

JOURNAL OF THE HOUSE**Sixtieth Legislative Assembly**

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Bismarck, April 3, 2007

The House convened at 8:30 a.m., with Speaker Delzer presiding.

The prayer was offered by Pastor Clyde Leimberer, Chaplain with the Baptist Home, Bismarck.

The roll was called and all members were present except Representatives Froelich and S. Kelsh.

A quorum was declared by the Speaker.

SECOND READING OF SENATE BILL

SB 2401: A BILL for an Act to provide school district transportation grants.

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; 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; Nelson; 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

Engrossed SB 2401, as amended, passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2202: A BILL for an Act to create and enact section 57-39.2-26.3 of the North Dakota Century Code, relating to allocation of sales and use tax collections by retailers registered with the streamlined sales tax central registration system to the North Dakota taxpayer relief fund; to amend and reenact section 57-39.2-26 of the North Dakota Century Code, relating to allocation of sales and use tax revenues; 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 9 YEAS, 84 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Drovdal; Kasper; Kelsch, R.; Koppelman; Owens; Porter; Ruby; Weiler; Wrangham

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

ABSENT AND NOT VOTING: Froelich

SB 2202, as amended, lost.

SECOND READING OF SENATE BILL

SB 2249: A BILL for an Act to provide grants for curriculum design and development and a workforce training grant; and to provide for a report to the legislative council.

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 23 YEAS, 70 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Amerman; Delmore; Gruchalla; Gulleon; Haas; Hanson; Hatlestad; Hunskor; Karls; Keiser; Kelsch, R.; Martinson; Metcalf; Meyer, S.; Mueller; Myxter; Owens; Pinkerton; Porter; Sukut; Vig; Wolf; Zaiser

NAYS: Aarsvold; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Dietrich; Dosch; Drovda; Ekstrom; Froseth; Glassheim; Grande; Griffin; Hawken; Headland; Heller; Herbel; Hofstad; Johnson, D.; Johnson, N.; Kaldor; Kasper; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Meier, L.; Monson; Nelson; Nottestad; Onstad; Pietsch; Pollert; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Speaker Delzer

ABSENT AND NOT VOTING: Froelich

Reengrossed SB 2249, as amended, lost.

SECOND READING OF SENATE BILL

SB 2246: A BILL for an Act to amend and reenact subsection 2 of section 44-08-04 of the North Dakota Century Code, relating to reimbursement of lodging expenses for state and political subdivision officers 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, 6 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovda; Ekstrom; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleon; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Hofstad; 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; Nelson; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser

NAYS: Conrad; Herbel; Hunskor; Mueller; Pollert; Speaker Delzer

ABSENT AND NOT VOTING: Froelich

SB 2246, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. PRICE MOVED that the House do concur in the Senate amendments to Engrossed HB 1129 as printed on HJ page 1068, which motion prevailed on a voice vote.

Engrossed HB 1129, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1129: A BILL for an Act to create and enact a new section to chapter 23-02.1 of the North Dakota Century Code, relating to electronic birth, marriage, fetal death, and death records and electronic filing and registration for birth, fetal death, and death records; to amend and reenact sections 23-02.1-01, 23-02.1-05, 23-02.1-08, 23-02.1-11, 23-02.1-12, 23-02.1-13, 23-02.1-14, 23-02.1-15, and 23-02.1-16, subsection 1 of section 23-02.1-17, sections 23-02.1-18, 23-02.1-19, and 23-02.1-20, subsection 2 of section 23-02.1-21, section 23-02.1-22, subsection 2 of section 23-02.1-23, sections 23-02.1-25, 23-02.1-26, 23-02.1-27, 23-02.1-28, 23-02.1-29, and 23-02.1-30, subsection 1 of section 23-02.1-32, and sections 23-06-07, 23-06-08, 23-06-09, and 23-06-10 of the North Dakota Century Code, relating to birth, marriage, and death records; to repeal sections 23-02.1-06, 23-02.1-07, 23-02.1-09, and 23-02.1-10 of the North Dakota Century Code, relating to registration districts and local registrars; to provide a penalty; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 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; 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; Nelson; 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: Froelich

Reengrossed HB 1129 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DEKREY MOVED that the House do concur in the Senate amendments to Engrossed HB 1147 as printed on HJ page 1045, which motion prevailed on a voice vote.

Engrossed HB 1147, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1147: A BILL for an Act to amend and reenact sections 47-16-06 and 47-16-15 of the North Dakota Century Code, relating to the notice of termination of residential leases.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, 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; 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; Nelson; 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: Froelich

Reengrossed HB 1147 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. BELTER MOVED that the House do concur in the Senate amendments to HB 1138 as printed on HJ pages 1109-1110, which motion prevailed on a voice vote.

HB 1138, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1138: A BILL for an Act to create and enact a new section to chapter 57-43.1, a new section to chapter 57-43.2, and a new section to chapter 57-43.3 of the North Dakota Century Code, relating to motor vehicle excise tax, special fuels tax, and aviation fuel tax refunds for fuels purchased by emergency medical services operations; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 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; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleston; 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; Nelson; 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

Engrossed HB 1138 passed and the title was agreed to.

MOTION

REP. MONSON MOVED that HB 1029, which is on the Twelfth order, be laid over one legislative day, which motion prevailed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KEISER MOVED that the House do concur in the Senate amendments to HB 1056 as printed on HJ page 907, which motion prevailed on a voice vote.

HB 1056, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1056: A BILL for an Act to amend and reenact section 52-04-22 of the North Dakota Century Code, relating to the unemployment insurance federal advance interest repayment fund; and to provide a continuing appropriation.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, 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; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleston; 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; Nelson; 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

Engrossed HB 1056 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. PORTER MOVED that the House do concur in the Senate amendments to Reengrossed HB 1060 as printed on HJ page 929, which motion prevailed on a voice vote.

Reengrossed HB 1060, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1060: A BILL for an Act to create and enact chapter 38-21 and a new section to chapter 54-17.4 of the North Dakota Century Code, relating to creation of the geophysical, geothermal, subsurface minerals, and coal exploration and geologic data preservation funds; to amend and reenact sections 38-08-04.4, 38-08-04.5, and 38-19-04 and subsection 5 of section 54-44.4-02 of the North Dakota Century Code, relating to oil well plugging contracts, the oil and gas well plugging and site reclamation fund, geothermal energy extraction permits, and exemptions from procurement practices; to provide a continuing appropriation; to provide for a report to the budget section; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 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; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulletson; 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; Nelson; 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: Ekstrom; Froelich

Reengrossed HB 1060 passed, the title was agreed to, and the emergency clause was declared carried.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. WEISZ MOVED that the House do concur in the Senate amendments to Engrossed HB 1227 as printed on HJ pages 1110-1111, which motion prevailed on a voice vote.

Engrossed HB 1227, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1227: A BILL for an Act to amend and reenact section 39-06-03.1 of the North Dakota Century Code, relating to verification of the information for an identification card.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, 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; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulletson; 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; Nelson; 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: Froelich

Reengrossed HB 1227 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DEKREY MOVED that the House do concur in the Senate amendments to Engrossed HB 1241 as printed on HJ page 1046, which motion prevailed on a voice vote.

Engrossed HB 1241, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1241: A BILL for an Act to create and enact section 10-19.1-00.1, a new section to chapter 10-19.1, a new subsection to section 10-19.1-48, sections 10-19.1-74.1 and 10-19.1-139.1, a new section to chapter 10-32, section 10-32-42.1, a new subsection to section 10-32-85, section 10-33-01.3, a new subsection to section 10-33-44, and sections 10-33-72.1, 10-34-02.1, 45-10.2-06.1, and 45-13-02.1 of the North Dakota Century Code, relating to business corporations, limited liability companies, nonprofit corporations, real estate investment trusts, limited partnerships, and partnerships; and to amend and reenact sections 10-19.1-01, 10-19.1-01.2, 10-19.1-10, 10-19.1-13, and 10-19.1-23, subsection 2 of section 10-19.1-39, section 10-19.1-41, subsection 3 of section 10-19.1-61, section 10-19.1-63, subsection 1 of section 10-19.1-65, subsection 6 of section 10-19.1-66, section 10-19.1-69, subsection 1 of section 10-19.1-75, subsection 1 of section 10-19.1-76.1, subsection 2 of section 10-19.1-84, section 10-19.1-87, subsection 1 of section 10-19.1-93, sections 10-19.1-96, 10-19.1-97, and 10-19.1-98, subsection 1 of section 10-19.1-99, section 10-19.1-100, subsection 1 of section 10-19.1-100.1, section 10-19.1-101, subsection 2 of section 10-19.1-102, sections 10-19.1-102.1, 10-19.1-103, and 10-19.1-104, subsection 2 of section 10-19.1-104.1, subsection 1 of section 10-19.1-110, sections 10-19.1-146, 10-19.1-147, 10-32-02, 10-32-07, 10-32-10, and 10-32-27, subsection 1 of section 10-32-37, section 10-32-43, subsection 1 of section 10-32-76, subsection 2 of section 10-32-94, section 10-32-100, subsection 1 of section 10-32-101, section 10-32-102, subsection 1 of section 10-32-103, sections 10-32-104 and 10-32-105, subsections 2 and 3 of section 10-32-106, sections 10-32-106.1 and 10-32-107, subsection 4 of section 10-32-108, sections 10-33-01, 10-33-06, 10-33-10, 10-33-34, and 10-33-73, subsection 40 of section 45-10.2-02, subsection 1 of section 45-10.2-27, section 45-10.2-81, subsection 26 of section 45-13-01, subsection 6 of section 45-13-05, subsection 24 of section 45-22-01, subsection 2 of section 45-22-22, and subsection 24 of section 45-23-01 of the North Dakota Century Code, relating to business corporations, limited liability companies, nonprofit corporations, limited partnerships, partnerships, limited liability partnerships, and limited liability limited partnerships.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, 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; 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; Nelson; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

ABSENT AND NOT VOTING: Froelich; Solberg

Reengrossed HB 1241 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DEKREY MOVED that the House do concur in the Senate amendments to Engrossed HB 1472 as printed on HJ page 1155, which motion prevailed on a voice vote.

Engrossed HB 1472, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

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

ROLL CALL

The question being on the final passage of the amended bill, which has been read, 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; 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; Nelson; 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

Reengrossed HB 1472 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. PRICE MOVED that the House do concur in the Senate amendments to Engrossed HB 1136 as printed on HJ page 1045, which motion prevailed on a voice vote.

