development grants	50,000		50,000
North Dakota Trade Office	1,400,000		1,400,000

Total all funds	\$81,531,029	(\$4,530,192)	\$77,000,837
Less estimated income	<u>55,361,293</u>		<u>55,361,293</u>
General fund	\$26,169,736	(\$4,530,192)	\$21,639,544
FTE	73.00	(9.00)	64.00

**Dept. 601 - Department of Commerce - Detail of House Changes**

	REMOVES CAREER OPPORTUNITY FUNDING <sup>1</sup>	ADDS CAREER POSITION <sup>2</sup>	ADDS INTERNSHIP FUNDING <sup>3</sup>	REDUCES TOURISM PROMOTION FUNDING <sup>4</sup>	ADDS FUNDING FOR TOURISM EVENTS <sup>5</sup>	ADDS FUNDING FOR REPORTS <sup>6</sup>
Salaries and wages						
Operating expenses				(\$3,753,948)	\$10,000	\$50,000
Capital assets						
Grants						
North Dakota Development Fund						
Discretionary funds						
Economic development initiatives	(\$1,226,244)	\$160,000	\$200,000			
Agricultural products utilization						
Economic development grants						
North Dakota Trade Office						
Total all funds	(\$1,226,244)	\$160,000	\$200,000	(\$3,753,948)	\$10,000	\$50,000
Less estimated income						
General fund	(\$1,226,244)	\$160,000	\$200,000	(\$3,753,948)	\$10,000	\$50,000
FTE	(10.00)	1.00	0.00	0.00	0.00	0.00
	ADDS FUNDING FOR BEGINNING AGAIN PROJECT <sup>7</sup>	TOTAL HOUSE CHANGES				
Salaries and wages						
Operating expenses	\$30,000	(\$3,663,948)				
Capital assets						
Grants						
North Dakota Development Fund						
Discretionary funds						
Economic development initiatives		(866,244)				
Agricultural products utilization						
Economic development grants						
North Dakota Trade Office						
Total all funds	\$30,000	(\$4,530,192)				
Less estimated income						
General fund	\$30,000	(\$4,530,192)				
FTE	0.00	(9.00)				

<sup>1</sup> This amendment removes the funding and positions added in the executive budget to provide students and their parents information about North Dakota career opportunities.

<sup>2</sup> Funding is added for 1 FTE position and related operating expenses to administer the career promotion in workforce deficient industries program and the internship program.

<sup>3</sup> Funding for internships for postsecondary students is increased to provide a total of \$600,000 from the general fund. A section is added requiring the department to report to the 61st Legislative Assembly on the status of the internship program.

<sup>4</sup> This amendment reduces funding recommended in the executive budget for tourism marketing and promotion.

<sup>5</sup> This amendment adds funding for the Tourism Division to match private funds for tourism-related promotions and events involving officially sanctioned statewide pageant titleholders who are over age 17. The Tourism Division may provide matching funds on a dollar-for-dollar basis of up to \$1,000 for each eligible promotion or event as determined by the Tourism Division.

<sup>6</sup> Funding is added for the tax expenditure report and business incentive expenditure report pilot projects.

<sup>7</sup> Funding is added for the department to contract for services relating to the beginning again North Dakota pilot program.

**Sections are added that:**

- Require the North Dakota Trade Office to raise \$1 of matching funds from private or other public sources for each \$2 of funds provided by the department.
- Identify the one-time funding included in the budget and provide for a report to the 61st Legislative Assembly of the agency's use of the one-time funding.

- Provide the department an exemption from the state employee compensation adjustment guidelines included in Senate Bill No. 2189 and require the department to provide 2007-09 biennium salary increases to its employees based on a system considering each employee's performance, merit, and equity. The department is to report to the Human Resource Management Services Division of the Office of Management and Budget by December 31, 2007, on its compensation system.
- Provide for the department to implement a beginning again North Dakota pilot program for the 2007-09 biennium.

Section 8 of the bill relating to the Dakota Manufacturing Initiative is removed.

#### REPORT OF STANDING COMMITTEE

**HB 1020: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (22 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1020 was placed on the Sixth order on the calendar.

Page 1, line 3, after "farm" insert "; to amend and reenact section 24-02-03.3 of the North Dakota Century Code, relating to the central motor pool" and after "funds" insert "; to provide for a study; to authorize hemp seed procurement; to provide an exemption"

Page 3, line 5, replace "3,149,956" with "4,214,956"

Page 3, line 7, replace "2,942,718" with "4,007,718"

Page 3, line 9, replace "2,098,685" with "3,163,685"

Page 3, line 12, replace "695,428" with "770,428"

Page 3, line 14, replace "207,631" with "282,631"

Page 3, line 17, replace "11,026,610" with "11,002,726"

Page 3, line 19, replace "60,980" with "37,096"

Page 3, line 22, replace "11,242,066" with "10,276,066"

Page 3, line 23, replace "(3,401,489)" with "(2,951,489)"

Page 3, line 24, replace "14,643,555" with "13,227,555"

Page 3, line 31, replace "(405,724)" with "(155,724)"

Page 4, line 1, replace "612,491" with "762,491"

Page 4, line 2, replace "1,223,750" with "1,319,750"

Page 4, line 3, replace "2,868,839" with "3,364,839"

Page 4, line 5, replace "2,271,775" with "2,767,775"

Page 4, line 10, replace "19,282,626" with "19,478,742"

Page 4, line 11, replace "9,522,373" with "9,972,373"

Page 4, line 12, replace "28,804,999" with "29,451,115"

Page 4, line 22, replace "40,692,455" with "41,757,455"

Page 4, line 24, replace "41,322,455" with "42,387,455"

Page 4, line 26, replace "17,456,831" with "18,521,831"

Page 4, line 29, replace "2,598,111" with "2,673,111"

Page 4, line 31, replace "1,118,392" with "1,193,392"

Page 5, line 3, replace "27,479,547" with "27,455,663"

Page 5, line 5, replace "1,223,884" with "1,200,000"

Page 5, line 8, replace "86,698,779" with "85,732,779"

Page 5, line 9, replace "41,261,157" with "41,711,157"

Page 5, line 10, replace "45,437,622" with "44,021,622"

Page 5, line 17, replace "3,524,816" with "3,774,816"

Page 5, line 18, replace "2,884,369" with "3,034,369"

Page 5, line 19, replace "5,482,090" with "5,578,090"

Page 5, line 20, replace "24,374,515" with "24,870,515"

Page 5, line 22, replace "10,658,084" with "11,154,084"

Page 5, line 27, replace "75,894,813" with "76,090,929"

Page 5, line 28, replace "107,808,940" with "108,258,940"

Page 5, line 29, replace "183,703,753" with "184,349,869"

Page 6, after line 16, insert:

**"SECTION 7. AMENDMENT.** Section 24-02-03.3 of the North Dakota Century Code is amended and reenacted as follows:

**24-02-03.3. Central management system for all state-owned licensed motor vehicles.**

1. The director shall establish within the department a central vehicle management system to regulate the operation, maintenance, and management of all motor vehicles owned or leased by the state subject to registration under chapters 39-04 and 39-05. Upon the request of a state agency and an agreement between the agency and director for the use of the motor vehicle-related equipment, the director may purchase or lease motor vehicle-related equipment and include that equipment within the system. The director shall provide a uniform method of documenting the use and cost of operation of motor vehicles and motor vehicle-related equipment in the system. The director shall advise the director of the office of management and budget as to the need to acquire or dispose of system motor vehicles. The specifications for highway patrol vehicles to be acquired may be set by the highway patrol superintendent. Every state agency, institution, department, board, bureau, and commission unless exempted by the director must use the system. At the request of the director of the North Dakota agricultural experiment station, certain vehicles used in farming operations at the agronomy seed farm and branch research centers shall be exempt from the requirements of this section. However, an agency, institution, department, board, bureau, or commission may authorize the use of an employee's personal motor vehicle pursuant to subsection 4 of section 54-06-09.
2. The director may enter into an agreement with a state employee who has a disability requiring a specially-equipped vehicle to pay a mileage rate greater than the rate established in section 54-06-09 for the employee's use of the employee's specially-equipped motor vehicle while conducting state business. The rate must be based on the rate provided in section 54-06-09, increased by the actual cost per mile caused by the special equipment, and may not exceed the cost associated with the special equipment expressed as the new value plus the depreciated fair market value in eight years divided by two, divided by twenty thousand miles.
3. Each entity required to use the system shall submit records of the operation of each vehicle as directed by the director."

Page 6, after line 21, insert:

**"SECTION 9. INDUSTRIAL HEMP PRODUCTION - STUDY.** The main research center shall study industrial hemp production in North Dakota, including the

latest available research and data regarding soils and growing conditions, seed availability, harvest methods, market economies, environmental benefit, law enforcement concerns, and issues of concern to producers from other countries. The agricultural experiment station shall present a report to the legislative council by August 1, 2008.

**SECTION 10. HEMP SEED - PROCUREMENT - AUTHORIZATION.** The main research center may contract with other entities for the procurement of hemp seed and to conduct industrial hemp research.

**SECTION 11. EXEMPTION.** The amounts appropriated for the research greenhouse complex project, as contained in subdivision 4 of section 3 of chapter 48 of the 2005 Session Laws and for the north central research center laboratory and greenhouse project, as contained in subdivision 5 of section 3 of chapter 48 of the 2005 Session Laws are not subject to the provisions of section 54-44.1-11, and any unexpended funds from these appropriations or related revenues are available and may be expended during the biennium beginning July 1, 2007, and ending June 30, 2009. The main research center may use any funding available within the total appropriation authority for the main research center greenhouse project to begin construction of the greenhouses.

**SECTION 12. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-FIRST LEGISLATIVE ASSEMBLY.** The total appropriation in section 3 of this Act includes \$9,032,750 from the general fund and \$750,000 from the permanent oil tax trust fund for the one-time funding items identified in this section. This amount is not a part of the agency's base budget to be used in preparing the 2009-11 executive budget. The agricultural experiment station shall report to the appropriations committees of the sixty-first legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2007, and ending June 30, 2009.

North central research center laboratory and greenhouse project	\$350,000
North central research center equipment storage facility	300,000
Main research center greenhouse project	7,000,000
Deferred maintenance pool	100,000
Carrington, Hettinger, and north central research centers office addition projects	907,750
Hemp research at the main research center	300,000
Operating pool from permanent oil tax trust fund	750,000
Extraordinary repairs at northern crops institute	75,000
Total	\$9,782,750"

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### House Bill No. 1020 - Summary of House Action

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Transportation Institute			
Total all funds	\$27,479,547	(\$23,884)	\$27,455,663
Less estimated income	26,255,663		26,255,663
General fund	\$1,223,884	(\$23,884)	\$1,200,000
Branch Research Centers			
Total all funds	\$24,374,515	\$496,000	\$24,870,515
Less estimated income	13,716,431		13,716,431
General fund	\$10,658,084	\$496,000	\$11,154,084
NDSU Extension Service			
Total all funds	\$41,322,455	\$1,065,000	\$42,387,455
Less estimated income	23,865,624		23,865,624
General fund	\$17,456,831	\$1,065,000	\$18,521,831
Northern Crops Institute			
Total all funds	\$2,598,111	\$75,000	\$2,673,111
Less estimated income	1,479,719		1,479,719
General fund	\$1,118,392	\$75,000	\$1,193,392
Main Research Station			
Total all funds	\$86,698,779	(\$966,000)	\$85,732,779
Less estimated income	41,261,157	450,000	41,711,157
General fund	\$45,437,622	(\$1,416,000)	\$44,021,622
Agronomy Seed Farm			
Total all funds	\$1,230,346	\$0	\$1,230,346
Less estimated income	1,230,346		1,230,346

General fund	\$0	\$0	\$0
Bill Total			
Total all funds	\$183,703,753	\$646,116	\$184,349,869
Less estimated income	107,808,940	450,000	108,258,940
General fund	\$75,894,813	\$196,116	\$76,090,929

**House Bill No. 1020 - Transportation Institute - House Action**

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

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

	REDUCES FUNDING FOR OPERATIONS <sup>1</sup>	TOTAL HOUSE CHANGES
Transportation Institute	<u>(\$23,884)</u>	<u>(\$23,884)</u>
Total all funds	(\$23,884)	(\$23,884)
Less estimated income		
General fund	(\$23,884)	(\$23,884)
FTE	0.00	0.00

<sup>1</sup> Reduces funding for operations of the Upper Great Plains Transportation Institute.

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

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Dickinson Research Center	\$6,077,229		\$6,077,229
Central Grasslands Research Center	2,267,506		2,267,506
Hettinger Research Center	2,441,212		2,441,212
Langdon Research Center	1,697,293		1,697,293
North Central Research Center	3,524,816	\$250,000	3,774,816
Williston Research Center	2,884,369	150,000	3,034,369
Carrington Research Center	<u>5,482,090</u>	<u>96,000</u>	<u>5,578,090</u>
Total all funds	\$24,374,515	\$496,000	\$24,870,515
Less estimated income	<u>13,716,431</u>		<u>13,716,431</u>
General fund	\$10,658,084	\$496,000	\$11,154,084
FTE	95.26	1.60	96.86

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

	ADDS FUNDING FOR EQUIPMENT STORAGE FACILITY <sup>1</sup>	ADDS FUNDING FOR WASTE MANAGEMENT SYSTEMS POSITION <sup>2</sup>	ADDS FUNDING FOR IRRIGATION RESEARCH POSITION <sup>3</sup>	DECREASES FUNDING FOR LABORATORY AND GREENHOUSE <sup>4</sup>	TOTAL HOUSE CHANGES
Dickinson Research Center					
Central Grasslands Research Center					
Hettinger Research Center					
Langdon Research Center					
North Central Research Center	\$300,000			(\$50,000)	\$250,000
Williston Research Center			\$150,000		150,000
Carrington Research Center		<u>\$96,000</u>			<u>96,000</u>
Total all funds	\$300,000	\$96,000	\$150,000	(\$50,000)	\$496,000
Less estimated income					
General fund	\$300,000	\$96,000	\$150,000	(\$50,000)	\$496,000
FTE	0.00	0.60	1.00	0.00	1.60

<sup>1</sup> Adds \$300,000 from the general fund for an equipment storage and maintenance shop facility at the North Central Research Center.

<sup>2</sup> Adds funding from the general fund for a .6 FTE position and related salaries and wages (\$84,000) and operating costs (\$12,000) for the waste management systems program at the Carrington Research Center.