Engrossed HB 1136, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1136: A BILL for an Act to create and enact a new subsection to section 23-07-17.1 of the North Dakota Century Code, relating to circumstances when children's immunization requirements may be waived; and to amend and reenact subsection 1 of section 23-07-17.1 of the North Dakota Century Code, relating to children's required immunizations for attending school.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, 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; 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; Nelson; 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

Reengrossed HB 1136 passed and the title was agreed to.

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

MR. SPEAKER: The President has signed: SB 2029.

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

MR. PRESIDENT: The House has concurred in the Senate amendments and subsequently passed: HB 1056, HB 1060, HB 1129, HB 1136, HB 1138, HB 1147, HB 1227, HB 1241, and HB 1472.

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

MR. SPEAKER: The President has signed: HB 1216, HB 1217.

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

MR. SPEAKER: The President has signed: HB 1171, HB 1279, HB 1332, HB 1375, HCR 3045, HCR 3065.

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

MR. PRESIDENT: The House has amended and subsequently passed: SB 2246, SB 2401.

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

MR. PRESIDENT: The House has amended and subsequently failed: SB 2202, SB 2249.

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

MR. SPEAKER: The Senate does not concur in the House amendments to SB 2011, SB 2013, SB 2014, SB 2017, SB 2020, SB 2022, SB 2030, SB 2046, SB 2057, SB 2152, SB 2243, SB 2313, and SB 2341 and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2011: Sens. Bowman; Holmberg; Lindaas
SB 2013: Sens. Holmberg; Wardner; Robinson
SB 2014: Sens. Fischer; Krebsbach; Robinson
SB 2017: Sens. Christmann; Grindberg; Lindaas
SB 2020: Sens. Fischer; Holmberg; Robinson
SB 2022: Sens. Krebsbach; Wardner; Krauter
SB 2030: Sens. G. Lee; Flakoll; Taylor
SB 2046: Sens. Krebsbach; J. Lee; Nelson
SB 2057: Sens. Flakoll; G. Lee; Bakke
SB 2152: Sens. Erbele; Dever; Warner
SB 2243: Sens. Wardner; Bowman; Tallackson
SB 2313: Sens. Flakoll; Freborg; Taylor
SB 2341: Sens. Grindberg; Krebsbach; Seymour

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

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

HB 1154: Sens. Dever; Erbele; Pomeroy
HB 1256: Sens. Erbele; J. Lee; Heckaman
HB 1390: Sens. Dever; Erbele; Pomeroy
HB 1417: Sens. Andrist; Wanzek; Heitkamp
HB 1505: Sens. Dever; Erbele; Heckaman

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

MR. SPEAKER: The Senate has amended, subsequently passed, and the emergency clause carried: HB 1004, HB 1007, HB 1018.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1004

Page 1, line 4, after "Code" insert "and section 28 of chapter 167 of the 2005 Session Laws", after "immunizations" insert "and the contingent distribution of state school aid payments", and after "and" insert "to declare an emergency."

Page 1, remove line 5

Page 1, line 24, replace "19,982,693" with "20,748,893"

Page 2, line 2, replace "14,625,610" with "14,975,610"

Page 2, line 5, replace "42,349,960" with "43,466,160"

Page 2, line 7, replace "5,408,059" with "6,524,259"

Page 2, line 14, replace "45,596,674" with "46,362,874"

Page 2, line 16, replace "56,457,776" with "56,807,776"

Page 2, line 19, replace "168,089,084" with "169,205,284"

Page 2, line 21, replace "18,876,963" with "19,993,163"

Page 2, after line 21, insert:

"SECTION 4. APPROPRIATION - MORGUE BRANCH LOCATION. There is appropriated out of special funds in the permanent oil tax trust fund the sum of \$1,500,000, or so much of the sum as may be necessary, to the state department of health to construct a facility to be used as a branch of the state morgue at the university of North Dakota school of medicine and health sciences, for the biennium beginning July 1, 2007, and ending June 30, 2009. The state department of health may use up to \$75,000 of this amount for its expenses in providing oversight of the project and to provide funding for coroner-requested autopsies at the new morgue during the remainder of the biennium. The project may be augmented with additional federal funding, grants, and other funding sources from the university of North Dakota or the state department of health. The morgue branch facility is to be under the control of the university of North Dakota school of medicine and health sciences. The university of North Dakota and the state department of health shall jointly sign all requests for proposal, construction contracts, and change orders relating to the project. The state department of health shall reimburse the university of North Dakota for the project based on final expenditure reports of actual project costs. To facilitate addressing public health issues related to death investigations, state forensic examiner services must continue to be provided by the state department of health, and the department must be the central repository for all coroner reports and autopsy reports for the coroner death investigations."

Page 4, remove lines 1 through 4

Page 4, line 6, remove "general fund" and remove "line item"

Page 4, line 7, replace "section" with "sections", after "3" insert "and 4", after "\$2,010,135" insert "from the general fund and \$1,500,000 from the permanent oil tax trust fund", and replace "this" with "those sections"

Page 4, line 8, remove "section"

Page 4, after line 12, insert:

"State morgue - University of North Dakota branch facility	1,500,000
Total	\$3,510,135

SECTION 10. AMENDMENT. Section 28 of chapter 167 of the 2005 Session Laws is amended and reenacted as follows:

SECTION 28. CONTINGENCY. If any moneys appropriated for per student payments and transportation payments in the grants - state school aid line item in House Bill No. 1013, as approved by the fifty-ninth legislative assembly, remain after payment of all statutory obligations for per student and transportation payments during the biennium beginning July 1, 2005, and ending June 30, 2007, and after the superintendent of public instruction has fulfilled any directives contained in section 27 of this Act, the superintendent shall distribute the remaining moneys as follows:

1. The superintendent of public instruction shall use the first \$450,000, or so much of that amount as may be necessary, to provide additional payments to school districts serving English language learners in accordance with section 15.1-27-12.
2. The superintendent of public instruction shall use the next \$1,000,000, or so much of that amount as may be necessary, for the purpose of providing additional per student payments to school districts participating in eligible educational associations in accordance with section 32 of this Act.
3. The superintendent of public instruction shall transfer the next \$1,000,000, or so much of that amount as may be necessary, to the state department of health for the purpose of providing grants to single school districts, multiple school districts, or educational associations governed by joint powers agreements, to initiate or enhance school nursing services. Grants awarded under this subsection are conditioned upon the recipient contributing a matching amount. The state department of health may use

up to \$120,000 of the amount provided in this subsection to employ one individual, on a full-time equivalent basis, for the purpose of implementing, overseeing, and evaluating the program.

4. The superintendent of public instruction shall use the remainder of the moneys to provide additional per student payments on a prorated basis according to the latest available average daily membership of each school district.

SECTION 11. SPECIAL FUNDS APPROPRIATION - SCHOOL NURSES.

There is appropriated \$1,000,000, as made available pursuant to section 10 of this Act, to the state department of health to initiate or enhance school nursing services for the biennium beginning July 1, 2007, and ending June 30, 2009.

SECTION 12. EMERGENCY. Section 10 this Act is declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1004 - State Department of Health - Senate Action

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$37,715,624	\$37,747,905		\$37,747,905
Operating expenses	33,335,674	45,596,674	\$766,200	46,362,874
Capital assets	1,817,383	1,817,383		1,817,383
Grants	55,102,776	56,457,776	350,000	56,807,776
Tobacco prevention and control	9,473,554	8,919,346		8,919,346
WIC food payments	<u>17,550,000</u>	<u>17,550,000</u>		<u>17,550,000</u>
Total all funds	\$154,995,011	\$168,089,084	\$1,116,200	\$169,205,284
Less estimated income	<u>136,940,183</u>	<u>149,212,121</u>		<u>149,212,121</u>
General fund	\$18,054,828	\$18,876,963	\$1,116,200	\$19,993,163
FTE	331.50	330.50	1.00	331.50

Dept. 301 - State Department of Health - Detail of Senate Changes

	ADDS FOOD AND LODGING POSITION ¹	ADDS FUNDING FOR WOMEN'S WAY PROGRAM ²	ADDS FUNDING FOR DOMESTIC VIOLENCE GRANTS ³	TOTAL SENATE CHANGES
Salaries and wages				
Operating expenses		\$766,200		\$766,200
Capital assets				
Grants			\$350,000	350,000
Tobacco prevention and control				
WIC food payments				
Total all funds	\$0	\$766,200	\$350,000	\$1,116,200
Less estimated income				
General fund	\$0	\$766,200	\$350,000	\$1,116,200
FTE	1.00	0.00	0.00	1.00

¹ Adds authority for 1 FTE field environmental health practitioner for food and lodging inspections.

² The Senate added funding for the Women's Way program.

³ The Senate added funding for domestic violence grants.

The Senate appropriated \$1.5 million from the permanent oil tax trust fund to the State Department of Health to construct a morgue branch facility at the University of North Dakota School of Medicine and Health Sciences.

The Senate removed the intent section in Engrossed House Bill No. 1004 relating to use of funding from the community health trust fund for media campaigns.