<sup>3</sup> Adds funding for 1 FTE irrigation research position at the Williston Research Center.

<sup>4</sup> Decreases funding for the North Central Research Center laboratory and greenhouse project from \$400,000 to \$350,000.

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

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Extension Service Soil Conservation Committee	\$40,692,455 <u>630,000</u>	\$1,065,000	\$41,757,455 <u>630,000</u>
Total all funds	\$41,322,455	\$1,065,000	\$42,387,455
Less estimated income	<u>23,865,624</u>		<u>23,865,624</u>
General fund	\$17,456,831	\$1,065,000	\$18,521,831
FTE	257.86	2.60	260.46

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

	ADDS FUNDING FOR A 4-H YOUTH DEVELOPMENT POSITION <sup>1</sup>	ADDS FUNDING FOR THE RURAL LEADERSHIP PROGRAM <sup>2</sup>	ADDS FUNDING FOR PARENTING RESOURCE CENTERS <sup>3</sup>	ADDS FUNDING FOR JUNIOR MASTER GARDENER PROGRAM <sup>4</sup>	ADDS FUNDING FOR WASTE MANAGEMENT SYSTEMS POSITION <sup>5</sup>	ADDS 1 FTE HORTICULTURIST POSITION <sup>6</sup>
Extension Service Soil Conservation Committee	\$175,000	\$200,000	\$300,000	\$20,000	\$120,000	\$250,000
Total all funds	\$175,000	\$200,000	\$300,000	\$20,000	\$120,000	\$250,000
Less estimated income						
General fund	\$175,000	\$200,000	\$300,000	\$20,000	\$120,000	\$250,000
FTE	1.00	0.00	0.00	0.00	0.60	1.00

	TOTAL HOUSE CHANGES
Extension Service Soil Conservation Committee	\$1,065,000
Total all funds	\$1,065,000
Less estimated income	
General fund	\$1,065,000
FTE	2.60

<sup>1</sup> Adds funding for 1 FTE 4-H youth development position at the NDSU Extension Service.

<sup>2</sup> Adds funding for the rural leadership program.

<sup>3</sup> Adds funding for the NDSU Extension Service to provide parenting resource centers statewide. The centers provide resources for urban and rural communities relating to such topics as parents working multiple jobs, divorce, and difficulty in rearing children.

<sup>4</sup> Adds \$20,000 from the general fund to the NDSU Extension Service for the junior master gardener program.

<sup>5</sup> Adds funding from the general fund for a .6 FTE position and related salaries and wages (\$96,000) and operating costs (\$24,000) for the waste management systems program.

<sup>6</sup> Adds 1 FTE horticulturist position for western North Dakota.

### House Bill No. 1020 - Northern Crops Institute - House Action

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Northern Crops Institute	<u>\$2,598,111</u>	<u>\$75,000</u>	<u>\$2,673,111</u>
Total all funds	\$2,598,111	\$75,000	\$2,673,111
Less estimated income	<u>1,479,719</u>		<u>1,479,719</u>
General fund	\$1,118,392	\$75,000	\$1,193,392
FTE	11.20	0.00	11.20

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

	ADDS FUNDING FOR ONE-TIME EXTRAORDINARY	TOTAL HOUSE
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	REPAIRS <sup>1</sup>	CHANGES
Northern Crops Institute	<u>\$75,000</u>	<u>\$75,000</u>
Total all funds	\$75,000	\$75,000
Less estimated income	<u>          </u>	<u>          </u>
General fund	\$75,000	\$75,000
FTE	0.00	0.00

<sup>1</sup> Adds \$75,000 from the general fund for extraordinary repairs relating to a one-time renovation project at the Northern Crops Institute.

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

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Main Research Station	<u>\$86,698,779</u>	<u>(\$966,000)</u>	<u>\$85,732,779</u>
Total all funds	\$86,698,779	(\$966,000)	\$85,732,779
Less estimated income	<u>41,261,157</u>	<u>450,000</u>	<u>41,711,157</u>
General fund	\$45,437,622	(\$1,416,000)	\$44,021,622
FTE	348.08	0.80	348.88

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

	ADDS FUNDING FOR INDUSTRIAL HEMP RESEARCH <sup>1</sup>	ADDS FUNDING FOR WASTE MANAGEMENT SYSTEMS POSITION <sup>2</sup>	ADDS FUNDING FOR OPERATING POOL <sup>3</sup>	CHANGES FUNDING SOURCE <sup>4</sup>	DECREASES FUNDING FOR BRANCH RESEARCH CENTER ADDITIONS <sup>5</sup>	DECREASES FUNDING FOR THE GREENHOUSE PROJECT <sup>6</sup>
Main Research Station	<u>\$300,000</u>	<u>\$184,000</u>	<u>\$750,000</u>	<u>          </u>	<u>(\$200,000)</u>	<u>(\$2,000,000)</u>
Total all funds	\$300,000	\$184,000	\$750,000		(\$200,000)	(\$2,000,000)
Less estimated income	<u>          </u>	<u>          </u>	<u>750,000</u>	<u>(\$300,000)</u>	<u>          </u>	<u>          </u>
General fund	\$300,000	\$184,000	\$0	\$300,000	(\$200,000)	(\$2,000,000)
FTE	0.00	0.80	0.00	0.00	0.00	0.00
	TOTAL HOUSE CHANGES					
Main Research Station	<u>(\$966,000)</u>					
Total all funds	(\$966,000)					
Less estimated income	<u>450,000</u>					
General fund	(\$1,416,000)					
FTE	0.80					

<sup>1</sup> Adds funding from the general fund for conducting industrial hemp research at the Main Research Center.

<sup>2</sup> Adds funding from the general fund for a .8 FTE position and related salaries and wages (\$160,000) and operating costs (\$24,000) for the waste management systems program.

<sup>3</sup> Adds \$750,000 from the permanent oil tax trust fund to the Main Research Station for an operating pool to be allocated as determined by the director of the Agricultural Experiment Station. In determining the allocation, the director of the Agricultural Experiment Station is to consider decreases in oil revenues at the Dickinson Research Center.

<sup>4</sup> Changes the funding source from the agricultural research fund to the general fund for research projects as determined by the research granting committees.

<sup>5</sup> Reduces funding for Carrington, Hettinger, and North Central Research Centers office addition projects from \$1,107,750 to \$907,750.

<sup>6</sup> Decreases funding for the research greenhouse complex project at the Main Research Center from \$9 million to \$7 million.

#### House Bill No. 1020 - Other Changes - House Action

This amendment provides for a study of industrial hemp and authorizes the Main Research Center to contract with any other university for the procurement of hemp seed necessary to conduct research.

This amendment provides carryover authority for the research greenhouse complex at the Main Research Center funded with bond proceeds (\$2 million) and gifts, grants, and donations (\$5 million) and for the North Central Research Center laboratory and greenhouse project funded with bond proceeds (\$440,000) and gifts, grants, and donations (\$1,250,000). These projects were authorized by the 2005 Legislative Assembly. In addition, references to Phase 1

and Phase 2 of the greenhouse project at the Main Research Center are removed. The Main Research Center may use any funding available within the total appropriation authority for the Main Research Center greenhouse project to begin construction. The total appropriation includes the carryover authority of \$7 million and 2007-09 biennium authority of \$7 million from the general fund.

Amends North Dakota Century Code Section 24-02-03.3 to exempt certain vehicles used in farming operations at the Agronomy Seed Farm and branch research centers from state motor pool requirements.

This amendment includes a section identifying one-time projects and for a report to the Appropriations Committees of the 61st Legislative Assembly regarding the use of this one-time funding.

#### REPORT OF STANDING COMMITTEE

**HB 1159: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (23 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1159 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "and related land"

Page 1, line 2, remove "acquisition"

Page 1, line 7, remove "acquire by purchase or exchange a tract of"

Page 1, line 8, remove "land in Burleigh County for a site for construction of a correctional facility and"

Page 1, line 9, remove "on the site acquired, using a two-phased approach"

Page 1, line 10, replace "2011" with "2009" and remove "for acquisition and"

Page 1, line 11, remove "construction" and replace "\$105,000,000" with "\$85,000,000"

Page 1, line 20, replace "\$60,000,000" with "\$85,000,000"

Page 1, line 21, remove "acquiring land and"

Page 1, line 22, remove "phase I of"

Page 2, line 1, replace "**LEGISLATIVE INTENT - FUTURE FUNDING FOR PHASE II OF THE**" with "**LOCATION OF MISSOURI RIVER CORRECTIONAL CENTER.** The services and programs provided at the Missouri River correctional center shall be relocated to the state penitentiary site after the correctional facility project authorized by this Act is operational."

Page 2, remove lines 2 through 4

Page 2, line 5, remove "**THE PENITENTIARY AND**"

Page 2, line 8, remove "current state penitentiary and"

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

This amendment changes the bill to provide for a \$85,000,000 correctional facility on the site of the State Penitentiary, to provide for the relocation of the Missouri River Correctional Center when the facility is complete, and allow for the sale of the Missouri River Correctional Center land when the facility is complete.

#### SIXTH ORDER OF BUSINESS

**SPEAKER DELZER DEEMED** approval of the amendments to HB 1014, HB 1016, HB 1018, HB 1020, and HB 1159.

HB 1014, HB 1016, HB 1018, HB 1020, and HB 1159, as amended, were placed on the Eleventh order of business on the calendar.

**CORRECTION AND REVISION OF THE JOURNAL**

**MR. SPEAKER:** Your **Committee on Correction and Revision of the Journal (Rep. Kretschmar, Chairman)** has carefully examined the Journal of the Thirty-first Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 642, line 48, after "to" insert ", and the emergency clause was declared carried"

**REP. KRETSCHMAR MOVED** that the report be adopted, which motion prevailed.

**SECOND READING OF HOUSE BILL**

**HB 1495:** A BILL for an Act to amend and reenact sections 54-27-19 and 57-40.3-10 of the North Dakota Century Code, relating to allocation of motor vehicle excise tax revenues to the highway tax distribution fund and the use of funds by counties and cities to implement the strategic transportation plan; and to provide an effective date.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 83 YEAS, 7 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Belter; Berg; Boehning; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Grande; Griffin; Gruchalla; Gulleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nottestad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Zaiser; Speaker Delzer

**NAYS:** Aarsvold; Bellew; Boucher; Kerzman; Kroeber; Onstad; Wrangham

**ABSENT AND NOT VOTING:** Boe; Brandenburg; Glassheim; Nelson

Engrossed HB 1495 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1395:** A BILL for an Act to provide financial assistance to tribally controlled community colleges.

**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 69 YEAS, 22 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Belter; Berg; Boucher; Brandenburg; Carlisle; Charging; Conrad; DeKrey; Delmore; Ekstrom; Froelich; Grande; Griffin; Gruchalla; Gulleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Kaldor; Karls; Kasper; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Myxter; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; Schmidt; Schneider; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Weiler; Wieland; Wolf; Wrangham; Zaiser

**NAYS:** Bellew; Boehning; Carlson; Clark; Dahl; Damschen; Dietrich; Dosch; Drovdal; Froseth; Johnson, N.; Keiser; Klein; Mueller; Owens; Price; Ruby; Skarphol; Wall; Weisz; Williams; Speaker Delzer

**ABSENT AND NOT VOTING:** Boe; Glassheim; Nelson

Reengrossed HB 1395 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1459:** A BILL for an Act to provide an appropriation for state agency and institution extraordinary repairs; to provide for budget section tour group review; and to provide for a report.

**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 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleon; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

**ABSENT AND NOT VOTING:** Boe; Nelson

Engrossed HB 1459 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1457:** A BILL for an Act to amend and reenact section 57-51.1-07.2 of the North Dakota Century Code, relating to the balance of the permanent oil tax trust fund and to provide an effective date.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 63 YEAS, 30 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Bellew; Belter; Berg; Boe; Boehning; Brandenburg; Carlisle; Carlson; Charging; Clark; Dahl; Damschen; DeKrey; Dietrich; Dosch; Drovdal; Froseth; Grande; Haas; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsch, R.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Martinson; Meier, L.; Monson; Nottestad; Owens; Pietsch; Pinkerton; Pollert; Porter; Price; Ruby; Skarphol; Sukut; Svedjan; Thoreson; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Wrangham; Speaker Delzer

**NAYS:** Aarsvold; Amerman; Boucher; Conrad; Delmore; Ekstrom; Froelich; Glassheim; Griffin; Gruchalla; Gulleon; Hanson; Hunskor; Kaldor; Kelsh, S.; Kroeber; Metcalf; Meyer, S.; Mueller; Myxter; Onstad; Potter; Schmidt; Schneider; Solberg; Thorpe; Vig; Williams; Wolf; Zaiser

**ABSENT AND NOT VOTING:** Nelson

Engrossed HB 1457 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1027:** A BILL for an Act to create and enact a new section to chapter 54-34.3, a new section to chapter 54-34.4, two new sections to chapter 54-60, section 57-38-01.24, and a new subsection to section 57-38-30.3 of the North Dakota Century Code, relating to international business, visitor information centers, department of commerce division of workforce development programs and duties, and tax credits for internships and research and experimental expenditures; to amend and reenact sections 15-69-02, 15-69-03, 15-69-04, and 15-69-05, subsections 4 and 6 of section 54-17-07.3, and sections 54-60-02, 54-60-09, 54-60-12, 57-38-30.5, 57-38.5-05, and 57-38.6-01 of the North Dakota Century Code and section 17 of chapter 151 of the 2005 Session Laws, relating to the centers of excellence program, housing finance agency programs, updating department of commerce law, department of commerce division of workforce development duties, the North Dakota image information program, tax forms, research and experimental expenditures tax credits, seed capital investment tax credits,

agricultural business investment tax credits, and a legislative council study; to repeal sections 57-38-71, 57-38-72, 57-38-73, and 57-38-74 of the North Dakota Century Code, relating to beginning entrepreneur income tax incentives; to provide for state agency studies, a tax expenditure report pilot project and a state business incentive expenditure report pilot project and reports on the pilot projects, reports to the legislative council, and legislative council studies; to provide effective dates; and to declare an emergency.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 93 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovda; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleon; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

**ABSENT AND NOT VOTING:** Nelson

Reengrossed HB 1027 passed, the title was agreed to, and the emergency clause was declared carried.

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#### SECOND READING OF HOUSE BILL

**HB 1320:** A BILL for an Act to create and enact four new sections to chapter 15.1-37 of the North Dakota Century Code, relating to the establishment of a prekindergarten program; to amend and reenact section 15.1-37-01 of the North Dakota Century Code, relating to the approval of early childhood education programs; 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 57 YEAS, 35 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Berg; Boe; Boucher; Carlisle; Charging; Clark; Conrad; Dahl; Delmore; Drovda; Ekstrom; Glassheim; Griffin; Gruchalla; Gulleon; Haas; Hanson; Hawken; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Kelsch, R.; Kelsh, S.; Kerzman; Klemin; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nottestad; Onstad; Owens; Pinkerton; Porter; Potter; Schmidt; Schneider; Solberg; Svedjan; Thorpe; Uglem; Vig; Vigesaa; Wall; Williams; Wolf; Zaiser

**NAYS:** Bellew; Belter; Boehning; Brandenburg; Carlson; Damschen; DeKrey; Dietrich; Dosch; Froseth; Grande; Hatlestad; Headland; Heller; Herbel; Karls; Kasper; Keiser; Kempenich; Kingsbury; Klein; Koppelman; Pietsch; Pollert; Price; Ruby; Skarphol; Sukut; Thoreson; Wald; Weiler; Weisz; Wieland; Wrangham; Speaker Delzer

**ABSENT AND NOT VOTING:** Froelich; Nelson

Reengrossed HB 1320 passed and the title was agreed to.

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#### SECOND READING OF HOUSE BILL

**HB 1006:** A BILL for an Act to provide an appropriation for defraying the expenses of the aeronautics commission; and to create and enact a new section to chapter 2-05 of the North Dakota Century Code, relating to creation of a rural airport economic development fund.

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

**YEAS:** Aarsvold; Amerman; Belter; Berg; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovda; Ekstrom; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleon; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

**NAYS:** Bellew; Boe; Kasper; Keiser; Weiler

**ABSENT AND NOT VOTING:** Froelich; Nelson

Engrossed HB 1006 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1007:** A BILL for an Act to provide an appropriation for defraying the expenses of the veterans' home and department of veterans' affairs; and to declare an emergency.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovda; Ekstrom; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleon; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

**ABSENT AND NOT VOTING:** Froelich; Nelson

Engrossed HB 1007 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1004:** A BILL for an Act to provide an appropriation for defraying the expenses of the state department of health; to create and enact a new section to chapter 23-39 of the North Dakota Century Code, relating to collecting fees for tanning facility inspections; to amend and reenact section 23-01-05.3 of the North Dakota Century Code, relating to tracking immunizations; and to provide legislative intent.

**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 75 YEAS, 17 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Delmore; Dietrich; Ekstrom; Froseth; Glassheim; Grande; Griffin; Gulleon; Haas; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Kaldor; Karls; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Meyer, S.; Monson; Myxter; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg;

Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Wald; Wall; Wieland; Williams; Wolf; Zaiser

**NAYS:** Bellew; Damschen; DeKrey; Dosch; Drovdal; Gruchalla; Hanson; Johnson, N.; Kasper; Metcalf; Mueller; Porter; Vigesaa; Weiler; Weisz; Wrangham; Speaker Delzer

**ABSENT AND NOT VOTING:** Froelich; Nelson

Engrossed HB 1004 passed and the title was agreed to.

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#### SECOND READING OF HOUSE BILL

**HB 1001:** A BILL for an Act providing an appropriation for defraying the expenses of the legislative branch of state government; to create and enact a new section to chapter 54-03 and a new section to chapter 54-35 of the North Dakota Century Code, relating to authorized purchases under state contracts and to legislative council review of agency implementation of appropriation acts, including legislative intent items; to provide for transfers; and to declare an emergency.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 93 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

**ABSENT AND NOT VOTING:** Nelson

Engrossed HB 1001 passed, the title was agreed to, and the emergency clause was declared carried.

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#### SECOND READING OF HOUSE BILL

**HB 1002:** A BILL for an Act to provide an appropriation for defraying the expenses of the judicial branch; and to amend and reenact sections 27-02-02 and 27-05-03 of the North Dakota Century Code, relating to salaries of supreme and district court judges.

#### 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 88 YEAS, 4 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Grande; Griffin; Gruchalla; Gulleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Monson; Mueller; Myxter; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham

**NAYS:** Boe; Meyer, S.; Zaiser; Speaker Delzer

**ABSENT AND NOT VOTING:** Glassheim; Nelson

Engrossed HB 1002 passed and the title was agreed to.



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**SECOND READING OF HOUSE BILL**

**HB 1005:** A BILL for an Act to provide an appropriation for defraying the expenses of the Indian affairs commission.

**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 93 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleston; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunsakor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

**ABSENT AND NOT VOTING:** Nelson

Engrossed HB 1005 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1009:** A BILL for an Act to provide an appropriation for defraying the expenses of the state fair association.

**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 86 YEAS, 5 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Drovdal; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleston; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunsakor; Johnson, D.; Johnson, N.; Kaldor; Karls; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Wald; Wall; Weisz; Wieland; Williams; Wolf; Zaiser

**NAYS:** Dosch; Kasper; Weiler; Wrangham; Speaker Delzer

**ABSENT AND NOT VOTING:** Ekstrom; Nelson; Vigesaa

Engrossed HB 1009 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1011:** A BILL for an Act to provide an appropriation for defraying the expenses of the highway patrol.

**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 84 YEAS, 8 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleston; Haas;

Hanson; Hatlestad; Hawken; Heller; Herbel; Hofstad; Johnson, D.; Johnson, N.; Kaldor; Karls; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser

**NAYS:** Bellew; Dosch; Drovdal; Headland; Kasper; Ruby; Weiler; Speaker Delzer

**ABSENT AND NOT VOTING:** Hunskor; Nelson

Engrossed HB 1011 passed and the title was agreed to.

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## SECOND READING OF HOUSE BILL

**HB 1012:** A BILL for an Act to provide an appropriation for defraying the expenses of the department of transportation; and to amend and reenact section 57-40.3-10 of the North Dakota Century Code, relating to motor vehicle excise tax collections.

## 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 83 YEAS, 6 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Bellew; Belter; Berg; Boehning; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; Delmore; Dietrich; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Guleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Wieland; Williams; Wolf; Wrangham; Speaker Delzer

**NAYS:** DeKrey; Dosch; Kasper; Owens; Weiler; Weisz

**ABSENT AND NOT VOTING:** Amerman; Boe; Boucher; Nelson; Zaiser

Engrossed HB 1012 passed and the title was agreed to.

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## SECOND READING OF HOUSE BILL

**HB 1017:** A BILL for an Act to provide an appropriation for defraying the expenses of the office of administrative hearings.

## 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 90 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Guleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

**ABSENT AND NOT VOTING:** Boehning; Boucher; Nelson; Schneider

Engrossed HB 1017 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1019:** A BILL for an Act to provide an appropriation for defraying the expenses of the state board for career and technical education.

**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 85 YEAS, 4 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Dietrich; Dosch; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleon; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunsford; Johnson, D.; Johnson, N.; Kaldor; Karls; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemm; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigasaa; Wald; Wall; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser

**NAYS:** Drovdal; Kasper; Weiler; Speaker Delzer

**ABSENT AND NOT VOTING:** Boucher; Dahl; Ekstrom; Kingsbury; Nelson

Engrossed HB 1019 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1021:** A BILL for an Act to provide an appropriation for defraying the expenses of the information technology department; to create and enact a new section to chapter 15.1-02 and a new section to chapter 54-59 of the North Dakota Century Code, relating to the superintendent of public instruction and the borrowing authority of the information technology department; and to declare an emergency.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 76 YEAS, 16 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; Delmore; Dietrich; Ekstrom; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleon; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; Hunsford; Johnson, D.; Johnson, N.; Kaldor; Karls; Kelsch, R.; Kelsh, S.; Kempenich; Kingsbury; Klein; Klemm; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Meyer, S.; Monson; Mueller; Myxter; Onstad; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Wald; Wall; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser

**NAYS:** Bellew; Belter; DeKrey; Dosch; Drovdal; Froelich; Herbel; Kasper; Keiser; Kerzman; Nottestad; Owens; Ruby; Vigasaa; Weiler; Speaker Delzer

**ABSENT AND NOT VOTING:** Metcalf; Nelson

Engrossed HB 1021 passed, the title was agreed to, and the emergency clause was declared carried.

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**CORRECTION AND REVISION OF THE JOURNAL**

**MR. SPEAKER:** Your **Committee on Correction and Revision of the Journal (Rep. Kretschmar, Chairman)** has carefully examined the Journal of the Thirtieth Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 626, after line 44, insert:

**"FIRST READING OF HOUSE CONCURRENT RESOLUTIONS**

Reps. N. Johnson, DeKrey, Delmore, S. Meyer introduced:

**HCR 3056:** A concurrent resolution directing the Legislative Council to study the search for and identification of missing persons.

Was read the first time and referred to the **Judiciary Committee.**"

**REP. KRETSCHMAR MOVED** that the report be adopted, which motion prevailed.

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

**HB 1008:** A BILL for an Act to provide an appropriation for defraying the expenses of the department of financial institutions.

#### **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 86 YEAS, 3 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Keiser; Kelsch, R.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weisz; Wolf; Wrangham; Zaiser; Speaker Delzer

**NAYS:** Drovdal; Kasper; Weiler

**ABSENT AND NOT VOTING:** Boucher; Kelsh, S.; Nelson; Wieland; Williams

HB 1008 passed and the title was agreed to.

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

**HB 1013:** A BILL for an Act to provide an appropriation for defraying the expenses of the commissioner of university and school lands; and to provide for distribution amounts from permanent funds.

#### **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 90 YEAS, 1 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

**NAYS:** Drovdal

**ABSENT AND NOT VOTING:** Boucher; Koppelman; Nelson

HB 1013 passed and the title was agreed to.

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

**HB 1022:** A BILL for an Act to provide an appropriation for defraying the expenses of the state seed department.

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

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

**NAYS:** Kasper; Ruby; Weiler

**ABSENT AND NOT VOTING:** Boucher; Nelson

HB 1022 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1023:** A BILL for an Act to provide an appropriation for defraying the expenses of the commission on legal counsel for indigents.

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

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser

**NAYS:** Speaker Delzer

**ABSENT AND NOT VOTING:** Boucher; Nelson

HB 1023 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1024:** A BILL for an Act to provide an appropriation for defraying the expenses of the racing commission.

**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 69 YEAS, 23 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Berg; Boehning; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; DeKrey; Ekstrom; Froseth; Glassheim; Grande; Gruchalla; Gulleson; Haas; Hanson; Hatlestad; Hawken; Heller; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Keiser; Kelsh, S.; Kempenich; Kingsbury; Klein; Klemin; Kreidt; Kretschmar; Kroeber; Martinson; Metcalf; Monson; Mueller; Myxter; Nottestad; Onstad; Owens; Pinkerton; Pollert; Potter; Price; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Wald; Wall; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

**NAYS:** Bellew; Belter; Boe; Damschen; Delmore; Dietrich; Dosch; Drovdal; Froelich; Griffin; Headland; Herbel; Kasper; Kelsch, R.; Kerzman; Koppelman; Meier, L.; Meyer, S.; Pietsch; Porter; Ruby; Vigasaa; Weiler

**ABSENT AND NOT VOTING:** Boucher; Nelson

HB 1024 passed and the title was agreed to.

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#### MOTION

**REP. BERG MOVED** that the rules be suspended and after action taken on the Sixth order, HB 1014, HB 1016, HB 1018, HB 1020, and HB 1159 be placed on the Eleventh order, as amended, for second reading and final passage, which motion prevailed.

#### MOTION

**REP. BERG MOVED** that the House stand in recess for ten minutes, which motion prevailed.

**THE HOUSE RECONVENED** pursuant to recess taken, with Speaker Delzer presiding.

#### REPORT OF STANDING COMMITTEE

**HB 1003: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (23 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1003 was placed on the Sixth order on the calendar.

Page 1, line 3, after the semicolon insert "to limit student tuition rates; to provide for a transfer; to provide for a legislative council study; to amend and reenact section 15-10-43 of the North Dakota Century Code, relating to the contract with the Kansas state university veterinary medical education program; to repeal sections 1 and 2 of House Bill No. 1031, as approved by the sixtieth legislative assembly, relating to the budgeting process; to provide for retroactive application;"

Page 4, replace lines 30 and 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

Capital assets	\$2,475,971
Competitive research program	310,000
Board initiatives	(1,585,000)
System governance	466,519
Common information services	8,089,174
Operations pool	(244,000)
Equity pool	(2,000,000)
Contingency and capital emergency	(140,441)
Student financial assistance grants	2,483,095
Professional student exchange program	389,746
Scholars program	616,489
Native American scholarships	128,638
Education incentive programs	<u>761,412</u>
Total all funds - Adjustments/enhancements	\$11,751,603
Estimated income - Adjustments/enhancements	<u>87,034</u>
Total general fund - Adjustments/enhancements	\$11,664,569

##### Subdivision 2.

##### BISMARCK STATE COLLEGE

Operations	\$2,705,693
Capital assets	<u>(2,972,589)</u>
Total all funds - Adjustments/enhancements	(\$266,896)
Less estimated income - Adjustments/enhancements	<u>(3,717,495)</u>
Total general fund - Adjustments/enhancements	\$3,450,599

##### Subdivision 3.

## LAKE REGION STATE COLLEGE

Operations	\$1,084,106
Capital assets	<u>2,745,667</u>
Total all funds - Adjustments/enhancements	\$3,829,773
Less estimated income - Adjustments/enhancements	<u>2,007,600</u>
Total general fund - Adjustments/enhancements	\$1,822,173

## Subdivision 4.

## WILLISTON STATE COLLEGE

Operations	\$820,171
Capital assets	<u>(5,879,277)</u>
Total all funds - Adjustments/enhancements	(\$5,059,106)
Less estimated income - Adjustments/enhancements	<u>(5,660,000)</u>
Total general fund - Adjustments/enhancements	\$600,894

## Subdivision 5.

## UNIVERSITY OF NORTH DAKOTA

Operations	\$13,481,443
Capital assets	<u>(18,303,224)</u>
Total all funds - Adjustments/enhancements	(\$4,821,781)
Less estimated income - Adjustments/enhancements	<u>(27,731,554)</u>
Total general fund - Adjustments/enhancements	\$22,909,773