The Senate provided a contingent appropriation from the balance of per student payments and transportation payments available as of June 30, 2007, for providing grants on a matching basis for school nursing services.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1007

Page 2, line 5, replace "960,376" with "1,061,980"

Page 2, line 6, replace "337,222" with "387,222"

Page 2, line 8, replace "630,000" with "255,700"

Page 2, line 9, replace "1,907,339" with "1,684,643"

Page 2, line 11, replace "\$61,082" with "(\$161,614)"

Page 2, line 14, replace "122,714" with "213,680"

Page 2, line 15, replace "122,714" with "213,680"

Page 2, line 16, replace "183,796" with "52,066"

Page 2, line 18, replace "2,030,053" with "1,898,323"

Page 2, line 27, replace "8,738,917" with "8,840,521"

Page 2, line 28, replace "3,512,000" with "3,562,000"

Page 2, line 30, replace "630,000" with "255,700"

Page 2, line 31, replace "13,211,264" with "12,988,568"

Page 3, line 2, replace "4,390,174" with "4,167,478"

Page 3, line 5, replace "776,382" with "867,348"

Page 3, line 6, replace "776,382" with "867,348"

Page 3, line 7, replace "5,166,556" with "5,034,826"

Page 3, line 9, replace "13,987,646" with "13,855,916"

Page 3, line 12, replace "\$630,000" with "\$255,700"

Page 3, line 18, replace "630,000" with "255,700"

Page 3, line 21, replace "689,606" with "315,306"

Page 3, line 22, replace "\$630,000" with "\$255,700"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:**House Bill No. 1007 - Summary of Senate Action**

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
Veterans' Home				
Total all funds	\$12,871,264	\$13,211,264	(\$222,696)	\$12,988,568
Less estimated income	8,821,090	8,821,090		8,821,090
General fund	\$4,050,174	\$4,390,174	(\$222,696)	\$4,167,478
Department of Veterans' Affairs				
Total all funds	\$776,382	\$776,382	\$90,966	\$867,348
Less estimated income				
General fund	\$776,382	\$776,382	\$90,966	\$867,348
Bill Total				
Total all funds	\$13,647,646	\$13,987,646	(\$131,730)	\$13,855,916
Less estimated income	8,821,090	8,821,090		8,821,090
General fund	\$4,826,556	\$5,166,556	(\$131,730)	\$5,034,826

House Bill No. 1007 - Veterans' Home - Senate Action

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$8,738,917	\$8,738,917	\$101,604	\$8,840,521
Operating expenses	3,682,000	3,512,000	50,000	3,562,000
Capital assets	450,347	330,347		330,347

Life safety improvements		<u>630,000</u>	<u>(374,300)</u>	<u>255,700</u>
Total all funds	\$12,871,264	\$13,211,264	(\$222,696)	\$12,988,568
Less estimated income	<u>8,821,090</u>	<u>8,821,090</u>		<u>8,821,090</u>
General fund	\$4,050,174	\$4,390,174	(\$222,696)	\$4,167,478
FTE	90.97	90.97	1.40	92.37

Dept. 313 - Veterans' Home - Detail of Senate Changes

	ADDS FUNDING FOR NIGHT WATCHMEN ¹	RESTORES FUNDING FOR PLANNING AND MARKETING ²	DECREASES FUNDING FOR LIFE SAFETY IMPROVEMENTS ³	TOTAL SENATE CHANGES
Salaries and wages	\$101,604			\$101,604
Operating expenses		\$50,000		50,000
Capital assets				
Life safety improvements			<u>(\$374,300)</u>	<u>(374,300)</u>
Total all funds	\$101,604	\$50,000	(\$374,300)	(\$222,696)
Less estimated income				
General fund	\$101,604	\$50,000	(\$374,300)	(\$222,696)
FTE	1.40	0.00	0.00	1.40

¹ The Senate added funding for night watchmen.

² The Senate restored funding for developing a long-term plan for the Veterans' Home.

³ The Senate decreased the funding to address Life Safety Code deficiencies as identified by the State Department of Health and the Fire Marshal from \$630,000 to \$255,700. The funding includes \$165,700 for repairs necessary for the plan of correction and \$90,000 for a preplanning document for the building.

House Bill No. 1007 - Department of Veterans' Affairs - Senate Action

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
Veterans' Affairs	<u>\$776,382</u>	<u>\$776,382</u>	<u>\$90,966</u>	<u>\$867,348</u>
Total all funds	\$776,382	\$776,382	\$90,966	\$867,348
Less estimated income				
General fund	\$776,382	\$776,382	\$90,966	\$867,348
FTE	6.00	6.00	1.00	7.00

Dept. 321 - Department of Veterans' Affairs - Detail of Senate Changes

	ADDS FUNDING FOR A WOMAN'S VETERANS COORDINATOR POSITION ¹	TOTAL SENATE CHANGES
Veterans' Affairs	<u>\$90,966</u>	<u>\$90,966</u>
Total all funds	\$90,966	\$90,966
Less estimated income		
General fund	<u>\$90,966</u>	<u>\$90,966</u>
FTE	1.00	1.00

¹ The Senate added funding for a woman's veterans coordinator position.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1018

Page 1, line 2, after the second semicolon insert "to provide an appropriation to the office of management and budget; to authorize the office of management and budget to borrow funds from the Bank of North Dakota;"

Page 1, line 4, replace "a report" with "reports" and after the first semicolon insert "to provide for legislative council studies;"

Page 1, line 5, replace "and a new section to chapter 54-60" with ", a new section to chapter 54-34.4, three new sections to chapter 54-60, sections 57-38-01.24 and 57-38-01.25, and a new subsection to section 57-38-30.3"

Page 1, line 6, after "innovation" insert ", visitor information centers, department of commerce division of workforce development programs and duties, tax credits for internships, workforce recruitment, research and experimental expenditures,"

Page 1, line 7, replace "and to provide an expiration date" with "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, sections 54-60-02, 54-60-09, and 54-60-12, subdivision l of subsection 2 of section 54-60.1-01, and sections 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, the definition of business incentive, 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 effective dates; to provide an expiration date; and to declare an emergency"

Page 2, line 6, replace "446,720" with "3,560,720"

Page 2, line 7, replace "(1,728,122)" with "(1,328,122)"

Page 2, line 8, replace "3,000,000" with "4,000,000"

Page 2, line 9, replace "(207,807)" with "(7,807)"

Page 2, line 14, replace "385,773" with "5,099,773"

Page 2, line 16, replace "2,458,763" with "7,172,763"

Page 2, line 24, replace "9,978,688" with "13,092,688"

Page 2, line 26, replace "48,374,748" with "48,774,748"

Page 2, line 27, replace "3,000,000" with "4,000,000"

Page 2, line 30, replace "2,808,193" with "3,008,193"

Page 3, line 2, replace "77,000,837" with "81,714,837"

Page 3, line 4, replace "21,639,544" with "26,353,544"

Page 4, line 3, replace "\$3,000,000" with "\$4,000,000"

Page 4, replace lines 9 through 14 with:

"SECTION 10. TRADE OFFICE MATCHING FUNDS - BUDGET SECTION REPORT. The department of commerce shall report to the budget section, during the 2007-08 interim, on the status of matching funds raised by the North Dakota trade office and the percentage of the matching funds provided in-kind and the percentage provided in cash."

Page 4, after line 24, insert:

"SECTION 13. APPROPRIATION - OFFICE OF MANAGEMENT AND BUDGET - CENTERS OF EXCELLENCE. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$20,000,000, or so much of the sum as may be necessary, to the office of management and budget for the purpose of providing funding to centers of excellence as directed by the centers of excellence commission, for the biennium beginning July 1, 2007, and ending June 30, 2009.

SECTION 14. CENTERS OF EXCELLENCE - OFFICE OF MANAGEMENT AND BUDGET - CONTINGENT BORROWING AUTHORITY - APPROPRIATION. As requested by the centers of excellence commission and subject to emergency commission and budget section approval, the office of management and budget shall borrow the sum of \$5,000,000, or so much of the sum as may be necessary, from the Bank of North Dakota, which is appropriated for the purpose of providing funding to centers of excellence as directed by the centers of excellence commission, for the biennium beginning July 1, 2007, and ending June 30, 2009. The office of management and budget shall request funding from the sixty-first legislative assembly to repay any loan obtained pursuant to provisions of this section, including accrued interest. The

borrowing authority and appropriation provided for in this section are available only if all other funding provided by the sixtieth legislative assembly for centers of excellence has been obligated.

SECTION 15. APPROPRIATION - OFFICE OF MANAGEMENT AND BUDGET - PRAIRIE PUBLIC BROADCASTING. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$2,023,138, or so much of the sum as may be necessary, to the office of management and budget for the purpose of providing funding to prairie public broadcasting, for the biennium beginning July 1, 2007, and ending June 30, 2009.

SECTION 16. LEGISLATIVE COUNCIL STUDY - NORTH DAKOTA WORKFORCE SYSTEM INITIATIVE.

1. During the 2007-08 interim, the legislative council shall study the state's system for addressing workforce needs through a workforce system initiative. The workforce system initiative must include receipt of agency reports regarding implementation of workforce legislation enacted during the 2007 legislative session, active participation in focus groups across the state, and active participation in a workforce congress.
2. The focus groups shall discuss ways to enhance the state's system for addressing workforce needs, including consideration of workforce availability, skilled workforce needs, future workforce needs, and alignment of the state's higher education curriculum with the state's current and future workforce needs. The workforce congress shall receive a report on the activities of the focus groups, identify methods to enhance the state's workforce system in order to be well-positioned to participate in a knowledge-driven economy and to be globally competitive, and evaluate the impact and effectiveness of the state's existing workforce system.
3. The department of commerce shall organize the focus groups and the workforce congress. Before the workforce congress, which must be held before June 1, 2008, the department shall convene a minimum of four focus groups. The department shall consult with the legislative council in compiling focus group and workforce congress participant invitation lists and drafting and distributing invitations, establishing focus group and workforce congress dates and locations, and preparing agendas for focus groups and the workforce congress. The focus groups and the workforce congress schedules and activities must take into consideration workforce study activities of the department.
4. The legislative council and the department of commerce shall enter a joint contract with a third party to provide the legislative council and the department with professional services to plan, facilitate, report on, and coordinate followup for the focus groups and workforce congress. 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 17. LEGISLATIVE COUNCIL STUDY - DEPARTMENT OF COMMERCE.

1. The legislative council shall consider studying, during the 2007-08 interim, the organization, powers, duties, and effectiveness of the department of commerce. The study must include:
 - a. A review of the legislative history leading to the creation of the department of commerce, including the 1999-2000 interim activities of the legislative council's interim commerce and labor committee;
 - b. A review of the legislative and executive branch expectations in the creation of the department of commerce and whether those expectations are being met;
 - c. Evaluation of the effectiveness of the North Dakota economic development foundation in providing a nonpartisan, private sector perspective to the department's approach to the department's duties; and

- d. Evaluation of the organizational structure of the department of commerce, including whether the department should include a division of science and technology.
2. 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 18. LEGISLATIVE COUNCIL STUDY - HIGHER EDUCATION PROMISE GRANT PROGRAM. The legislative council shall consider studying, during the 2007-08 interim, the desirability and feasibility of implementing a grant program for North Dakota students who are attending North Dakota institutions of higher education and who have excelled academically. The study shall include consideration of desirable eligibility criteria for students under such a grant program, funding options for such a grant program, and a cost-benefit analysis of such a grant program. 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 19. STATE BOARD OF HIGHER EDUCATION REPORT ON CCBENEFITS - LEGISLATIVE COUNCIL REPORT. During the 2007-08 interim, the state board of higher education shall monitor the implementation of the services of ccbenefits, incorporated, by the institutions under the control of the state board of higher education. Before July 1, 2008, the state board of higher education shall report to the legislative council on the status of the implementation of the ccbenefits, incorporated, services, including the status of the implementation at each institution using the services, the level of utilization of the services at the institutional level and at the system level, the feasibility and desirability of expanding the use of the services from use by the community colleges to use by all institutions in order to improve responsiveness of institutions and to improve forecasting efforts of institutions, and recommendations relating to the use of the ccbenefits, incorporated, services. 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 20. TAX EXPENDITURE REPORT PILOT PROJECT - REPORT.

1. During the 2007-09 biennium, the commissioner of commerce, in consultation with the tax commissioner, shall select a tax expenditure for the purposes of conducting a tax expenditure report pilot project.
2. Before the tenth legislative day of the sixty-first legislative assembly, the commissioner of commerce shall submit to the president of the senate and the speaker of the house a tax expenditure report. This report must be based upon information available to the tax commissioner and information available to the department of commerce, and must include an analysis of the selected tax expenditure which includes a description of the annual state revenue losses and benefits and a cyclical analysis of these losses and benefits.
3. The tax commissioner shall compile tax expenditure data and provide this data to the department of commerce. Notwithstanding section 57-38-57 and other confidentiality statutes, the tax commissioner shall provide the department of commerce the information necessary to accomplish and effectuate the intent of this section. The tax commissioner may request the assistance of the office of management and budget as necessary to compile this tax expenditure data.
4. The tax commissioner may establish the procedure by which the tax commissioner will compile the tax expenditure data and the format in which the tax commissioner will provide this data to the department of commerce. The department of commerce may establish the manner in which the tax expenditure data will be analyzed, organized, and presented in the report.
5. Confidential tax information the department of commerce receives from the tax commissioner may not be divulged by the department of commerce unless the information is in the aggregate and in a manner that will not divulge information specific to any taxpayer.
6. For purposes of this section, the term tax expenditure means a provision in the state tax laws, including an exclusion, a deduction, a tax preference, a

credit, and a deferral designed to encourage certain activities or to aid a taxpayer in special circumstances.

SECTION 21. STATE BUSINESS INCENTIVE EXPENDITURE REPORT PILOT PROJECT - REPORT.

1. During the 2007-09 biennium, the commissioner of commerce shall select a state business incentive for the purposes of conducting a state business incentive expenditure report pilot project.
2. Before the tenth legislative day of the sixty-first legislative assembly, the commissioner of commerce shall submit to the president of the senate and the speaker of the house a state business incentive expenditure report. This report must be based upon information available to the department and must include an analysis of the selected state business incentive which includes a description of the annual state revenue losses and benefits and a cyclical analysis of these losses and benefits.
3. The administering agency for the selected state business incentive shall compile state business incentive expenditure data and provide this data to the department. The department shall determine the data appropriate to measure the losses and benefits for the selected state business incentive and shall inform the administering agency of the specific data required and the format in which the administering agency shall provide this data to the department.
4. For purposes of this section, the term business incentive does not include a tax expenditure as defined under section 20 of this Act.

SECTION 22. LEGISLATIVE COUNCIL STUDY - HOUSING NEEDS. During the 2007-08 interim, the legislative council shall consider studying the state's housing needs and how unmet housing needs may affect economic development in the state. 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. LEGISLATIVE COUNCIL STUDY - WIRELESS SERVICE PROVIDERS. During the 2007-08 interim, the legislative council shall consider studying issues relating to wireless service providers in the state and how wireless service impacts the business climate in the state. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-first legislative assembly."

Page 5, after line 5, insert:

"SECTION 25. AMENDMENT. Section 15-69-02 of the North Dakota Century Code is amended and reenacted as follows:

15-69-02. (Effective through July 31, 2011) Centers of excellence.

1. The board shall establish a centers of excellence program relating to economic development. The program must distinguish among center designations for awards designated to address commercialization and infrastructure needs. Workforce may not be the primary need addressed by a center. Through the program the commission shall make funding award recommendations for commission-approved applications to the board, the foundation, and the budget section of the legislative council. A center must be an institution of higher education under the control of the board or a nonprofit university-related or college-related foundation of an institution of higher education under the control of the board. In order to be considered for center designation, the institution of higher education or nonprofit foundation must be working in partnership with the private sector. In addition to any center designated under this chapter, the North Dakota state university center for technology enterprise and the university of North Dakota center for innovation are centers.
2. A commission funding award recommendation must be for a specified amount. Designation of a center occurs upon board, foundation, and budget section approval of a commission funding award recommendation. In considering whether to designate a center, the board, foundation, and

budget section may not modify the commission recommendation. The budget section may not make a determination of whether to approve or reject a commission funding award recommendation until the emergency commission reviews the commission recommendation and makes a recommendation to the budget section.

3. A center that receives funds distributed under this chapter is not qualified to receive subsequent designations as a center until the biennium following the center's most recent designation.
4. The board rules adopted under subsection 9 of section 15-10-17, relating to ownership of intellectual property, inventions, and discoveries, must address activities and issues unique to centers.

SECTION 26. AMENDMENT. Section 15-69-03 of the North Dakota Century Code is amended and reenacted as follows:

15-69-03. (Effective through July 31, 2011) Centers of excellence commission. The centers of excellence commission consists of six members. The foundation shall appoint three of the foundation's members to serve on the commission and the board shall appoint three of the board's members to serve on the commission. The commission members shall designate a chairman and a vice chairman of the commission. Each member of the commission shall serve for a term of three years, beginning July first; may be reappointed for additional terms; and serves at the pleasure of the appointing entity. If a commission member ceases to serve as a member of the appointing entity, that member's membership on the commission ceases immediately and the appointing entity shall appoint a new member for the remainder of the term. Terms of ~~initial~~ commission members ~~begin on July 1, 2005, and~~ must be staggered. On a meeting-by-meeting basis, an appointing entity may substitute a member of that appointing entity to serve in place of one of the regular members appointed by that entity. If the commission chairman and vice chairman are not present at a meeting, the commission members present at that meeting shall select a commission member to serve as chairman for that meeting. A commission member may receive compensation and travel and expense reimbursement from the appointing entity. The ~~board~~ department of commerce shall provide the commission with appropriate staff services as may be requested by the commission.

SECTION 27. AMENDMENT. Section 15-69-04 of the North Dakota Century Code is amended and reenacted as follows:

15-69-04. (Effective through July 31, 2011) Application - Eligibility requirements.

1. The ~~board~~ department of commerce shall provide center application forms, accept applications, review applications for completeness and compliance with board and commission policy, ~~and~~ forward complete applications to the commission in accordance with guidelines established by the commission, and assist with preaward reviews and postaward monitoring as may be requested by the commission.
2. The commission shall meet as necessary to review all complete applications; consider the potential need for independent, expert review of complete applications; approve or disapprove complete applications; make funding award recommendations for commission-approved proposed centers; direct the office of management and budget to distribute funds to the centers; monitor centers for compliance with award requirements; ~~and~~ review changes in assertions made in center applications; and conduct postaward monitoring of centers.
3. In considering whether to approve or disapprove an application, the commission shall determine whether the applicant has conducted the due diligence necessary to put together a viable proposal and the commission shall consider whether the center will:
 - a. Use university or college research to promote private sector job growth and expansion of knowledge-based industries or use university or college research to promote the development of new products, high-tech companies, or skilled jobs in this state;

- b. Create high-value private sector employment opportunities in this state;
 - c. Provide for public-private sector involvement and partnerships;
 - d. Leverage other funding;
 - e. Increase research and development activities that may involve federal funding from the national science foundation experimental program to stimulate competitive research;
 - f. Foster and practice entrepreneurship;
 - g. Promote the commercialization of new products and services in industry clusters;
 - h. Become financially self-sustaining; and
 - i. Establish and meet a deadline for acquiring and expending all public and private funds specified in the application.
4. In considering whether to approve an application, the commission may provide for an independent, expert review of the application to determine whether the proposed center is viable and whether the proposed center is likely to have the desired economic impact. As necessary, the commission may contract for additional technical review of applications. The commission may not approve an application unless the commission determines the proposed center has a high likelihood of viability and success in positively impacting economic development in the state.
5. For no fewer than six years and no more than ten years following center designation, the commission shall monitor the center's activities in order to determine whether the center is having the desired economic impact.

SECTION 28. AMENDMENT. Section 15-69-05 of the North Dakota Century Code is amended and reenacted as follows:

15-69-05. (Effective through July 31, 2011) Use of funds - Terms of funds - Distribution of funds.

1. A center shall use funds awarded under this chapter to enhance capacity; enhance infrastructure; and leverage state, federal, and private sources of funding. A center awarded funds under this chapter may not use the funds to supplant funding for current operations or academic instructions or to pay indirect costs.
2. As a condition for receipt of funds under this chapter, a center shall agree to provide the board, foundation, and budget section of the legislative council with annual audits on all funds distributed to the center under this chapter. The annual audits must be provided until the completion of ~~four~~ years following the final distribution of funds under this chapter the commission's postaward monitoring of the center. As a condition for receipt of funds under this chapter, a center shall agree to provide the commission with the information necessary to monitor the postaward activities of the center.
3. Before the commission directs the office of management and budget to distribute funds awarded under this chapter, the center shall provide the commission with detailed documentation of private sector participation and the availability of two dollars of matching funds for each dollar of state funds to be distributed under this chapter. The matching funds may include funds facilitated through the collaboration of the private sector participants with other funding entities. The matching funds may include a combination of cash and in-kind assets with itemized value. Private sector participation may be established through equity investments or through contracts for services with private sector entities. In making funding recommendations and designation determinations, the commission, board, foundation, and budget section shall give major consideration to the portion of the matching funds provided in cash by the private sector.

4. If, before funds are distributed by the office of management and budget, a center undergoes a change in the terms of or assertions made in its application, the commission may direct that the office of management and budget withhold all or a portion of any undistributed funds pending commission review of the changes.
5. The commission may use funds appropriated for the centers of excellence program to pay for the commission's administrative expenses, which may include contracting for independent, expert reviews of complete applications. The amount of funds the commission uses each biennium for administrative expenses may not exceed two and one-half percent of the funds appropriated for the program that biennium.