## Subdivision 6.

## NORTH DAKOTA STATE UNIVERSITY

Operations	\$12,925,567
Capital assets	<u>(6,483,065)</u>
Total all funds - Adjustments/enhancements	\$6,442,502
Less estimated income - Adjustments/enhancements	<u>(14,000,000)</u>
Total general fund - Adjustments/enhancements	\$20,442,502

## Subdivision 7.

## NORTH DAKOTA STATE COLLEGE OF SCIENCE

Operations	\$2,459,466
Capital assets	<u>1,198,613</u>
Total all funds - Adjustments/enhancements	\$3,658,079
Less estimated income - Adjustments/enhancements	<u>(1,104,920)</u>
Total general fund - Adjustments/enhancements	\$4,762,999

## Subdivision 8.

## DICKINSON STATE UNIVERSITY

Operations	\$1,999,571
Capital assets	<u>(465,484)</u>
Total all funds - Adjustments/enhancements	\$1,534,087
Less estimated income - Adjustments/enhancements	<u>(1,100,557)</u>
Total general fund - Adjustments/enhancements	\$2,634,644

## Subdivision 9.

## MAYVILLE STATE UNIVERSITY

Operations	\$797,961
Capital assets	<u>547,436</u>
Total all funds - Adjustments/enhancements	\$1,345,397
Less estimated income - Adjustments/enhancements	<u>(600,000)</u>
Total general fund - Adjustments/enhancements	\$1,945,397

## Subdivision 10.

## MINOT STATE UNIVERSITY

Operations	\$2,650,342
Capital assets	<u>367,024</u>
Total all funds - Adjustments/enhancements	\$3,017,366
Less estimated income - Adjustments/enhancements	<u>(7,295,850)</u>
Total general fund - Adjustments/enhancements	\$10,313,216

## Subdivision 11.

## VALLEY CITY STATE UNIVERSITY

Operations	\$1,048,491
Capital assets	<u>2,487,819</u>
Total general fund - Adjustments/enhancements	\$3,536,310

## Subdivision 12.

## MINOT STATE UNIVERSITY - BOTTINEAU

Operations	\$392,884
Capital assets	<u>(5,699,023)</u>
Total all funds - Adjustments/enhancements	(\$5,306,139)
Less estimated income - Adjustments/enhancements	<u>(5,987,095)</u>
Total general fund - Adjustments/enhancements	\$680,956

## Subdivision 13.

UNIVERSITY OF NORTH DAKOTA SCHOOL OF MEDICINE  
AND HEALTH SCIENCES

Operations	\$2,877,961
Total general fund - Adjustments/enhancements	\$2,877,961

## Subdivision 14.

## NORTH DAKOTA FOREST SERVICE

Operations	\$408,143
Capital assets	<u>78,566</u>
Total all funds - Adjustments/enhancements	\$486,709
Less estimated income - Adjustments/enhancements	22,485
Total general fund - Adjustments/enhancements	\$464,224
Total general fund - Section 2	\$88,106,217
Total estimated income - Section 2	<u>(\$65,080,352)</u>
Total all funds - Section 2	\$23,025,865

**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	5,500,000
Board initiatives	300,000
System governance	6,034,941
Title II	695,600
Common information services	28,652,267
Operations pool	144,559
Contingency and capital emergency	296,482
Professional liability insurance	1,350,000
Student financial assistance grants	5,987,497
Professional student exchange program	2,517,026
Scholars program	1,478,566
Native American scholarships	380,626
Education incentive programs	<u>1,989,314</u>
Total all funds	\$72,080,990
Less estimated income	<u>2,686,810</u>
Total general fund appropriation	\$69,394,180

## Subdivision 2.

## BISMARCK STATE COLLEGE

Operations	\$19,571,241
Capital assets	<u>1,016,192</u>
Total all funds	\$20,587,433
Less estimated income	27,805
Total general fund appropriation	\$20,559,628

## Subdivision 3.

## LAKE REGION STATE COLLEGE

Operations	\$6,474,095
Capital assets	<u>3,133,204</u>
Total all funds	\$9,607,299
Less estimated income	2,007,600
Total general fund appropriation	\$7,599,699

## Subdivision 4.



## WILLISTON STATE COLLEGE

Operations	\$6,573,168
Capital assets	<u>2,257,198</u>
Total all funds	\$8,830,366
Less estimated income	<u>2,300,000</u>
Total general fund appropriation	\$6,530,366

## Subdivision 5.

## UNIVERSITY OF NORTH DAKOTA

Operations	\$106,033,045
Capital assets	<u>81,828,875</u>
Total all funds	\$187,861,920
Less estimated income	<u>70,100,000</u>
Total general fund appropriation	\$117,761,920

## Subdivision 6.

## NORTH DAKOTA STATE UNIVERSITY

Operations	\$88,730,217
Capital assets	<u>32,709,161</u>
Total all funds	\$121,439,378
Less estimated income	<u>23,500,000</u>
Total general fund appropriation	\$97,939,378

## Subdivision 7.

## NORTH DAKOTA STATE COLLEGE OF SCIENCE

Operations	\$27,446,294
Capital assets	<u>4,756,865</u>
Total all funds	\$32,203,159
Less estimated income	<u>1,700,000</u>
Total general fund appropriation	\$30,503,159

## Subdivision 8.

## DICKINSON STATE UNIVERSITY

Operations	\$16,711,198
Capital assets	<u>9,018,763</u>
Total all funds	\$25,729,961
Less estimated income	<u>8,000,000</u>
Total general fund appropriation	\$17,729,961

## Subdivision 9.

## MAYVILLE STATE UNIVERSITY

Operations	\$9,801,591
Capital assets	<u>2,406,430</u>
Total all funds	\$12,208,021
Less estimated income	<u>900,000</u>
Total general fund appropriation	\$11,308,021

## Subdivision 10.

## MINOT STATE UNIVERSITY

Operations	\$29,866,191
Capital assets	<u>9,578,894</u>
Total all funds	\$39,445,085
Less estimated income	<u>1,239,150</u>
Total general fund appropriation	\$38,205,935

## Subdivision 11.

## VALLEY CITY STATE UNIVERSITY

Operations	\$12,855,017
Capital assets	<u>2,996,235</u>
Total general fund appropriation	\$15,851,252

## Subdivision 12.

## MINOT STATE UNIVERSITY - BOTTINEAU

Operations	\$4,727,344
Capital assets	<u>410,702</u>
Total all funds	\$5,138,046
Less estimated income	<u>12,905</u>
Total general fund appropriation	\$5,125,141

## Subdivision 13.

UNIVERSITY OF NORTH DAKOTA SCHOOL OF MEDICINE  
AND HEALTH SCIENCES

Operations	\$34,238,963
Total general fund appropriation	\$34,238,963

Subdivision 14.

NORTH DAKOTA FOREST SERVICE

Operations	\$3,333,789
Capital assets	<u>180,204</u>
Total all funds	\$3,513,993
Less estimated income	<u>997,486</u>
Total general fund appropriation	\$2,516,507
Total general fund appropriation - Section 3	\$475,264,110
Total estimated income appropriation - Section 3	\$113,471,756
Total all funds appropriation - Section 3	\$588,735,866
Grand total general fund appropriation - H.B. 1003	\$475,264,110
Grand total estimated income appropriation - H.B. 1003	\$136,185,756
Grand total all funds appropriation - H.B. 1003	\$611,449,866

Page 5, remove lines 1 through 30

Page 6, remove lines 1 through 31

Page 7, remove lines 1 through 30

Page 8, remove lines 1 through 31

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 15

Page 12, line 19, replace "\$15,822,002" with "\$15,754,112"

Page 12, line 23, replace "\$344,559" with "\$144,559"

Page 12, line 27, replace "\$27,403,293" with "\$28,652,267"

Page 13, line 5, replace "\$496,482" with "\$296,482"

Page 13, line 14, replace "**APPROPRIATION.** There is appropriated out of any moneys in the" with "**STUDENT LOAN TRUST FUND.** Section 3 of this Act includes the sum of \$317,460, or so much of the sum as may be necessary, from the student loan trust fund for the professional student exchange program, for the biennium beginning July 1, 2007, and ending June 30, 2009.

**SECTION 11. PERMANENT OIL TAX TRUST FUND.** Section 3 of this Act includes the sum of \$900,000, or so much of the sum as may be necessary, from the permanent oil tax trust fund for the service rig program at Williston state college, for the biennium beginning July 1, 2007, and ending June 30, 2009."

Page 13, remove lines 15 through 17

Page 14, line 30, replace "\$12,000,000" with "12,000,000"

Page 15, line 1, replace "\$6,000,000" with "6,000,000"

Page 15, line 2, replace \$714,000" with "714,000"

Page 15, after line 2, insert:

"Total special funds appropriation	\$22,714,000"
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Page 16, after line 13, insert:

**"SECTION 19. TRANSFER - STUDENT LOAN PROFITS.** The industrial commission shall transfer \$249,000 from any profits that have accrued as a result of the Bank of North Dakota administering the student loan programs under section

15-62.2-01 to the North Dakota university system office for additional funding for the teacher shortage loan forgiveness program as appropriated in section 3 of this Act.

**SECTION 20. TUITION RATE INCREASES - LIMIT.** Notwithstanding any other provision of law, the state board of higher education shall limit any annual tuition increase for students attending institutions under its control for the 2007-08 and 2008-09 academic years to not more than five percent for each year.

**SECTION 21. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-FIRST LEGISLATIVE ASSEMBLY.** The grand total general fund appropriation line item in section 3 of this Act includes \$42,322,010 for one-time funding items identified in this section. This amount is not a part of the institutions' base budgets to be used in preparing the 2009-11 executive budget. The North Dakota university system shall report to the appropriations committees of the sixty-first legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2007, and ending June 30, 2009.

Northern tier network infrastructure	\$2,400,000
ConnectND system support	3,700,000
Common information system pool parity funding	420,000
Deferred maintenance	11,559,500
Capital projects	23,431,710
Campus initiatives	810,800
Total	\$42,322,010

**SECTION 22. LEGISLATIVE COUNCIL STUDY - HIGHER EDUCATION.**

1. The legislative council shall appoint an interim higher education committee, during the 2007-08 interim, to study approaches to achieving increased higher education productivity, through measures that build a more cost-effective system, changes to the academic production function, and steps that reduce the demand students place on the system.
2. The committee shall consist of thirteen members, the seven members of the education and environment division of the house appropriations committee, five members of the senate, including three members from the majority and two members from the minority appointed by the chairman of the legislative council, and the chairman of the house appropriations committee, who is to serve as the chairman of the committee.
3. The committee shall:
  - a. Receive and review information regarding measures that build a more cost-effective system, including a more appropriate mix of institutions, new types of providers, effective collaboration among institutions, and a more efficient use of existing resources.
  - b. Receive and review information regarding changes to the academic production function, including programs of cost-effective size, and a reengineering of curricula and course delivery.
  - c. Receive and review information regarding reducing the demand students place on the system, including accelerated learning, time-to-degree completion, and remediation.
  - d. Receive input from representatives of the state board of higher education, higher education institutions, and business and industry.
4. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-first legislative assembly.

**SECTION 23. USE OF UNSPENT 2005-07 GENERAL FUND APPROPRIATIONS.** The state board of higher education shall make available \$200,000 of the North Dakota university system office unspent 2005-07 general fund appropriation authorized to continue under section 54-44.1-11 for the payment of any consulting services relating to the legislative council study of higher education for the biennium beginning July 1, 2007, and ending June 30, 2009.

**SECTION 24. AMENDMENT.** Section 15-10-43 of the North Dakota Century Code is amended and reenacted as follows:

**15-10-43. Veterinary medical education program - Kansas state university - Contract.**

1. In addition to any contracts under section 15-10-28.2, the state board of higher education may contract with Kansas state university to provide an opportunity for up to five eligible students to enroll in the veterinary medical education program at Kansas state university.
2. Eligible students must be residents of this state and must have been selected for enrollment by an admissions committee consisting of one faculty member from the department of veterinary and microbiological sciences at North Dakota state university, one veterinarian practicing in this state, one member of the legislative assembly, and one livestock producer, all of whom must be appointed by the legislative council, and the chairman of the admissions committee at the Kansas state university school of veterinary medicine. The legislative council and the chairman of the admissions committee at the Kansas state university school of veterinary medicine may select an alternative for each of the designated positions to serve as necessary.
3. The admissions committee shall determine the criteria to be used in the selection of eligible students, with eligible students interested in large animal veterinary medicine receiving a priority.
4. As a condition of selection under this program, an eligible student shall agree to practice veterinary medicine in this state for a period of three years upon graduation. If a student fails to fulfill the commitment for practice in this state, the student shall repay to the state board of higher education all moneys forwarded to or for the student under this Act, on a proportionate basis.

**SECTION 25. AMENDMENT.** Section 15-10-43 of the North Dakota Century Code is amended and reenacted as follows:

**15-10-43. Veterinary medical education program - Kansas state university - Contract.**

1. In addition to any contracts under section 15-10-28.2, the state board of higher education may contract with Kansas state university to provide an opportunity for up to five eligible students to enroll in the veterinary medical education program at Kansas state university.
2. Eligible students must be residents of this state and must have been selected for enrollment by an admissions committee consisting of one faculty member from the department of veterinary and microbiological sciences at North Dakota state university, one veterinarian practicing in this state, one member of the legislative assembly, and one livestock producer, all of whom must be appointed by the legislative council, and the chairman of the admissions committee at the Kansas state university school of veterinary medicine.
3. The admissions committee shall determine the criteria to be used in the selection of eligible students, with eligible students interested in large animal veterinary medicine receiving a priority.
4. ~~As a condition of selection under this program, an eligible student shall agree to practice veterinary medicine in this state for a period of three years upon graduation. If a student fails to fulfill the commitment for practice in this state, the student shall repay to the state board of higher education all moneys forwarded to or for the student under this Act, on a proportionate basis.~~

**SECTION 26. REPEAL.** Sections 1 and 2 of House Bill No. 1031, as approved by the sixtieth legislative assembly, are repealed.

**SECTION 27. RETROACTIVE APPLICATION.** Section 25 of this Act applies retroactively to students participating in the Kansas state university veterinary medicine program."