SECTION 29. AMENDMENT. Subsections 4 and 6 of section 54-17-07.3 of the North Dakota Century Code are amended and reenacted as follows:

4. Mortgage loan financing program. A program or programs to provide for the purchase or guaranty of a temporary or permanent mortgage loans loan originated by ~~lenders~~ a lender on residential real property or on land to be developed into residential real property, in addition to ~~such a~~ mortgage ~~loans~~ loan acquired or to be acquired under subsections 1 through 3. A program authorized under this subsection may provide assistance in the development of low to moderate income housing or to otherwise assist a developing community in the state address an unmet housing need or alleviate a housing shortage.
6. Housing grant program. A program or programs to provide ~~grants~~ a grant other than those authorized by section 54-17-07.6 to encourage and promote housing availability for persons of low or moderate income or to otherwise assist a developing community in this state address an unmet housing need or alleviate a housing shortage.

SECTION 30. A new section to chapter 54-34.4 of the North Dakota Century Code is created and enacted as follows:

Visitor information centers. The division may develop and implement a visitor information center assistance program. The program may include matching grant funds, training assistance, and marketing assistance for visitor information centers and for rest stop volunteers.

SECTION 31. AMENDMENT. Section 54-60-02 of the North Dakota Century Code is amended and reenacted as follows:

54-60-02. Department of commerce - Divisions. The North Dakota department of commerce is created. All records, materials, supplies, and equipment used by the division of community services, department of economic development and finance, and the department of tourism are transferred to the department.

1. The department must consist of:
 - a. A division of community services;
 - b. A division of economic development and finance;
 - c. A division of tourism;
 - d. A division of workforce development; and
 - e. Any division the commissioner determines necessary to carry out this chapter.
2. The commissioner shall appoint the director of ~~any each~~ division created ~~by the commissioner under subsection 1. Effective August 1, 2003, the commissioner shall appoint the directors of the division of community services, division of economic development and finance, and division of workforce development. Effective August 1, 2005, the commissioner shall appoint the director of the division of tourism of the department.~~ Each director appointed by the commissioner serves at the pleasure of the commissioner and is entitled to receive a salary set by the commissioner within the limits of legislative appropriations. ~~Until August 1, 2003, the~~

~~governor shall appoint the directors of the division of community services, division of economic development and finance, and division of workforce development and until August 1, 2005, the governor shall appoint the director of the division of tourism. The individuals appointed by the governor shall serve at the pleasure of the governor and are entitled to receive a salary set by the governor within the limits of legislative appropriations.~~

SECTION 32. AMENDMENT. Section 54-60-09 of the North Dakota Century Code is amended and reenacted as follows:

54-60-09. Division of workforce development - Duties. The division of workforce development shall ~~actively~~:

1. Actively monitor local, regional, and national private and public workforce development initiatives.
2. Develop and implement the state's talent strategy.
3. Develop and implement a statewide intelligence coordination strategy.

SECTION 33. AMENDMENT. Section 54-60-12 of the North Dakota Century Code is amended and reenacted as follows:

54-60-12. North Dakota image information program. The commissioner shall implement a program for use by state agencies and the private sector to assist state agencies ~~and, state agencies' employees, private businesses, and private businesses' employees~~ to present to the public a positive image of the state. ~~The commissioner may expand the program to include use of the program by the private sector.~~

SECTION 34. Two new sections to chapter 54-60 of the North Dakota Century Code are created and enacted as follows:

Division of workforce development - Higher education internships and work experience opportunities. The division of workforce development shall administer a program to increase use of higher education internships and work experience opportunities for higher education students. The primary focus of this program must be higher education internships in target industries. This program shall provide services to employers, communities, and business organizations to increase higher education internship and work experience opportunities.

Division of workforce development - Career specialist. The division of workforce development, in consultation with the department of career and technical education, job service North Dakota, and the superintendent of public instruction, shall develop and implement a program to assist public schools in promoting North Dakota career opportunities to students in grades nine through twelve."

Page 6, after line 14, insert:

"SECTION 36. AMENDMENT. Subdivision 1 of subsection 2 of section 54-60.1-01 of the North Dakota Century Code is amended and reenacted as follows:

- I. ~~Except for a center of excellence award under chapter 15-69, assistance~~ Assistance for a collaboration between a North Dakota institution of higher education and a business.

SECTION 37. Section 57-38-01.24 of the North Dakota Century Code is created and enacted as follows:

57-38-01.24. Internship employment tax credit.

1. A taxpayer that is an employer within this state is entitled to a credit as determined under this section against state income tax liability under section 57-38-29, 57-38-30, or 57-38-30.3 for qualified compensation paid to an intern employed in this state by the taxpayer. To qualify for the credit under this section, the internship program must meet the following qualifications:

- a. The intern must be an enrolled student in an institution of higher education or vocational technical education program who is seeking a degree or a certification of completion in a major field of study closely related to the work experience performed for the taxpayer;
 - b. The internship must be taken for academic credit or count toward the completion of a vocational technical education program;
 - c. The intern must be supervised and evaluated by the taxpayer; and
 - d. The internship position must be located in this state.
2. The amount of the credit to which a taxpayer is entitled is ten percent of the stipend or salary paid to a college intern employed by the taxpayer. A taxpayer may not receive more than three thousand dollars in total credits under this section for all taxable years combined.
- a. The tax credit under this section applies to a stipend or salary for not more than five interns employed at the same time.
 - b. A partnership, subchapter S corporation, or limited liability company that for tax purposes is treated like a partnership that is entitled to the credit under this section must be considered to be the taxpayer for purposes of calculating the credit. The amount of the allowable credit must be determined at the passthrough entity level. The total credit determined at the entity level must be passed through to the partners, shareholders, or members in proportion to their respective interests in the passthrough entity.

SECTION 38. Section 57-38-01.25 of the North Dakota Century Code is created and enacted as follows:

57-38-01.25. Workforce recruitment credit for hard-to-fill employment positions. A taxpayer that is an employer in this state is entitled to a credit as determined under this section against state income tax liability under section 57-38-29, 57-38-30, or 57-38-30.3 for costs the taxpayer incurred during the tax year to recruit and hire employees for hard-to-fill employment positions within this state for which the annual salary for the position meets or exceeds the state average wage.

1. The amount of the credit to which a taxpayer is entitled is five percent of the salary paid for the first twelve consecutive months to the employee hired for the hard-to-fill employment position. To qualify for the credit under this section, the employee must be employed by the taxpayer in the hard-to-fill employment position for twelve consecutive months.
2. For purposes of this section:
 - a. "Extraordinary recruitment methods" means using three or more of the following:
 - (1) A person with the exclusive business purpose of recruiting employees and for which a fee is charged by that recruiter.
 - (2) An advertisement in a professional trade journal, magazine, or other publication, the main emphasis of which is providing information to a particular trade or profession.
 - (3) A web site, the sole purpose of which is to recruit employees and for which a fee is charged by the web site.
 - (4) Participation in job or career fair.
 - (5) Payment for professional licensing or certification required for the position.
 - (6) Payment of a signing bonus, moving expenses, or nontypical fringe benefits.
 - b. "Hard-to-fill employment position" means a job that requires the employer to use extraordinary recruitment methods.

- c. "State average wage" means the state average wage published annually by job service North Dakota and which is in effect at the time the employee is hired.
- 3. The taxpayer may claim the credit in the first tax year beginning after the employee hired for the hard-to-fill position has completed the employee's first twelve consecutive months of employment in the hard-to-fill position with the taxpayer.
- 4. The credit under this section may not exceed a taxpayer's liability for the taxable year as determined under this chapter. Any amount of unused credit may be carried forward for up to four taxable years after the taxable year in which the credit could initially be claimed.
- 5. A partnership, subchapter S corporation, or limited liability company that for tax purposes is treated like a partnership that is entitled to the credit under this section must be considered to be the taxpayer for purposes of this section and the amount of the credit allowed must be determined at the passthrough entity level. The amount of the total credit determined at the passthrough entity level must be allowed to the members in proportion to their respective interests in the passthrough entity.

SECTION 39. A new subsection to section 57-38-30.3 of the North Dakota Century Code is created and enacted as follows:

A taxpayer filing a return under this section is entitled to the credits provided under sections 57-38-01.24, 57-38-01.25, and 57-38-30.5.

SECTION 40. AMENDMENT. Section 57-38-30.5 of the North Dakota Century Code is amended and reenacted as follows:

57-38-30.5. ~~Corporate income~~ Income tax credit for research and experimental expenditures. ~~Any corporation~~ A taxpayer is allowed a credit against the tax imposed under ~~this chapter~~ section 57-38-29, 57-38-30, or 57-38-30.3 for the taxable year equal to ~~eight~~ twenty-five percent of the first one ~~and one-half million~~ hundred thousand dollars of the qualified research expenses for the taxable year in excess of the base period research expenses and equal to ~~four~~ twenty percent of all qualified research expenses for the taxable year more than one ~~and one-half million~~ hundred thousand dollars in excess of the base period research expenses.

- 1. For purposes of this section:
 - a. "Base period research expenses" means base period research expenses as defined in section 41(c) of the Internal Revenue Code [26 U.S.C. 41(c)], except it does not include research conducted outside the state of North Dakota.
 - b. "Qualified research" means qualified research as defined in section 41(d) of the Internal Revenue Code [26 U.S.C. 41(d)], except it does not include research conducted outside the state of North Dakota.
 - c. "Qualified research expenses" means qualified research expenses as defined in section 41(b) of the Internal Revenue Code [26 U.S.C. 41(b)], except it does not include expenses incurred for basic research conducted outside the state of North Dakota.
- 2. The credit allowed under this section for the taxable year may not exceed the liability for tax under this chapter.
- 3. In the case of a ~~corporation which~~ taxpayer that is a partner in a partnership or a member in a limited liability company, the credit allowed for the taxable year may not exceed an amount separately computed with respect to the ~~corporation's~~ taxpayer's interest in the trade, business, or entity equal to the amount of tax attributable to that portion of the ~~corporation's~~ taxpayer's taxable income which is allocable or apportionable to the ~~corporation's~~ taxpayer's interest in the trade, business, or entity.
- 4. If the amount of the credit determined under this section for any taxable year exceeds the limitation under subsection 2, the excess may be used as

a research credit carryback to each of the three preceding taxable years and a research credit carryover to each of the fifteen succeeding taxable years or the taxpayer may assign or transfer, for consideration, the excess to another taxpayer. ~~The~~ If the taxpayer elects to carry back or carry over the credit, the entire amount of the excess unused credit for the taxable year must be carried first to the earliest of the taxable years to which the credit may be carried and then to each successive year to which the credit may be carried. ~~The~~ and the amount of the unused credit which may be added under this subsection may not exceed the taxpayer's liability for tax less the research credit for the taxable year.

- a. A taxpayer's total credit assignment under this section may not exceed one hundred thousand dollars over any combination of taxable years.
- b. If the taxpayer elects to assign or transfer an excess credit under this subsection, the tax credit transferor and the tax credit purchaser jointly shall file with the tax commissioner a copy of the purchase agreement and a statement containing the names, addresses, and taxpayer identification numbers of the parties to the transfer, the amount of the credit being transferred, the gross proceeds received by the transferor, and the tax year or years for which the credit may be claimed. The taxpayer and the purchaser also shall file a document allowing the tax commissioner to disclose tax information to either party for the purpose of verifying the correctness of the transferred tax credit. The purchase agreement, supporting statement, and waiver must be filed within thirty days after the date the purchase agreement is fully executed.
- c. The purchaser of the tax credit shall claim the credit beginning with the tax year in which the credit purchase agreement was fully executed by the parties. A purchaser of a tax credit under this section has only such rights to claim and use the credit under the terms that would have applied to the tax credit transferor, except the credit purchaser may not carry back the credit as otherwise provided in this section. This subsection does not limit the ability of the tax credit purchaser to reduce the tax liability of the purchaser, regardless of the actual tax liability of the tax credit transferor.
- d. The original purchaser of the tax credit may not sell, assign, or otherwise transfer the credit purchased under this section.
- e. If the amount of the credit available under this section is changed as a result of an amended return filed by the transferor, or as the result of an audit conducted by the internal revenue service or the tax commissioner, the transferor shall report to the purchaser the adjusted credit amount within thirty days of the amended return or within thirty days of the final determination made by the internal revenue service or the tax commissioner. The tax credit purchaser shall file amended returns reporting the additional tax due or claiming a refund as provided in section 57-38-38 or 57-38-40, and the tax commissioner may audit these returns and assess or issue refunds, even though other time periods prescribed in these sections may have expired for the purchaser.
- f. Gross proceeds received by the tax credit transferor must be assigned to North Dakota. The amount assigned under this subsection cannot be reduced by the taxpayer's income apportioned to North Dakota or any North Dakota net operating loss of the taxpayer.
- g. The tax commissioner has four years after the date of the credit assignment to audit the returns of the credit transferor and the purchaser to verify the correctness of the amount of the transferred credit and if necessary assess the credit purchaser if additional tax is found due. This subdivision does not limit or restrict any other time period prescribed in this chapter for the assessment of tax.
- h. The tax commissioner may adopt rules to permit verification of the validity and timeliness of the transferred tax credit.

5. If a taxpayer acquires or disposes of the major portion of a trade or business or the major portion of a separate unit of a trade or business in a transaction with another taxpayer, the taxpayer's qualified research expenses and base period must be adjusted in the manner provided by section 41(f)(3) of the Internal Revenue Code [26 U.S.C. 41(f)(3)].
6. If a taxpayer entitled to the credit provided by this section is a member of a group of corporations filing a North Dakota consolidated tax return using the combined reporting method, the credit may be claimed against the aggregate North Dakota tax liability of all the corporations included in the North Dakota consolidated return. This section does not apply to tax credits received or purchased under subsection 5.
7. An individual, estate, or trust that purchases a credit under this section is entitled to claim the credit against state income tax liability under section 57-38-29 or 57-38-30.3.

SECTION 41. AMENDMENT. Section 57-38.5-05 of the North Dakota Century Code is amended and reenacted as follows:

57-38.5-05. Seed capital investment tax credit limits. The aggregate amount of seed capital investment tax credit allowed for investments under this chapter is limited to ~~two~~ five million ~~five hundred thousand~~ dollars for each calendar year. If investments in qualified businesses reported to the commissioner under section 57-38.5-07 exceed the limits on tax credits for investments imposed by this section, the credit must be allowed to taxpayers in the chronological order of their investments in qualified businesses as determined from the forms filed under section 57-38.5-07.

SECTION 42. AMENDMENT. Section 57-38.6-01 of the North Dakota Century Code is amended and reenacted as follows:

57-38.6-01. Definitions. As used in this chapter, unless the context otherwise requires:

1. "Agricultural commodity processing facility" means ~~a~~:
 - a. A facility that through processing involving the employment of knowledge and labor adds value to an agricultural commodity capable of being raised in this state; or
 - b. A livestock feeding, handling, milking, or holding operation that uses as part of its operation a byproduct produced at a biofuels production facility.
2. "Biofuels production facility" means a corporation, limited liability company, partnership, individual, or association in this state:
 - a. Involved in production of diesel fuel containing at least five percent biodiesel meeting the specifications adopted by the American society for testing and materials;
 - b. Involved in the production of corn-based ethanol or cellulose-based ethanol; or
 - c. Involved in a soybean or canola crushing facility.
3. "Director" means the director of the department of commerce division of economic development and finance.
- ~~3.~~ 4. "Qualified business" means a cooperative, corporation, partnership, or limited liability company that:
 - a. Is incorporated or organized in this state after December 31, 2000, for the primary purpose of processing and marketing being an agricultural commodities capable of being raised in this state commodity processing facility;
 - b. Has been certified by the securities commissioner to be in compliance under the securities laws of this state;

- c. Has an agricultural commodity processing facility, or intends to locate one, in this state; and
 - d. Is among the first ten businesses that meets the requirements of this subsection, but not a business that was previously certified as a qualified business under chapter 57-38.5.
4. 5. "Taxpayer" means an individual, estate, trust, corporation, partnership, or limited liability company.

SECTION 43. AMENDMENT. Section 17 of chapter 151 of the 2005 Session Laws is amended and reenacted as follows:

SECTION 17. NORTH DAKOTA BUSINESS CLIMATE INITIATIVE - LEGISLATIVE COUNCIL STUDY. During the 2005-06 ~~and 2007-08 interims~~ interim, the legislative council shall study the state's business climate through a business climate initiative. The business climate initiative must include receipt of agency reports regarding economic development legislation introduced by the legislative council during previous legislative sessions, active participation in business climate focus groups across the state, and active participation in a biennial business congresses congress. The focus groups shall discuss ways to enhance the state's business climate to stimulate job growth and enhance economic prosperity for employers and employees by encouraging the growth of existing businesses in the state, creating new businesses in the state, and encouraging expansion or relocation of businesses to this state. ~~Each~~ The business congress must receive a report on the activities of the focus group discussions, shall identify methods to enhance the state's business climate to stimulate job growth and enhance economic prosperity, shall identify methods to prepare the state for the high-growth and high-demand jobs of the future, and shall evaluate the impact of existing state economic development programs. The department of commerce shall organize the business climate focus groups and the business ~~congresses congress~~. Before ~~each~~ the business congress, which must be held before June 1, 2006, ~~and before June 1, 2008~~, the department shall hold a minimum of six focus group discussions, two of which specifically focus on local economic developers and four of which specifically focus on private business needs. The department shall consult with the legislative council in compiling focus group and business congress participant invitation lists and drafting and distributing invitations, establishing focus group and business congress dates and locations, and preparing agendas for focus groups and the business congresses congress. The legislative council shall contract with a third party to provide professional services to plan, facilitate, report on, and coordinate followup for the focus groups and business ~~congresses congress~~. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixtieth ~~and sixty-first~~ legislative ~~assemblies~~ assembly.

SECTION 44. REPEAL. Sections 57-38-71, 57-38-72, 57-38-73, and 57-38-74 of the North Dakota Century Code are repealed.

SECTION 45. EFFECTIVE DATE. Sections 37, 38, 39, 40, 41, 42, and 44 of this Act are effective for taxable years beginning after December 31, 2006. Section 40 of this Act is effective for tax credits earned and assigned after December 31, 2006. However, rentals under a lease entered before January 1, 2007, and eligible for the exemption under section 57-38-73 when the lease was entered continue to be eligible for the exemption for taxable years after 2006 on the same terms and conditions for the duration of the lease."

Page 6, line 15, replace "14" with "35"

Page 6, after line 16, insert:

"SECTION 47. EMERGENCY. Section 29 of this Act is declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1018 - Summary of Senate Action

	BUDGET	VERSION	CHANGES	VERSION
Office of Management and Budget				
Total all funds	\$0	\$0	\$27,023,138	\$27,023,138
Less estimated income			<u>5,000,000</u>	<u>5,000,000</u>
General fund	<u>\$0</u>	<u>\$0</u>	<u>\$22,023,138</u>	<u>\$22,023,138</u>
Board for Career and Technical Education				
Total all funds	\$0	\$70,000	\$0	\$70,000
Less estimated income				
General fund	<u>\$0</u>	<u>\$70,000</u>	<u>\$0</u>	<u>\$70,000</u>
Department of Commerce				
Total all funds	\$81,531,029	\$77,000,837	\$4,714,000	\$81,714,837
Less estimated income	<u>55,361,293</u>	<u>55,361,293</u>		<u>55,361,293</u>
General fund	<u>\$26,169,736</u>	<u>\$21,639,544</u>	<u>\$4,714,000</u>	<u>\$26,353,544</u>
Bill Total				
Total all funds	\$81,531,029	\$77,070,837	\$31,737,138	\$108,807,975
Less estimated income	<u>55,361,293</u>	<u>55,361,293</u>	<u>5,000,000</u>	<u>60,361,293</u>
General fund	<u>\$26,169,736</u>	<u>\$21,709,544</u>	<u>\$26,737,138</u>	<u>\$48,446,682</u>

House Bill No. 1018 - Office of Management and Budget - Senate Action

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
Centers of excellence			\$20,000,000	\$20,000,000
Centers of excellence - Contingency			<u>5,000,000</u>	<u>5,000,000</u>
Prairie Public Broadcasting			<u>2,023,138</u>	<u>2,023,138</u>
Total all funds	\$0	\$0	\$27,023,138	\$27,023,138
Less estimated income			<u>5,000,000</u>	<u>5,000,000</u>
General fund	\$0	\$0	\$22,023,138	\$22,023,138
FTE	0.00	0.00	0.00	0.00

Dept. 110 - Office of Management and Budget - Detail of Senate Changes

	ADDS CENTERS OF EXCELLENCE FUNDING ¹	ADDS CONTINGENT CENTERS OF EXCELLENCE FUNDING ²	ADDS FUNDING FOR PBS ³	TOTAL SENATE CHANGES
Centers of excellence	\$20,000,000			\$20,000,000
Centers of excellence - Contingency		\$5,000,000		5,000,000
Prairie Public Broadcasting			<u>\$2,023,138</u>	<u>2,023,138</u>
Total all funds	\$20,000,000	\$5,000,000	\$2,023,138	\$27,023,138
Less estimated income		<u>5,000,000</u>		<u>5,000,000</u>
General fund	\$20,000,000	\$0	\$2,023,138	\$22,023,138
FTE	0.00	0.00	0.00	0.00

¹ A section is added appropriating funds for centers of excellence for the 2007-09 biennium.