Page 16, line 16, replace "14" with "15"

Renumber accordingly

# STATEMENT OF PURPOSE OF AMENDMENT:

## House Bill No. 1003 - Summary of House Action

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
University System office			
Total all funds	\$73,348,533	(\$1,267,543)	\$72,080,990
Less estimated income	2,437,810	249,000	2,686,810
General fund	\$70,910,723	(\$1,516,543)	\$69,394,180
Bismarck State College			
Total all funds	\$20,799,330	(\$211,897)	\$20,587,433
Less estimated income	27,805		27,805
General fund	\$20,771,525	(\$211,897)	\$20,559,628
Lake Region State College			
Total all funds	\$9,660,871	(\$53,572)	\$9,607,299
Less estimated income	3,007,600	(1,000,000)	2,007,600
General fund	\$6,653,271	\$946,428	\$7,599,699
Williston State College			
Total all funds	\$7,996,300	\$834,066	\$8,830,366
Less estimated income	1,400,000	900,000	2,300,000
General fund	\$6,596,300	(\$65,934)	\$6,530,366
University of North Dakota			
Total all funds	\$193,608,905	(\$1,746,985)	\$191,861,920
Less estimated income	78,200,000	(4,100,000)	74,100,000
General fund	\$115,408,905	\$2,353,015	\$117,761,920
UND Medical Center			
Total all funds	\$33,874,938	\$364,025	\$34,238,963
Less estimated income			
General fund	\$33,874,938	\$364,025	\$34,238,963
North Dakota State University			
Total all funds	\$119,527,336	\$13,912,042	\$133,439,378
Less estimated income	20,500,000	15,000,000	35,500,000
General fund	\$99,027,336	(\$1,087,958)	\$97,939,378
State College of Science			
Total all funds	\$38,830,758	\$86,401	\$38,917,159
Less estimated income	8,414,000		8,414,000
General fund	\$30,416,758	\$86,401	\$30,503,159
Dickinson State University			
Total all funds	\$25,917,119	(\$187,158)	\$25,729,961
Less estimated income	8,000,000		8,000,000
General fund	\$17,917,119	(\$187,158)	\$17,729,961
Mayville State University			
Total all funds	\$11,736,719	\$471,302	\$12,208,021
Less estimated income	900,000		900,000
General fund	\$10,836,719	\$471,302	\$11,308,021
Minot State University			
Total all funds	\$39,698,842	(\$253,757)	\$39,445,085
Less estimated income	5,575,550	(4,336,400)	1,239,150
General fund	\$34,123,292	\$4,082,643	\$38,205,935
Valley City State University			
Total all funds	\$15,979,831	(\$128,579)	\$15,851,252
Less estimated income			
General fund	\$15,979,831	(\$128,579)	\$15,851,252
Minot State University - Bottineau			
Total all funds	\$5,182,179	(\$44,133)	\$5,138,046
Less estimated income	12,905		12,905
General fund	\$5,169,274	(\$44,133)	\$5,125,141
Forest Service			
Total all funds	\$3,538,935	(\$24,942)	\$3,513,993
Less estimated income	997,486		997,486
General fund	\$2,541,449	(\$24,942)	\$2,516,507
Bill Total			
Total all funds	\$599,700,596	\$11,749,270	\$611,449,866
Less estimated income	129,473,156	6,712,600	136,185,756
General fund	\$470,227,440	\$5,036,670	\$475,264,110

## House Bill No. 1003 - General Fund Summary

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
University System office	\$70,910,723	(\$1,516,543)	\$69,394,180
Bismarck State College	20,771,525	(211,897)	20,559,628
Lake Region State College	6,653,271	946,428	7,599,699

Williston State College	6,596,300	(65,934)	6,530,366
University of North Dakota	115,408,905	2,353,015	117,761,920
UND Medical Center	33,874,938	364,025	34,238,963
North Dakota State University	99,027,336	(1,087,958)	97,939,378
State College of Science	30,416,758	86,401	30,503,159
Dickinson State University	17,917,119	(187,158)	17,729,961
Mayville State University	10,836,719	471,302	11,308,021
Minot State University	34,123,292	4,082,643	38,205,935
Valley City State University	15,979,831	(128,579)	15,851,252
Minot State University - Bottineau	5,169,274	(44,133)	5,125,141
Forest Service	<u>2,541,449</u>	<u>(24,942)</u>	<u>2,516,507</u>
Total general fund	\$470,227,440	\$5,036,670	\$475,264,110

### Detail of House Changes to the General Fund

	DECREASES FUNDING FOR BOND PAYMENTS <sup>1</sup>	DECREASES FUNDING FOR BOARD INITIATIVES <sup>2</sup>	DECREASES FUNDING FOR SYSTEM GOVERNANCE <sup>3</sup>	INCREASES FUNDING FOR THE NORTHERN TIER NETWORK <sup>4</sup>	DECREASES FUNDING FOR OPERATIONS POOL <sup>5</sup>	DECREASES FUNDING FOR CONTINGENCY AND CAPITAL EMERGENCY <sup>6</sup>
University System office	(\$67,890)	(\$1,791,174)	(\$358,000)	\$1,400,000	(\$200,000)	(\$200,000)
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 general fund	(\$67,890)	(\$1,791,174)	(\$358,000)	\$1,400,000	(\$200,000)	(\$200,000)
	DECREASES FUNDING FOR THE PROFESSIONAL STUDENT EXCHANGE PROGRAM <sup>7</sup>	INCREASES FUNDING FOR EDUCATION INITIATIVE PROGRAMS <sup>8</sup>	REDUCES COMPENSATION PACKAGE FROM 5/5 to 4/4 <sup>9</sup>	ADJUSTS FUNDING FOR OPERATIONS <sup>10</sup>	ADJUSTS FUNDING FOR CAPITAL ASSETS <sup>11</sup>	TOTAL GENERAL FUND CHANGES
University System office	(\$100,000)		(\$199,479)			(\$1,516,543)
Bismarck State College			(211,897)			(211,897)
Lake Region State College			(53,572)		\$1,000,000	946,428
Williston State College			(65,934)			(65,934)
University of North Dakota			(1,246,985)		3,600,000	2,353,015
UND Medical Center			(335,975)	\$700,000		364,025
North Dakota State University			(1,087,958)			(1,087,958)
State College of Science			(263,599)	350,000		86,401
Dickinson State University			(187,158)			(187,158)
Mayville State University			(88,198)		559,500	471,302
Minot State University			(304,357)		4,387,000	4,082,643
Valley City State University			(128,579)			(128,579)
Minot State University - Bottineau			(44,133)			(44,133)
Forest Service			<u>(24,942)</u>			<u>(24,942)</u>
Total general fund	(\$100,000)	\$0	(\$4,242,766)	\$1,050,000	\$9,546,500	\$5,036,670

### House Bill No. 1003 - Other Funds Summary

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
University System office	\$2,437,810	\$249,000	\$2,686,810
Bismarck State College	27,805		27,805
Lake Region State College	3,007,600	(1,000,000)	2,007,600
Williston State College	1,400,000	900,000	2,300,000
University of North Dakota	78,200,000	(4,100,000)	74,100,000
UND Medical Center			
North Dakota State University	20,500,000	15,000,000	35,500,000
State College of Science	8,414,000		8,414,000
Dickinson State University	8,000,000		8,000,000
Mayville State University	900,000		900,000
Minot State University	5,575,550	(4,336,400)	1,239,150
Valley City State University			
Minot State University - Bottineau	12,905		12,905
Forest Service	<u>997,486</u>		<u>997,486</u>
Total other funds	\$129,473,156	\$6,712,600	\$136,185,756

### Detail of House Changes to Other Funds

	DECREASES FUNDING FOR BOND PAYMENTS <sup>1</sup>	DECREASES FUNDING FOR BOARD INITIATIVES <sup>2</sup>	DECREASES FUNDING FOR SYSTEM GOVERNANCE <sup>3</sup>	INCREASES FUNDING FOR THE NORTHERN TIER NETWORK <sup>4</sup>	DECREASES FUNDING FOR OPERATIONS POOL <sup>5</sup>	DECREASES FUNDING FOR CONTINGENCY AND CAPITAL EMERGENCY <sup>6</sup>
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
	DECREASES FUNDING FOR THE PROFESSIONAL STUDENT EXCHANGE PROGRAM 7	INCREASES FUNDING FOR EDUCATION INCENTIVE PROGRAMS 8	REDUCES COMPENSATION PACKAGE FROM 5/5 TO 4/4 9	ADJUSTS FUNDING FOR OPERATIONS 10	ADJUSTS FUNDING FOR CAPITAL ASSETS 11	TOTAL OTHER FUNDS CHANGES
University System office		\$249,000				\$249,000
Bismarck State College						
Lake Region State College					(\$1,000,000)	(1,000,000)
Williston State College				\$200,000	700,000	900,000
University of North Dakota					(4,100,000)	(4,100,000)
UND Medical Center						
North Dakota State University					15,000,000	15,000,000
State College of Science						
Dickinson State University						
Mayville State University						
Minot State University					(4,336,400)	(4,336,400)
Valley City State University						
Minot State University - Bottineau						
Forest Service						
Total other funds	\$0	\$249,000	\$0	\$200,000	\$6,263,600	\$6,712,600

### House Bill No. 1003 - All Funds Summary

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
University System office	\$73,348,533	(\$1,267,543)	\$72,080,990
Bismarck State College	20,799,330	(211,897)	20,587,433
Lake Region State College	9,660,871	(53,572)	9,607,299
Williston State College	7,996,300	834,066	8,830,366
University of North Dakota	193,608,905	(1,746,985)	191,861,920
UND Medical Center	33,874,938	364,025	34,238,963
North Dakota State University	119,527,336	13,912,042	133,439,378
State College of Science	38,830,758	86,401	38,917,159
Dickinson State University	25,917,119	(187,158)	25,729,961
Mayville State University	11,736,719	471,302	12,208,021
Minot State University	39,698,842	(253,757)	39,445,085
Valley City State University	15,979,831	(128,579)	15,851,252
Minot State University - Bottineau	5,182,179	(44,133)	5,138,046
Forest Service	<u>3,538,935</u>	<u>(24,942)</u>	<u>3,513,993</u>
Total all funds	\$599,700,596	\$11,749,270	\$611,449,866
FTE	2134.59	2.00	2136.59

### Detail of House Changes to All Funds

	DECREASES FUNDING FOR BOND PAYMENTS 1	DECREASES FUNDING FOR BOARD INITIATIVES 2	DECREASES FUNDING FOR SYSTEM GOVERNANCE 3	INCREASES FUNDING FOR THE NORTHERN TIER NETWORK 4	DECREASES FUNDING FOR OPERATIONS POOL 5	DECREASES FUNDING FOR CONTINGENCY AND CAPITAL EMERGENCY 6
University System office	(\$67,890)	(\$1,791,174)	(\$358,000)	\$1,400,000	(\$200,000)	(\$200,000)
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 all funds	(\$67,890)	(\$1,791,174)	(\$358,000)	\$1,400,000	(\$200,000)	(\$200,000)
FTE	0.00	0.00	(1.00)	0.00	0.00	0.00

	DECREASES FUNDING FOR THE PROFESSIONAL STUDENT EXCHANGE PROGRAM 7	INCREASES FUNDING FOR EDUCATION INCENTIVE PROGRAMS 8	REDUCES COMPENSATION PACKAGE FROM 5/5 TO 4/4 9	ADJUSTS FUNDING FOR OPERATIONS 10	ADJUSTS FUNDING FOR CAPITAL ASSETS 11	TOTAL ALL FUNDS CHANGES
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University System office	(\$100,000)	\$249,000	(\$199,479)			(\$1,267,543)
Bismarck State College			(211,897)			(211,897)
Lake Region State College			(53,572)			(53,572)
Williston State College			(65,934)	\$200,000	\$700,000	834,066
University of North Dakota			(1,246,985)		(500,000)	(1,746,985)
UND Medical Center			(335,975)	700,000		364,025
North Dakota State University			(1,087,985)		15,000,000	13,912,042
State College of Science			(263,599)	350,000		86,401
Dickinson State University			(187,158)			(187,158)
Mayville State University			(88,198)		559,500	471,302
Minot State University			(304,357)		50,600	(253,757)
Valley City State University			(128,579)			(128,579)
Minot State University - Bottineau			(44,133)			(44,133)
Forest Service			(24,942)			(24,942)
Total all funds	(\$100,000)	\$249,000	(\$4,242,766)	\$1,250,000	\$15,810,100	\$11,749,270
FTE	0.00	0.00	0.00	3.00	0.00	2.00

1 This amendment decreases funding from the general fund for bond payments by \$67,890, from \$15,822,002, of which \$14,792,252 is from the general fund and \$1,029,750 is from special funds, to \$15,754,112, of which \$14,724,362 is from the general fund and \$1,029,750 is from special funds.

2 This amendment decreases funding from the general fund for board initiatives by \$1,791,174, from \$2,091,174 as recommended in the executive budget, to \$300,000.

3 This amendment removes funding of \$358,000 from the general fund for the system governance line item. Of the \$358,000, \$308,000 relates to funding included in the executive budget recommendation to separate the vice chancellor for strategic planning and the executive director of the College Technical Education Council as well as provide funding for an anticipated higher salary replacement cost for the vice chancellor position. The remaining \$50,000 relates to one-time funding provided in the 2005-07 biennium for a technology commercialization study that is removed for the 2007-09 biennium.

4 This amendment increases funding for the Northern Tier Network project by \$1.4 million, from \$1 million to \$2.4 million from the general fund.

5 This amendment decreases funding for the operations pool by \$200,000, from \$344,559 to \$144,559 from the general fund.

6 This amendment decreases funding for contingency and capital emergencies by \$200,000, from \$496,482 to \$296,482 from the general fund.

7 The executive budget recommended including funding of \$200,000 from the general fund in the professional student exchange program line item for a loan forgiveness program for veterinary and optometry students. This amendment decreases the funding by \$100,000 to reflect the elimination of the proposed loan forgiveness program for optometry students in House Bill No. 1125.

8 This amendment increases funding for the education incentive programs by \$249,000, from \$1,227,902 to \$1,989,314, for additional funding for the teacher shortage loan forgiveness program. The additional funding is from profits that have accrued at the Bank of North Dakota as a result of the Bank administering student loan programs.

9 This amendment reduces funding for salary increases from 5 percent for each year of the 2007-09 biennium to 4 percent for each year of the biennium.

10 Williston State College - This amendment provides funding of \$200,000 from the permanent oil tax trust fund for support of the college's service rig program, including \$140,000 for 1 new FTE training position and \$60,000 for operating expenses.

UND School of Medicine and Health Sciences - This amendment provides funding of \$700,000 from the general fund for recruiting two new faculty in bacteriology and immunology. Of the \$700,000, \$460,800 is considered one-time funding and \$239,200 is considered base funding.

State College of Science - This amendment provides funding of \$350,000 from the general fund for support of the Center for Nanoscience and Technology Training, including curriculum design and development, purchase and installation of specialized equipment, facilities renovation, technical support, and other related costs associated with the development of the nanoscience technician program and nanotechnology applied science laboratory and related emerging technology programming.

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

	EXECUTIVE BUDGET	PROPOSED AMENDMENTS	INCREASE (DECREASE)
General fund		\$1,000,000	\$1,000,000
Special funds	<u>\$3,007,600</u>	<u>2,007,600</u>	<u>(1,000,000)</u>
Total	\$3,007,600	\$3,007,600	\$0

Williston State College - This amendment provides funding of \$700,000 from the permanent oil tax trust fund for construction of a new facility for the college's service rig program.

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 summarized below. The university may use any special funds available for the project.

	EXECUTIVE BUDGET	PROPOSED AMENDMENTS	INCREASE (DECREASE)
General fund		\$3,600,000	\$3,600,000
Special funds	<u>\$4,500,000</u>	<u>400,000</u>	<u>(4,100,000)</u>
Total	\$4,500,000	\$4,000,000	(\$500,000)

North Dakota State University - This amendment provides a \$15 million special funds appropriation to the university to reauthorize the Bison Sports Arena renovation project.

Mayville State University - This amendment provides funding of \$559,500 from the general fund to the university for the payoff of special assessment balances and deferred maintenance issues.



Minot State University - This amendment changes the funding source for the university's Swain Hall renovation and addition project as follows:

	EXECUTIVE BUDGET	PROPOSED AMENDMENTS	INCREASE (DECREASE)
General fund	\$2,500,000	\$6,500,000	\$4,000,000
Special funds	<u>4,536,150</u>	<u>536,150</u>	<u>(4,000,000)</u>
Total	\$7,036,150	\$7,036,150	\$0

This amendment also changes the university's dome athletic floor replacement project as follows:

	EXECUTIVE BUDGET	PROPOSED AMENDMENTS	INCREASE (DECREASE)
General fund		\$387,000	\$387,000
Special funds	<u>\$336,400</u>		<u>(336,400)</u>
Total	\$336,400	\$387,000	\$50,600

### House Bill No. 1003 - Other Changes - House Action

This amendment also:

- Amends Section 10 of the bill as introduced relating to the student loan trust fund.
- Amends Section 16 of the bill as introduced relating to revenue bond issuance.
- Adds a section to the bill limiting tuition rate increases for the 2007-08 and 2008-09 academic years to 5 percent for each year.
- Adds a section to the bill relating to one-time funding.
- Adds a section to the bill providing for a Legislative Council study of higher education.
- Adds a section to the bill relating to the use of unspent 2005-07 general fund appropriations.
- Amends North Dakota Century Code Section 15-10-43 to eliminate the payback provision for all Kansas State University veterinary medicine positions and allows for the appointment of alternates to the selection committee.
- Repeals Sections 1 and 2 of House Bill No. 1031, as approved by the 60th Legislative Assembly relating to the budgeting process.

### REPORT OF STANDING COMMITTEE

**HB 1010: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (19 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1010 was placed on the Sixth order on the calendar.

Page 1, line 18, replace "137,019" with "113,940"

Page 1, line 20, replace "169,021" with "139,021"

Page 1, line 22, replace "216,616" with "163,537"

Page 1, line 24, replace "196,616" with "143,537"

Page 2, line 6, replace "592,485" with "569,406"

Page 2, line 8, replace "1,645,278" with "1,615,278"

Page 2, line 9, replace "2,484,625" with "2,431,546"

Page 2, line 11, replace "1,196,307" with "1,143,228"

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1010 - Council on the Arts - House Action**

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$592,485	(\$23,079)	\$569,406
Operating expenses	246,862		246,862
Grants	<u>1,645,278</u>	<u>(\$30,000)</u>	<u>1,615,278</u>
Total all funds	\$2,484,625	(\$53,079)	\$2,431,546
Less estimated income	<u>1,288,318</u>		<u>1,288,318</u>
General fund	\$1,196,307	(\$53,079)	\$1,143,228
FTE	5.00	0.00	5.00

**Dept. 709 - Council on the Arts - Detail of House Changes**

	REMOVES FUNDING FOR FACILITY IMPROVEMENT GRANT <sup>1</sup>	REMOVES FUNDING FOR SALARY EQUITY INCREASES <sup>2</sup>	TOTAL HOUSE CHANGES
Salaries and wages		(\$23,079)	(\$23,079)
Operating expenses			
Grants	<u>(\$30,000)</u>		<u>(30,000)</u>
Total all funds	(\$30,000)	(\$23,079)	(\$53,079)
Less estimated income			
General fund	(\$30,000)	(\$23,079)	(\$53,079)
FTE	0.00	0.00	0.00

<sup>1</sup> This amendment removes \$30,000 for a grant that would provide facility improvement grants to local arts organizations.

<sup>2</sup> This amendment removes \$23,079 of salary equity dollars from the salaries and wages line item.

**REPORT OF STANDING COMMITTEE (MAJORITY)**

**HB 1015: Appropriations (Rep. K. Svedjan, Chairman)** A MAJORITY of your committee (Reps. Svedjan, Wieland, Kempenich, Wald, Monson, Hawken, Klein, Martinson, Carlson, Carlisle, Skarphol, Thoreson, Pollert, Kreidt, Nelson) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS**.

Page 1, line 2, remove the second "and" and after "12-65-08" insert "and subsection 2 of section 12.1-32-07"

Page 1, line 4, after "probationers" insert "and supervision fees; to provide an exemption; to provide legislative intent; to provide for budget section approval; and to declare an emergency"

Page 1, line 21, replace "8,877,936" with "8,138,211"

Page 1, line 22, replace "60,541,564" with "99,780,064"

Page 1, line 24, replace "1,764,875" with "1,712,416"

Page 2, line 2, replace "70,648,857" with "109,095,173"

Page 2, line 3, replace "(911,658)" with "(3,835,654)"

Page 2, line 4, replace "71,560,515" with "112,930,827"

Page 2, line 11, replace "35,953,086" with "35,213,361"

Page 2, line 12, replace "140,093,278" with "179,331,778"

Page 2, line 14, replace "14,608,184" with "14,555,725"

Page 2, line 15, replace "199,549,688" with "237,996,004"

Page 2, line 16, replace "26,853,489" with "23,929,493"

Page 2, line 17, replace "172,696,199" with "214,066,511"

Page 3, after line 2, insert:

**"SECTION 5. AMENDMENT.** Subsection 2 of section 12.1-32-07 of the North Dakota Century Code is amended and reenacted as follows:

2. The conditions of probation must be such as the court in its discretion deems reasonably necessary to ensure that the defendant will lead a law-abiding life or to assist the defendant to do so. The court shall provide as an explicit condition of every probation that the defendant not commit another offense during the period for which the probation remains subject to revocation. The court shall order supervision costs and fees of not less than ~~forty~~ forty-five dollars per month unless the court makes a specific finding on record that the imposition of fees will result in an undue hardship. If the offender has not paid the full amount of supervision fees and costs before completion or termination of probation, the court may issue an order, after opportunity for hearing, to determine the amount of supervision fees and costs that are unpaid. The order may be filed, transcribed, and enforced by the department of corrections and rehabilitation in the same manner as civil judgments rendered by a district court of this state.

**SECTION 6. NORTH CENTRAL CORRECTIONAL AND REHABILITATION CENTER.** The department of corrections and rehabilitation shall distribute in twenty-four equal payments \$1,631,044 from the general fund included in the prisons division line item in section 3 of this Act for treatment services at the north central correctional and rehabilitation center for the biennium beginning July 1, 2007, and ending June 30, 2009.

**SECTION 7. NEW PRISON FACILITY ON EXISTING SITE.** The prisons division line item in section 3 of this Act includes \$85,000,000 of one-time funding for construction of a new prison facility on the existing penitentiary site. The facility should be a pod design and include cells for a population of at least nine hundred fifty inmates with as many of these cells as possible being single cells. The facility must include an observation tower, warehouse, armory, administration, facility operations, programs, recreation, and food services. The department shall retain and use existing industries, maintenance, motor pool, and energy plant buildings. The department shall consider using other existing buildings if it is economical, practical, and the buildings are structurally sound.

**SECTION 8. RELOCATION OF MISSOURI RIVER CORRECTIONAL CENTER - SALE OF LAND.** The department of corrections and rehabilitation shall move the Missouri River correctional center to the location of the state penitentiary after the completion of any penitentiary expansion or construction projects authorized by this Act. The department shall sell the land and buildings at the Missouri River correctional center site after the correctional center has been moved to the penitentiary site.

**SECTION 9. PRISON FACILITY ALTERNATIVE - ADDITIONAL FUNDING - APPROPRIATION.** The department of corrections and rehabilitation may seek and accept other funds which are appropriated for the biennium beginning July 1, 2007, and ending June 30, 2009, for the construction of a new prison facility. If the department of corrections and rehabilitation receives sufficient other funds to make construction of a new prison facility feasible at a site in Burleigh County, other than the existing penitentiary site, the sum of \$85,000,000, or so much of the sum as may be necessary, included in the prisons division line item in section 3 of this Act for construction of the prison expansion project, may, in the alternative, be used by the department of corrections and rehabilitation for the construction of a new prison facility.

**SECTION 10. EXEMPTION.** The amount appropriated to the department of corrections and rehabilitation in section 5 of 2005 Senate Bill No. 2341 is not subject to the provisions of section 54-44.1-11. Any unexpended funds from this appropriation are available for crime victims compensation during the period beginning with passage of this Act and ending June 30, 2009.

**SECTION 11. INMATE MEDICAL SYSTEM - BUDGET SECTION APPROVAL.** The department of corrections and rehabilitation shall, during the 2007-08 interim, develop a plan for and implement an inmate medical system. The department shall provide reports to the legislative information technology committee as required by chapters 54-35 and 54-59 of the North Dakota Century Code and information technology department standards. At the completion of the planning phase and prior to the implementation stage, the department shall provide an update to the information

technology committee and the budget section in the form of a project startup report identifying benefits to be achieved, estimated costs for implementation, a milestone schedule, and project risks. Budget section approval is required before the department of corrections and rehabilitation proceeds with implementation.

**SECTION 12. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-FIRST LEGISLATIVE ASSEMBLY.** The total general fund appropriation line item in section 3 of this Act includes \$88,332,091 for the one-time funding items identified in this section. This amount is not a part of the agency's base budget to be used in preparing the 2009-11 executive budget. The department of corrections and rehabilitation shall report to the appropriations committees of the sixty-first legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2007, and ending June 30, 2009.

Prison expansion project	\$85,000,000
Youth correctional center security lighting	70,000
Deferred maintenance	1,498,091
Medical information system, equipment, and radios	<u>1,764,000</u>
Total	\$88,332,091

**SECTION 13. INTENT - REPORTING LEVELS.** The office of management and budget shall change the reporting levels on the budget analysis and reporting system to allow for a separation of food and clothing items for the 2009-11 biennium.

**SECTION 14. EMERGENCY.** Section 10 of this Act is declared to be an emergency measure."

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

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

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Field Services	\$35,953,086	(\$739,725)	\$35,213,361
Prisons Division	140,093,278	39,238,500	179,331,778
Juvenile Community Services	8,895,140		8,895,140
Youth Correctional Center	<u>14,608,184</u>	<u>(52,459)</u>	<u>14,555,725</u>
Total all funds	\$199,549,688	\$38,446,316	\$237,996,004
Less estimated income	<u>26,853,489</u>	<u>(2,923,996)</u>	<u>23,929,493</u>
General fund	\$172,696,199	\$41,370,312	\$214,066,511
FTE	706.79	(6.50)	700.29

#### Dept. 530 - Department of Corrections and Rehabilitation - Detail of House Changes

	PRISONS DIVISION CHANGES <sup>1</sup>	YOUTH CORRECTIONAL CENTER CHANGES <sup>2</sup>	FIELD SERVICES CHANGES <sup>3</sup>	TOTAL HOUSE CHANGES
Field Services			(\$739,725)	(\$739,725)
Prisons Division	\$39,238,500			39,238,500
Juvenile Community Services				
Youth Correctional Center		<u>(52,459)</u>		<u>(52,459)</u>
Total all funds	\$39,238,500	(\$52,459)	(\$739,725)	\$38,446,316
Less estimated income	<u>(3,000,000)</u>		<u>76,004</u>	<u>(2,923,996)</u>
General fund	\$42,238,500	(\$52,459)	(\$815,729)	\$41,370,312
FTE	(2.00)	0.00	(4.50)	(6.50)

<sup>1</sup> Prisons Division changes include:

	FTE	GENERAL FUND	ESTIMATED INCOME	TOTAL
Remove funds for license plate project			(\$3,000,000)	(\$3,000,000)
Remove funds for Bobcat		(\$30,000)		(30,000)
Remove funds for expansion project		(42,000,000)		(42,000,000)
Add funds for new facility on current site		85,000,000		85,000,000
Remove funds for conversion of 2 chaplains to FTE (net of adding temporary salary)	(2.00)	(64,000)		(64,000)
Remove funds for repairs with priority rating of 26 or higher		<u>(667,500)</u>		<u>(667,500)</u>
Total House changes	(2.00)	\$42,238,500	(\$3,000,000)	\$39,238,500

2 Youth Correctional Center changes include:

	FTE	GENERAL FUND	ESTIMATED INCOME	TOTAL
Transfer funds from Field Services		\$200,000		\$200,000
Remove funding for security lighting project		(100,000)		(100,000)
Remove funding for roof projects (Maple, Hickory)		(127,459)		(127,459)
Remove funds for optometry equipment		<u>(25,000)</u>		<u>(25,000)</u>
Total House changes	0.00	(\$52,459)	\$0	(\$52,459)

3 Field Services changes include:

	FTE	GENERAL FUND	ESTIMATED INCOME	TOTAL
Transfer funds to Youth Correctional Center		(\$200,000)		(\$200,000)
Remove 1.5 FTE from 2005-07 pilot project and civil supervision	(1.50)		(\$168,778)	(168,778)
Remove 3 FTE parole officers, including operating expenses	(3.00)	(423,447)		(423,447)
Reduce operating (special other line item)		(47,500)		(47,500)
Add funds for additional faith-based programming		100,000		100,000
Replace general fund support for Field Services with increased supervision fee revenue		<u>(244,782)</u>	<u>244,782</u>	<u>0</u>
Total House changes	(4.50)	(\$815,729)	\$76,004	(\$739,725)

This amendment also adds the following sections:

Section 5 amends North Dakota Century Code (NDCC) Section 12.1-32-07 to change the supervision fees from \$40 to \$45.