² A section is added authorizing the Office of Management and Budget, as directed by the Centers of Excellence Commission and with Emergency Commission and Budget Section approval, to borrow up to \$5 million from the Bank of North Dakota for providing additional funding for centers of excellence.

³ A section is added providing funding for Prairie Public Broadcasting.

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

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$8,617,235	\$8,617,235		\$8,617,235
Operating expenses	13,642,636	9,978,688	\$3,114,000	13,092,688
Capital assets	25,000	25,000		25,000
Grants	48,374,748	48,374,748	400,000	48,774,748
North Dakota Development Fund	3,000,000	3,000,000	1,000,000	4,000,000
Discretionary funds	1,450,127	1,450,127		1,450,127
Economic development initiatives	2,163,090	1,296,846		1,296,846
Agricultural products utilization	2,808,193	2,808,193	200,000	3,008,193
Economic development grants	50,000	50,000		50,000
North Dakota Trade Office	<u>1,400,000</u>	<u>1,400,000</u>		<u>1,400,000</u>
Total all funds	\$81,531,029	\$77,000,837	\$4,714,000	\$81,714,837
Less estimated income	<u>55,361,293</u>	<u>55,361,293</u>		<u>55,361,293</u>
General fund	\$26,169,736	\$21,639,544	\$4,714,000	\$26,353,544
FTE	73.00	64.00	0.00	64.00

Dept. 601 - Department of Commerce - Detail of Senate Changes

	ADDS FUNDING FOR INNOVATE ND 1	ADDS FUNDING FOR FOR APUC 2	ADDS FUNDING FOR THE DEVELOPMENT FUND 3	ADDS FUNDING FOR CAREER SPECIALISTS 4	ADDS FUNDING FOR WORKFORCE SYSTEM INITIATIVE 5	ADDS FUNDING FOR TOURISM MARKETING 6
Salaries and wages						
Operating expenses	\$50,000				\$50,000	\$3,000,000
Capital assets						
Grants				\$400,000		
North Dakota Development Fund			\$1,000,000			
Discretionary funds						
Economic development initiatives		\$200,000				
Agricultural products utilization						
Economic development grants						
North Dakota Trade Office						
Total all funds	\$50,000	\$200,000	\$1,000,000	\$400,000	\$50,000	\$3,000,000
Less estimated income						
General fund	\$50,000	\$200,000	\$1,000,000	\$400,000	\$50,000	\$3,000,000
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	ADDS FUNDING FOR FAITH-BASED INITIATIVE 7	TOTAL SENATE CHANGES
Salaries and wages		
Operating expenses	\$14,000	\$3,114,000
Capital assets		
Grants		400,000
North Dakota Development Fund		1,000,000
Discretionary funds		
Economic development initiatives		
Agricultural products utilization		200,000
Economic development grants		
North Dakota Trade Office		
Total all funds	\$14,000	\$4,714,000
Less estimated income		
General fund	\$14,000	\$4,714,000
FTE	0.00	0.00

1 Funds for Innovate ND is increased to provide a total of \$300,000, of which \$150,000 is from the general fund.

2 Funding for the Agricultural Products Utilization Commission is increased to provide a total of \$1,662,115 from the general fund.

3 The transfer to the development fund is increased to provide a total of \$4 million for the 2007-09 biennium.

4 Funding is added to provide grants for career counseling services for students.

5 Funding is added for costs relating to the Workforce System Initiative.

6 This amendment restores \$3 million of the \$3,753,948 reduced by the House for tourism marketing and promotion.

7 Funding is added to provide a total of \$25,000 for operating expenses of the Office of Faith-Based and Community Initiatives. Funding of \$11,000 from the general fund is appropriated to the department in Senate Bill No. 2001.

The section added by the House requiring the Trade Office to raise \$1 in matching funds for every \$2 provided by the state is replaced with a section requiring the department to report to the Budget Section on the status of matching funds raised by the Trade Office.

Sections are added relating to:

- Centers of excellence.
- Housing Finance Agency programs.
- Visitor information centers of the Tourism Division.
- Department of Commerce organizational structure.
- Workforce talent strategy and statewide intelligence coordination strategy.
- Image information program.
- Internships.

- Career specialists of the department.
- Internship employment tax credit.
- Research and experimental expenditures tax credit.
- Research and development tax credit.
- Seed capital investment tax credit.
- Agriculture business investment tax credit.
- Business climate initiative study.
- Beginning entrepreneur tax deductions and exemptions.
- Monitoring CCbenefits, Inc. and reporting to the Legislative Council.
- Definition of business incentive.
- Tax expenditure report pilot project.
- Business incentive expenditure report pilot project.
- Legislative Council studies of housing needs, wireless service providers, higher education promise grants, Workforce System Initiative, and Department of Commerce.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has amended and subsequently passed: HB 1005, HB 1009, HB 1016.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1005

Page 1, line 16, replace "134,537" with "142,457"

Page 1, line 18, replace "156,537" with "164,457"

Page 1, line 20, replace "171,537" with "179,457"

Page 2, line 3, replace "477,939" with "485,859"

Page 2, line 5, replace "563,834" with "571,754"

Page 2, line 7, replace "558,834" with "566,754"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1005 - Indian Affairs Commission - Senate Action

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$485,859	\$477,939	\$7,920	\$485,859
Operating expenses	<u>85,895</u>	<u>85,895</u>		<u>85,895</u>
Total all funds	\$571,754	\$563,834	\$7,920	\$571,754
Less estimated income	<u>5,000</u>	<u>5,000</u>		<u>5,000</u>
General fund	\$566,754	\$558,834	\$7,920	\$566,754
FTE	4.00	4.00	0.00	4.00

Dept. 316 - Indian Affairs Commission - Detail of Senate Changes

ADDS FUNDING TOTAL

	FOR TEMPORARY INTERN POSITION ¹	SENATE CHANGES
Salaries and wages	\$7,920	\$7,920
Operating expenses		
Total all funds	\$7,920	\$7,920
Less estimated income		
General fund	\$7,920	\$7,920
FTE	0.00	0.00

¹ This amendment adds back funding that was removed by the House for the temporary intern position.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1009

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

Page 1, after line 15, insert:

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

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

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

Page 2, after line 2, insert:

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

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

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

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

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

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

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

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

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

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1016

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

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

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

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

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

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

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

Page 3, after line 3, insert:

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

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

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

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

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

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

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$33,028,475	\$33,028,475		\$33,028,475
Operating expenses	12,852,481	13,452,481	(\$600,000)	12,852,481
Capital assets	20,000	20,000		20,000
Grants	8,438,220	8,438,220		8,438,220

Workforce 20/20	1,489,882	1,489,882		1,489,882
Reed Act - Unemployment insurance computer	7,300,000	7,300,000		7,300,000
Total all funds	\$63,129,058	\$63,729,058	(\$600,000)	\$63,129,058
Less estimated income	61,592,091	61,592,091		61,592,091
General fund	\$1,536,967	\$2,136,967	(\$600,000)	\$1,536,967
FTE	308.00	308.00	0.00	308.00

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

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

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

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

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

MR. SPEAKER: Your signature is respectfully requested on: SB 2001, SB 2006, SB 2007, SB 2135, SB 2163, SB 2183, SB 2205, SB 2224, SB 2232, SB 2238, SB 2248.

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

MR. PRESIDENT: Your signature is respectfully requested on: HCR 3016, HCR 3049, HCR 3059.

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

MR. SPEAKER: The President has signed: SCR 4026, SCR 4034, SCR 4035.

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

MR. SPEAKER: Your signature is respectfully requested on: SB 2402.

MOTION

REP. MONSON MOVED that the House stand in recess until 1:00 p.m., which motion prevailed.

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

SEVENTH ORDER OF BUSINESS**MOTION**

REP. GULLESON MOVED that the report of the Minority as printed on HJ pages 1302-1304 be substituted for the report of the Majority on reengrossed SB 2021.

REQUEST

REP. BOUCHER REQUESTED a recorded roll call vote on the motion that the report of the Minority be substituted for the report of the Majority on reengrossed SB 2021, 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 reengrossed SB 2021, the roll was called and there were 32 YEAS, 60 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Boe; Boucher; Conrad; Ekstrom; Glassheim; Griffin; Gruchalla; Gulleeson; Hanson; Hunsford; Kaldor; Kelsh, S.; Kerzman; Kroeber; Metcalf; Meyer, S.;

Mueller; Myxter; Onstad; Owens; Pinkerton; Potter; Schmidt; Schneider; Solberg; Thorpe; Vig; Williams; Wolf; Zaiser

NAYS: Bellew; Belter; Berg; Boehning; Brandenburg; Carlisle; Carlson; Charging; Clark; Dahl; Damschen; DeKrey; Dietrich; Dosch; Drovda; 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.; Monson; Nelson; Nottestad; Pietsch; Pollert; Porter; Price; Ruby; Skarphol; Sukut; Svedjan; Thoreson; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Wrangham; Speaker Delzer

ABSENT AND NOT VOTING: Delmore; Froelich

The motion that the report of the Minority be substituted for the report of the Majority on reengrossed SB 2021 failed, therefore, the report of the Majority was adopted.

SECOND READING OF SENATE BILL

SB 2021: A BILL for an Act to provide an appropriation for defraying the expenses of workforce safety and insurance; to provide legislative intent; to provide for a report; to provide a continuing appropriation; and to create and enact two new sections to chapter 65-02 of the North Dakota Century Code, relating to employee awards and incentive spending authority and implementation of occupational health and preventive medicine programs.