Section 6 requires the department to pay the North Central Correctional and Rehabilitation Center in 24 equal payments.

Section 7 authorizes a new prison facility on the existing site and provides \$85,000,000 for the project.

Section 8 requires the department to move the Missouri River Correctional Center to the State Penitentiary site and sell the existing Missouri River Correctional Center land and buildings.

Section 9 provides for an alternative site for the new facility if an additional funding source is found.

Section 10 provides for an exemption from NDCC Section 54-44.1-11 to allow for the carryover of unused pilot project funds to be used for crime victim compensation.

Section 11 requires the department to seek Budget Section approval before proceeding with implementation of the inmate medical system.

Section 12 identifies one-time funding included in the Act.

Section 13 provides intent for the Office of Management and Budget to change reporting levels in the budget analysis and reporting system to separate food and clothing costs.

Section 14 declares an emergency for Section 10 of this Act.

#### REPORT OF STANDING COMMITTEE (MINORITY)

**HB 1015: Appropriations (Rep. K. Svedjan, Chairman)** A **MINORITY** of your committee (Reps. Kerzman, Aarsvold, Gulleeson, Glassheim, Kroeber, Williams, Ekstrom) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS**.

Page 1, line 2, remove the second "and" and after "12-65-08" insert "and subsection 2 of section 12.1-32-07"

Page 1, line 4, after "probationers" insert "and supervision fees; to provide an exemption; to provide legislative intent; to provide for budget section approval; and to declare an emergency"

Page 1, line 21, replace "8,877,936" with "8,138,211"

Page 1, line 22, replace "60,541,564" with "56,780,064"

Page 1, line 24, replace "1,764,875" with "1,712,416"

Page 2, line 2, replace "70,648,857" with "66,095,173"

Page 2, line 3, replace "(911,658)" with "(3,835,654)"

Page 2, line 4, replace "71,560,515" with "69,930,827"

Page 2, line 11, replace "35,953,086" with "35,213,361"

Page 2, line 12, replace "140,093,278" with "136,331,778"

Page 2, line 14, replace "14,608,184" with "14,555,725"

Page 2, line 15, replace "199,549,688" with "194,996,004"

Page 2, line 16, replace "26,853,489" with "23,929,493"

Page 2, line 17, replace "172,696,199" with "171,066,511"

Page 3, after line 2, insert:

**"SECTION 5. AMENDMENT.** Subsection 2 of section 12.1-32-07 of the North Dakota Century Code is amended and reenacted as follows:

2. The conditions of probation must be such as the court in its discretion deems reasonably necessary to ensure that the defendant will lead a law-abiding life or to assist the defendant to do so. The court shall provide as an explicit condition of every probation that the defendant not commit another offense during the period for which the probation remains subject to revocation. The court shall order supervision costs and fees of not less than ~~forty~~ forty-five dollars per month unless the court makes a specific finding on record that the imposition of fees will result in an undue hardship. If the offender has not paid the full amount of supervision fees and costs before completion or termination of probation, the court may issue an order, after opportunity for hearing, to determine the amount of supervision fees and costs that are unpaid. The order may be filed, transcribed, and enforced by the department of corrections and rehabilitation in the same manner as civil judgments rendered by a district court of this state.

**SECTION 6. NORTH CENTRAL CORRECTIONAL AND REHABILITATION CENTER.** The department of corrections and rehabilitation shall distribute in twenty-four equal payments \$1,631,044 from the general fund included in the prisons division line item in section 3 of this Act for treatment services at the north central correctional and rehabilitation center for the biennium beginning July 1, 2007, and ending June 30, 2009.

**SECTION 7. EXEMPTION.** The amount appropriated to the department of corrections and rehabilitation in section 5 of 2005 Senate Bill No. 2341 is not subject to the provisions of section 54-44.1-11. Any unexpended funds from this appropriation are available for crime victims compensation during the period beginning with passage of this Act and ending June 30, 2009.

**SECTION 8. INMATE MEDICAL SYSTEM - BUDGET SECTION APPROVAL.** The department of corrections and rehabilitation shall, during the 2007-08 interim, develop a plan for and implement an inmate medical system. The department shall provide reports to the legislative information technology committee as required by chapters 54-35 and 54-59 of the North Dakota Century Code and information technology department standards. At the completion of the planning phase and prior to the implementation stage, the department shall provide an update to the information technology committee and the budget section in the form of a project startup report identifying benefits to be achieved, estimated costs for implementation, a milestone schedule, and project risks. Budget section approval is required before the department of corrections and rehabilitation proceeds with implementation.

**SECTION 9. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-FIRST LEGISLATIVE ASSEMBLY.** The total general fund appropriation line item in section 3 of this Act includes \$45,332,091 for the one-time funding items identified in this section. This amount is not a part of the agency's base budget to be used in preparing the 2009-11 executive budget. The department of corrections and rehabilitation shall report to the appropriations committees of the sixty-first legislative

assembly on the use of this one-time funding for the biennium beginning July 1, 2007, and ending June 30, 2009.

Prison expansion project	\$42,000,000
Youth correctional center security lighting	70,000
Deferred maintenance	1,498,091
Medical information system, equipment, and radios	<u>1,764,000</u>
Total	\$45,332,091

**SECTION 10. INTENT - REPORTING LEVELS.** The office of management and budget shall change the reporting levels on the budget analysis and reporting system to allow for a separation of food and clothing items for the 2009-11 biennium.

**SECTION 11. EMERGENCY.** Section 7 of this Act is declared to be an emergency measure."

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

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

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Field Services	\$35,953,086	(\$739,725)	\$35,213,361
Prisons Division	140,093,278	(3,761,500)	136,331,778
Juvenile Community Services	8,895,140		8,895,140
Youth Correctional Center	<u>14,608,184</u>	<u>(52,459)</u>	<u>14,555,725</u>
Total all funds	\$199,549,688	(\$4,553,684)	\$194,996,004
Less estimated income	<u>26,853,489</u>	<u>(2,923,996)</u>	<u>23,929,493</u>
General fund	\$172,696,199	(\$1,629,688)	\$171,066,511
FTE	706.79	(6.50)	700.29

#### Dept. 530 - Department of Corrections and Rehabilitation - Detail of House Changes

	PRISONS DIVISION CHANGES <sup>1</sup>	YOUTH CORRECTIONAL CENTER CHANGES <sup>2</sup>	FIELD SERVICES CHANGES <sup>3</sup>	TOTAL HOUSE CHANGES
Field Services			(\$739,725)	(\$739,725)
Prisons Division	(\$3,761,500)			(3,761,500)
Juvenile Community Services				
Youth Correctional Center		<u>(\$52,459)</u>		<u>(52,459)</u>
Total all funds	(\$3,761,500)	(\$52,459)	(\$739,725)	(\$4,553,684)
Less estimated income	<u>(3,000,000)</u>		<u>76,004</u>	<u>(2,923,996)</u>
General fund	(\$761,500)	(\$52,459)	(\$815,729)	(\$1,629,688)
FTE	(2.00)	0.00	(4.50)	(6.50)

<sup>1</sup> Prisons Division changes include:

	FTE	GENERAL FUND	ESTIMATED INCOME	TOTAL
Remove funds for license plate project			(\$3,000,000)	(\$3,000,000)
Remove funds for Bobcat		(\$30,000)		(30,000)
Remove funds for conversion of 2 chaplains to FTE (net of adding temporary salary)	(2.00)	(64,000)		(64,000)
Remove funds for repairs with priority rating of 26 or higher		<u>(667,500)</u>		<u>(667,500)</u>
Total House changes	(2.00)	(\$761,500)	(\$3,000,000)	(\$3,761,500)

<sup>2</sup> Youth Correctional Center changes include:

	FTE	GENERAL FUND	ESTIMATED INCOME	TOTAL
Transfer funds from Field Services		\$200,000		\$200,000
Remove funding for security lighting project		(100,000)		(100,000)
Remove funding for roof projects (Maple, Hickory)		(127,459)		(127,459)
Remove funds for optometry equipment		<u>(25,000)</u>		<u>(25,000)</u>
Total House changes	0.00	(\$52,459)	\$0	(\$52,459)

<sup>3</sup> Field Services changes include:

	FTE	GENERAL FUND	ESTIMATED INCOME	TOTAL
Transfer funds to Youth Correctional Center		(\$200,000)		(\$200,000)
Remove 1.5 FTE from 2005-07 pilot project and civil supervision	(1.50)		(\$168,778)	(168,778)
Remove 3 FTE parole officers, including operating expenses	(3.00)	(423,447)		(423,447)
Reduce operating (special other line item)		(47,500)		(47,500)
Add funds for additional faith-based programming		100,000		100,000
Replace general fund support for Field Services with increased supervision fee revenue		<u>(244,782)</u>	<u>244,782</u>	<u>0</u>
Total House changes	(4.50)	(\$815,729)	\$76,004	(\$739,725)

This amendment also adds the following sections:

Section 5 amends North Dakota Century Code (NDCC) Section 12.1-32-07 to change the supervision fees from \$40 to \$45.

Section 6 requires the department to pay the North Central Correctional and Rehabilitation Center in 24 equal payments.

Section 7 provides for an exemption from NDCC Section 54-44.1-11 to allow for the carryover of unused pilot project funds to be used for crime victim compensation.

Section 8 requires the department to seek Budget Section approval before proceeding with implementation of the inmate medical system.

Section 9 identifies one-time funding included in the Act.

Section 10 provides intent for the Office of Management and Budget to change reporting levels in the budget analysis and reporting system to separate food and clothing costs.

Section 11 declares an emergency for Section 7 of this Act.

The reports of the majority and the minority were placed on the Seventh order of business on the calendar for the succeeding legislative day.

#### REPORT OF STANDING COMMITTEE

**HB 1091: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **DO PASS** (22 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1091 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1502: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **DO NOT PASS** (22 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1502 was placed on the Eleventh order on the calendar.

#### SEVENTH ORDER OF BUSINESS

##### MOTION

**REP. KERZMAN MOVED** that the report of the Minority as printed on HJ pages 727-730 be substituted for the report of the Majority on HB 1015.

##### REQUEST

**REP. KERZMAN REQUESTED** a recorded roll call vote on the motion that the report of the Minority be substituted for the report of the Majority on HB 1015, which request was granted.

##### ROLL CALL

The question being on the motion that the report of the Minority be substituted for the report of the Majority on HB 1015, the roll was

called and there were 38 YEAS, 55 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Boe; Boucher; Conrad; Damschen; DeKrey; Delmore; Ekstrom; Froelich; Froseth; Glassheim; Griffin; Gruchalla; Gulleson; Hanson; Hunsakor;



Kaldor; Kelsh, S.; Kerzman; Kroeber; Metcalf; Meyer, S.; Mueller; Myxter; Onstad; Pinkerton; Potter; Schmidt; Schneider; Solberg; Thorpe; Vig; Weisz; Williams; Wolf; Zaiser

**NAYS:** Belter; Berg; Boehning; Brandenburg; Carlisle; Carlson; Charging; Clark; Dahl; Dietrich; Dosch; Drovdal; Grande; Haas; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsch, R.; Kempenich; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Martinson; Meier, L.; Monson; Nottestad; Owens; Pietsch; Pollert; Porter; Price; Ruby; Skarphol; Sukut; Svedjan; Thoreson; Uglem; Vigesaa; Wald; Wall; Weiler; Wieland; Wrangham; Speaker Delzer

**ABSENT AND NOT VOTING:** Nelson

The motion that the report of the Minority be substituted for the report of the Majority on HB 1015 failed, therefore, the report of the Majority was adopted.

#### SECOND READING OF HOUSE BILL

**HB 1015:** A BILL for an Act to provide an appropriation for defraying the expenses of the department of corrections and rehabilitation; to amend and reenact subsection 1 of section 12-65-08 and subsection 2 of section 12.1-32-07 of the North Dakota Century Code, relating to fees for the interstate transfer or travel of probationers and supervision fees; to provide an exemption; to provide legislative intent; to provide for budget section approval; and to declare an emergency.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 59 YEAS, 34 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Belter; Berg; Boehning; Brandenburg; Carlisle; Carlson; Charging; Clark; Dahl; Damschen; Dietrich; Dosch; Drovdal; Froseth; Grande; Haas; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Johnson, D.; Johnson, N.; Karls; Kasper; Keiser; Kelsch, R.; Kempenich; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Martinson; Meier, L.; Metcalf; Monson; Mueller; Nottestad; Owens; Pietsch; Pollert; Porter; Price; Ruby; Skarphol; Sukut; Svedjan; Thoreson; Uglem; Vigesaa; Wald; Wall; Weiler; Wieland; Wrangham; Speaker Delzer

**NAYS:** Aarsvold; Amerman; Bellew; Boe; Boucher; Conrad; DeKrey; Delmore; Ekstrom; Froelich; Glassheim; Griffin; Gruchalla; Gulleson; Hanson; Hunskor; Kaldor; Kelsh, S.; Kerzman; Kroeber; Meyer, S.; Myxter; Onstad; Pinkerton; Potter; Schmidt; Schneider; Solberg; Thorpe; Vig; Weisz; Williams; Wolf; Zaiser

**ABSENT AND NOT VOTING:** Nelson

Engrossed HB 1015 passed, the title was agreed to, but the emergency clause lost.

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#### SECOND READING OF HOUSE BILL

**HB 1159:** A BILL for an Act to authorize construction of a state correctional facility; to require development of a prison facility master site plan and to require reports to the legislative council; to authorize the sale of department of corrections and rehabilitation land and buildings; 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 NOT PASS, the roll was called and there were 0 YEAS, 90 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**NAYS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

**ABSENT AND NOT VOTING:** Ekstrom; Koppelman; Nelson; Ruby

Engrossed HB 1159 lost.

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### SECOND READING OF HOUSE BILL

**HB 1502:** A BILL for an Act to authorize construction of state correctional facilities at the state penitentiary; to require a prison facility master site plan and reports to the legislative council; to authorize contracting with a private vendor, to provide for the sale of department of corrections and rehabilitation land; and to provide an appropriation.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 0 YEAS, 90 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**NAYS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovda; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunsakor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

**ABSENT AND NOT VOTING:** Ekstrom; Koppelman; Nelson; Ruby

HB 1502 lost.

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### SIXTH ORDER OF BUSINESS

**SPEAKER DELZER DEEMED** approval of the amendments to HB 1003 and HB 1010.

HB 1003 and HB 1010, as amended, were placed on the Eleventh order of business on the calendar.

### MOTION

**REP. BERG MOVED** that the rules be suspended and after action taken on the Sixth order, HB 1003 and HB 1010 be placed on the Eleventh order, as amended, for immediate second reading and final passage, which motion prevailed.

### SECOND READING OF HOUSE BILL

**HB 1003:** A BILL for an Act to provide an appropriation for defraying the expenses of the North Dakota university system; to provide for transfer of funds; to authorize the state board of higher education to issue and sell bonds for capital projects; to limit student tuition rates; to provide for a transfer; to provide for a legislative council study; to amend and reenact section 15-10-43 of the North Dakota Century Code, relating to the contract with the Kansas state university veterinary medical education program; to repeal sections 1 and 2 of House Bill No. 1031, as approved by the sixtieth legislative assembly, relating to the budgeting process; to provide for retroactive application; and to declare an emergency.

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 65 YEAS, 26 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Dahl; Dietrich; Froseth; Grande; Griffin; Gulleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunsakor; Johnson, D.; Kaldor; Karls; Kasper; Kelsch, R.; Kelsh, S.; Kingsbury; Klein; Klemin; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nottestad; Owens; Pietsch; Pinkerton; Pollert; Price; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Uglem; Vig; Wald; Wall; Wieland; Williams; Wolf; Zaiser

**NAYS:** Conrad; Damschen; DeKrey; Delmore; Dosch; Drovdal; Ekstrom; Froelich; Glassheim; Gruchalla; Johnson, N.; Keiser; Kempenich; Kerzman; Myxter; Onstad; Porter; Potter; Schmidt; Solberg; Thorpe; Vigesa; Weiler; Weisz; Wrangham; Speaker Delzer

**ABSENT AND NOT VOTING:** Koppelman; Nelson; Ruby

Engrossed HB 1003 passed, the title was agreed to, and the emergency clause was declared carried.

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#### SECOND READING OF HOUSE BILL

**HB 1010:** A BILL for an Act to provide an appropriation for defraying the expenses of the council on the arts.

#### 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 75 YEAS, 10 NAYS, 0 EXCUSED, 9 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Dietrich; Drovdal; Froelich; Froseth; Glassheim; Grande; Griffin; Haas; Hanson; Hatlestad; Heller; Herbel; Hofstad; Johnson, D.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Schmidt; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesa; Wald; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

**NAYS:** Damschen; DeKrey; Delmore; Dosch; Hawken; Headland; Johnson, N.; Wall; Weiler; Weisz

**ABSENT AND NOT VOTING:** Ekstrom; Gruchalla; Gulleson; Hunskor; Koppelman; Nelson; Ruby; Schneider; Wieland

Engrossed HB 1010 passed and the title was agreed to.

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#### MOTION

**REP. BERG MOVED** that HB 1091 be moved to the top of the calendar, which motion prevailed.

#### SECOND READING OF HOUSE BILL

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

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 89 YEAS, 0 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

**ABSENT AND NOT VOTING:** Boucher; Ekstrom; Koppelman; Nelson; Ruby

HB 1091 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1014:** A BILL for an Act to provide an appropriation for defraying the expenses of the state industrial commission and the agencies under the management of the industrial commission; to authorize transfers; to provide an exemption; to create and enact a new section to chapter 6-09.17 of the North Dakota Century Code, relating to partnership in assisting community expansion fund incentive limitations; to amend and reenact subsection 6 of section 6-09-15 and section 6-09.17-02 of the North Dakota Century Code, relating to the powers of the Bank of North Dakota and the biodiesel partnership in assisting community expansion fund; to provide a contingent appropriation; and to declare an emergency.

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 83 YEAS, 4 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Belter; Berg; Boe; Boehning; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleon; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser

**NAYS:** Bellew; Drovdal; Weiler; Speaker Delzer

**ABSENT AND NOT VOTING:** Boucher; Hunskor; Kingsbury; Koppelman; Nelson; Ruby; Schmidt

Engrossed HB 1014 passed, the title was agreed to, and the emergency clause was declared carried.

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### SECOND READING OF HOUSE BILL

**HB 1016:** A BILL for an Act to provide an appropriation for defraying the expenses of job service North Dakota.

### 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 88 YEAS, 0 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Berg; Boe; Boehning; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleon; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

**ABSENT AND NOT VOTING:** Belter; Boucher; Koppelman; Myxter; Nelson; Ruby

Engrossed HB 1016 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1018:** A BILL for an Act to provide an appropriation for defraying the expenses of the department of commerce; to provide an appropriation to the department of career and

technical education; to provide a continuing appropriation; to provide for reports to the sixty-first legislative assembly; to provide for a report to the legislative council; to provide exemptions; to create and enact a new section to chapter 15-20.1 and a new section to chapter 54-60 of the North Dakota Century Code, relating to a program to provide grants for innovation and to create a beginning again North Dakota pilot program; and to provide an expiration date.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 84 YEAS, 5 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Brandenburg; Carlisle; Carlson; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Guleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunsakor; Johnson, D.; Kaldor; Karls; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Meyer, S.; Monson; Mueller; Myxter; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

**NAYS:** Charging; Johnson, N.; Kasper; Keiser; Weiler

**ABSENT AND NOT VOTING:** Boucher; Koppelman; Metcalf; Nelson; Ruby

Engrossed HB 1018 passed and the title was agreed to.

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#### SECOND READING OF HOUSE BILL

**HB 1020:** A BILL for an Act to provide an appropriation for defraying the expenses of the extension service, northern crops institute, upper great plains transportation institute, main research center, branch research centers, and agronomy seed farm; to amend and reenact section 24-02-03.3 of the North Dakota Century Code, relating to the central motor pool; to provide for transfer of funds; to provide for a study; to authorize hemp seed procurement; to provide an exemption; and to declare an emergency.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 85 YEAS, 4 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Belter; Berg; Boe; Boehning; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Guleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunsakor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser

**NAYS:** Bellew; Dosch; Weiler; Speaker Delzer

**ABSENT AND NOT VOTING:** Boucher; Drovdal; Koppelman; Nelson; Ruby

Engrossed HB 1020 passed, the title was agreed to, and the emergency clause was declared carried.

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#### ANNOUNCEMENT

**REP. MONSON ANNOUNCED** "Monday, January 15, 2007, was Martin Luther King Day and Monday, February 19, 2007, will be George Washington's Birthday, both official state holidays. Both days are paid holidays for most state employees. Legislative Assembly employees were required to work on Martin Luther King Day. The Legislative Assembly will be in recess on Monday and Tuesday, February 19-20, 2007. Legislative Assembly employees will be paid for those two days. In addition, employees of the House have worked many hours of

uncompensated overtime since the session began. In recognition of the uncompensated overtime, employees will be paid for Friday, February 16, 2007, even though the House will be in recess on that day."

#### **MOTION**

**REP. MONSON MOVED** the announcements Rep. Monson read be placed in the journal, which motion prevailed.

#### **MOTION**

**REP. MONSON MOVED** that all the bills from today's calendar be messaged to the Senate immediately, which motion prevailed.

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

**MR. PRESIDENT:** The House has passed, the emergency clause carried, and your favorable consideration is requested on: HB 1001, HB 1007, HB 1021, HB 1027, HB 1487.

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

**MR. PRESIDENT:** The House has passed, the emergency clause carried, and your favorable consideration is requested on: HB 1003, HB 1014, HB 1020.

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

**MR. PRESIDENT:** The House has passed and your favorable consideration is requested on: HB 1002, HB 1004, HB 1005, HB 1006, HB 1008, HB 1009, HB 1011, HB 1012, HB 1013, HB 1017, HB 1019, HB 1022, HB 1023, HB 1024, HB 1106, HB 1107, HB 1175, HB 1243, HB 1246, HB 1297, HB 1320, HB 1344, HB 1358, HB 1395, HB 1421, HB 1457, HB 1459, HB 1476, HB 1486, HB 1492, HB 1495, HB 1499, HB 1501, HB 1504.

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

**MR. PRESIDENT:** The House has passed and your favorable consideration is requested on: HB 1010, HB 1015, HB 1016, HB 1018, HB 1091.

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

**MR. PRESIDENT:** The House has passed and your favorable consideration is requested on: HCR 3004, HCR 3007, HCR 3010, HCR 3025, HCR 3033, HCR 3038, HCR 3046.

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

**MR. PRESIDENT:** The House has passed, the emergency clause carried, and your favorable consideration is requested on: HB 1128, HB 1160, HB 1365.

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

**MR. PRESIDENT:** The House has passed and your favorable consideration is requested on: HB 1044, HB 1049, HB 1051, HB 1093, HB 1110, HB 1125, HB 1127, HB 1161, HB 1162, HB 1169, HB 1197, HB 1218, HB 1233, HB 1267, HB 1273, HB 1279, HB 1296, HB 1299, HB 1317, HB 1321, HB 1348, HB 1357, HB 1400, HB 1404, HB 1420, HB 1431, HB 1432, HB 1433, HB 1435, HB 1458, HB 1462, HB 1463, HB 1472, HB 1505, HB 1506, HB 1507, HB 1511, HB 1515.

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

**MR. SPEAKER:** The Senate has passed, the emergency clause carried, and your favorable consideration is requested on: SB 2017, SB 2115, SB 2339.

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

**MR. SPEAKER:** The Senate has passed, the emergency clause carried, and your favorable consideration is requested on: SB 2013, SB 2200, SB 2392.

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

**MR. SPEAKER:** The Senate has passed, the emergency clause carried, and your favorable consideration is requested on: SB 2019, SB 2070.

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

**MR. SPEAKER:** The Senate has passed, the emergency clause carried, and your favorable consideration is requested on: SB 2103.

#### **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 2012, SB 2016, SB 2179, SB 2186, SB 2191, SB 2205, SB 2215, SB 2225, SB 2245, SB 2247, SB 2249, SB 2276, SB 2277, SB 2284, SB 2302, SB 2307, SB 2314, SB 2323, SB 2324, SB 2333, SB 2335.

**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 2003, SB 2008, SB 2009, SB 2020, SB 2180, SB 2288, SB 2341, SB 2349, SB 2356, SB 2363, SB 2401.

**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 2021, SB 2032, SB 2136, SB 2141, SB 2149, SB 2161, SB 2178, SB 2188, SB 2221, SB 2222, SB 2224, SB 2250, SB 2256, SB 2271, SB 2285, SB 2292, SB 2299, SB 2313, SB 2340, SB 2345, SB 2347, SB 2368, SB 2371, SB 2377, SB 2384, SB 2389.

**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 2015, SB 2246, SB 2360, SB 2379, SB 2382, SB 2385, SB 2397, SB 2402, SB 2404, SB 2406, SB 2417, SCR 4015.

**MOTION**

**REP. MONSON MOVED** that the absent member be excused, which motion prevailed.

**MOTION**

**REP. MONSON MOVED** that the House be on the Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Wednesday, February 21, 2007, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

**SB 2035: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2035 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2068: Human Services Committee (Rep. Price, Chairman)** recommends **DO PASS** (12 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2068 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2069: Human Services Committee (Rep. Price, Chairman)** recommends **DO PASS** (12 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2069 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2089: Finance and Taxation Committee (Rep. Belter, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2089 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2091: Finance and Taxation Committee (Rep. Belter, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2091 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2108, as engrossed: Education Committee (Rep. R. Kelsch, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2108 was placed on the Sixth order on the calendar.

Page 1, line 1, after "to" insert "create and enact a new section to chapter 15.1-32 of the North Dakota Century Code, relating to students with disabilities resulting from noncategorical delays; and to"

Page 1, replace lines 7 through 24 with:

- "4. a. "Student with disabilities a disability" means an individual who is at least three years of age but who has not reached the age of twenty-one before September first of the year in which the individual turns twenty-one and who requires special education and related services because of mental, physical, emotional, or learning characteristics requires regular or special education and related services designed to meet the individual's educational needs. The term includes an individual with mental;

- (1) Mental retardation;
- (2) A hearing impairment, including deafness, ~~deafness-blindness,~~  
a;
- (3) Deaf-blindness;
- (4) A speech or language impairment, ~~a;~~
- (5) A visual impairment, including blindness;
- (6) An emotional disturbance, ~~an;~~
- (7) An orthopedic impairment, ~~or autism, and an individual who has~~  
a;
- (8) Autism;
- (9) A traumatic brain injury;
- (10) Other health impairment; or
- (11) A specific learning disability, ~~a traumatic brain injury, or other~~  
health impairment. The term,

- b. "Student with a disability" includes a student ~~aged~~ age eighteen through twenty-one who is incarcerated in an adult correctional facility and who, in the last educational placement prior to incarceration, was identified as being a student with a disability and did not have an individualized education program or was identified as being a student with a disability and had an individualized education program.

**SECTION 2.** A new section to chapter 15.1-32 of the North Dakota Century Code is created and enacted as follows:

**Noncategorical delay.** If an individual who is at least three years of age but less than ten years of age exhibits a developmental profile in which cognitive, fine motor, vision, hearing, communication, preacademic, socialization, or adaptive skill acquisitions are significantly below that of same-age peers, and if the individual needs special education and related services, the school district may determine that the individual is a student with a disability as a result of a noncategorical delay."

Page 2, remove lines 1 through 6

Renumber accordingly

#### **REPORT OF STANDING COMMITTEE**

**SB 2124: Human Services Committee (Rep. Price, Chairman)** recommends **DO PASS** (12 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2124 was placed on the Fourteenth order on the calendar.

#### **REPORT OF STANDING COMMITTEE**

**SB 2134, as engrossed: Human Services Committee (Rep. Price, Chairman)** recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (12 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2134 was rereferred to the **Appropriations Committee**.

The House stood adjourned pursuant to Representative Monson's motion.

**Buell J. Reich, Chief Clerk**