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 64 YEAS, 28 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Bellew; Belter; Berg; Boehning; Brandenburg; Carlisle; Carlson; Charging; Clark; Dahl; Damschen; DeKrey; Dietrich; Dosch; Drovda; Froseth; Glassheim; 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; Nelson; Nottestad; Owens; Pietsch; Pollert; Porter; Potter; Price; Ruby; Skarphol; Sukut; Svedjan; Thoreson; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Speaker Delzer

NAYS: Aarsvold; Amerman; Boe; Boucher; Conrad; Ekstrom; Griffin; Gruchalla; Guleson; Hanson; Hunsakor; Kaldor; Kelsh, S.; Kerzman; Kroeber; Metcalf; Meyer, S.; Mueller; Myxter; Onstad; Pinkerton; Schmidt; Schneider; Solberg; Thorpe; Vig; Wolf; Zaiser

ABSENT AND NOT VOTING: Delmore; Froelich

Reengrossed SB 2021, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. MONSON MOVED that the House do not concur in the Senate amendments to Engrossed HB 1002 as printed on HJ pages 1344-1346 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on Engrossed HB 1002: Reps. Carlisle, Thoreson, Kroeber.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. MONSON MOVED that the House do not concur in the Senate amendments to Reengrossed HB 1125 as printed on HJ pages 1338-1339 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on Reengrossed HB 1125: Reps. Hawken, Martinson, Guleson.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. MONSON MOVED that the House do not concur in the Senate amendments to Engrossed HB 1372 as printed on HJ page 1326 and that a conference committee be

appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on Engrossed HB 1372: Reps. Haas, Karls, Hanson.

APPOINTMENT OF CONFERENCE COMMITTEE

REP. MONSON MOVED that the Speaker appoint a committee of three to act with a like committee from the Senate as a Conference Committee on SB 2002, SB 2004, SB 2005, Engrossed SB 2008, Engrossed SB 2010, Engrossed SB 2100, and SB 2323, which motion prevailed.

THE SPEAKER APPOINTED as a Conference Committee on:

SB 2002: Reps. Thoreson, Carlisle, Williams

SB 2004: Reps. Skarphol, Kempenich, Glassheim

SB 2005: Reps. Skarphol, Thoreson, Glassheim

Engrossed SB 2008: Reps. Kempenich, Thoreson, Kroeber

Engrossed SB 2010: Reps. Carlisle, Carlson, Williams

Engrossed SB 2100: Reps. Hatlestad, Porter, Schneider

SB 2323: Reps. D. Johnson, Klein, Mueller

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. R. KELSCH MOVED that the House do concur in the Senate amendments to Engrossed HB 1134 as printed on HJ page 930, which motion prevailed on a voice vote.

Engrossed HB 1134, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1134: A BILL for an Act to amend and reenact section 44-04-18.14 and subsection 3 of section 52-01-03 of the North Dakota Century Code, relating to release and use of information provided to the followup information on North Dakota education and training system.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, 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; Damschen; DeKrey; Dietrich; Dosch; Drovdal; Ekstrom; 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; Myxter; Nelson; 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: Mueller

ABSENT AND NOT VOTING: Delmore; Froelich

Reengrossed HB 1134 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. PRICE MOVED that the House do concur in the Senate amendments to HB 1155 as printed on HJ pages 875-876, which motion prevailed on a voice vote.

HB 1155, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1155: A BILL for an Act to amend and reenact sections 26.1-08-01 and 26.1-08-02.1, subdivisions h and j of subsection 2 of section 26.1-08-02.2, sections 26.1-08-06, 26.1-08-07, and 26.1-08-09, subsection 6 of section 26.1-08-10, subsections 3 and 4 of section 26.1-08-11, sections 26.1-08-12 and 26.1-08-13, and subsection 28 of section 26.1-36.3-01 of the North Dakota Century Code, relating to the comprehensive health

association of North Dakota and to a definition applicable to small employer employee health insurance.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, 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; 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; Kerzman; Kingsbury; Klein; Klemm; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; 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: Delmore; Froelich

Engrossed HB 1155 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. BELTER MOVED that the House do concur in the Senate amendments to Engrossed HB 1160 as printed on HJ page 1044, which motion prevailed on a voice vote.

Engrossed HB 1160, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1160: A BILL for an Act to create and enact a new subsection to section 57-40.3-04 and a new subsection to section 57-40.5-03 of the North Dakota Century Code, relating to motor vehicle excise tax and aircraft excise tax exemptions for ambulances and air ambulances purchased by emergency medical services operations; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 91 YEAS, 0 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; 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; Kerzman; Kingsbury; Klein; Klemm; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; 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; Wolf; Wrangham; Zaiser; Speaker Delzer

ABSENT AND NOT VOTING: Delmore; Froelich; Williams

Reengrossed HB 1160 passed, the title was agreed to, and the emergency clause was declared carried.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. PORTER MOVED that the House do concur in the Senate amendments to Reengrossed HB 1195 as printed on HJ page 893, which motion prevailed on a voice vote.

Reengrossed HB 1195, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1195: A BILL for an Act to amend and reenact section 20.1-03-35 of the North Dakota Century Code, relating to use of identification numbers on game and fish licenses and permits; to provide an agency directive; and to provide a contingent effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 89 YEAS, 2 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Clark; Conrad; Dahl; Damschen; DeKrey; Dietrich; Dosch; Drovdal; Ekstrom; 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; Nelson; 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: Charging; Nottestad

ABSENT AND NOT VOTING: Boe; Delmore; Froelich

Reengrossed HB 1195 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. PORTER MOVED that the House do concur in the Senate amendments to Engrossed HB 1229 as printed on HJ page 1049, which motion prevailed on a voice vote.

Engrossed HB 1229, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1229: A BILL for an Act to amend and reenact section 38-08-05 of the North Dakota Century Code, relating to oil and gas well location restrictions.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 82 YEAS, 9 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Dietrich; Dosch; Drovdal; Ekstrom; 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; Nelson; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Schneider; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wall; Weiler; Weisz; Williams; Wolf

NAYS: Carlson; Ruby; Schmidt; Skarphol; Solberg; Wald; Wieland; Wrangham; Speaker Delzer

ABSENT AND NOT VOTING: Delmore; Froelich; Zaiser

Reengrossed HB 1229 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. WEISZ MOVED that the House do concur in the Senate amendments to HB 1258 as printed on HJ page 1044, which motion prevailed on a voice vote.

HB 1258, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1258: A BILL for an Act to amend and reenact section 39-13-09 of the North Dakota Century Code, relating to tourist-oriented directional signs; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 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; Damschen; DeKrey; 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; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; 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: Kasper

ABSENT AND NOT VOTING: Delmore; Froelich

Engrossed HB 1258 passed, the title was agreed to, and the emergency clause was declared carried.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. HERBEL MOVED that the House do concur in the Senate amendments to Engrossed HB 1282 as printed on HJ page 1025, which motion prevailed on a voice vote.

Engrossed HB 1282, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1282: A BILL for an Act to amend and reenact section 61-16.1-40.1 of the North Dakota Century Code, relating to approval of assessments for maintenance of federally constructed flood control or soil conservation service projects.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 72 YEAS, 19 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Boe; Boehning; Boucher; Brandenburg; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Dietrich; Ekstrom; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleson; Haas; Hanson; Hatlestad; Hawken; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Potter; Price; Schmidt; Schneider; Solberg; Sukut; Svedjan; Thorpe; Uglem; Vig; Vigesaa; Wall; Weisz; Wieland; Williams; Wolf; Zaiser

NAYS: Bellew; Belter; Carlisle; Carlson; Dosch; Drovdal; Headland; Kasper; Kempenich; Meier, L.; Myxter; Porter; Ruby; Skarphol; Thoreson; Wald; Weiler; Wrangham; Speaker Delzer

ABSENT AND NOT VOTING: Berg; Delmore; Froelich

Reengrossed HB 1282 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. PRICE MOVED that the House do concur in the Senate amendments to Engrossed HB 1293 as printed on HJ pages 892-893, which motion prevailed on a voice vote.

Engrossed HB 1293, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1293: A BILL for an Act to create and enact a new section to chapter 43-17 and two new subsections to section 43-28-02 of the North Dakota Century Code, relating to the application of topical fluoride varnish and exemptions to the regulation of dentists; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 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; Dietrich; Dosch; Drovdal; Ekstrom; 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; Nelson; 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: Delmore; Froelich

Reengrossed HB 1293 passed, the title was agreed to, and the emergency clause was declared carried.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. WEISZ MOVED that the House do concur in the Senate amendments to HB 1295 as printed on HJ page 844, which motion prevailed on a voice vote.

HB 1295, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1295: A BILL for an Act to amend and reenact section 39-12-02 of the North Dakota Century Code, relating to permits for vehicles of excessive size and weight; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 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; Damschen; DeKrey; Dosch; Drovdal; Ekstrom; 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; Nelson; 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: Dietrich

ABSENT AND NOT VOTING: Delmore; Froelich

Engrossed HB 1295 passed, the title was agreed to, and the emergency clause was declared carried.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. HERBEL MOVED that the House do concur in the Senate amendments to HB 1304 as printed on HJ page 948, which motion prevailed on a voice vote.

HB 1304, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1304: A BILL for an Act to amend and reenact sections 35-17-08, 35-30-06, 35-31-06, and 41-09-96 of the North Dakota Century Code, relating to certain lien and secured transaction filing fees.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 62 YEAS, 30 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Berg; Charging; Clark; Conrad; Damschen; DeKrey; Dietrich; Ekstrom; Froseth; Glassheim; Gruchalla; Gulleeson; Haas; Hanson; Hatlestad; Hawken; Heller; Herbel; Hofstad; Johnson, D.; Johnson, N.; Kaldor; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Meier, L.; Meyer, S.; Monson; Mueller; Myxter; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Potter; Price; Schneider; Solberg; Sukut; Thorpe; Uglen; Vig; Wald; Wall; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser

NAYS: Bellew; Belter; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Dahl; Dosch; Drovdal; Grande; Griffin; Headland; Hunskor; Karls; Kasper; Martinson; Metcalf; Nelson; Pollert; Porter; Ruby; Schmidt; Skarphol; Svedjan; Thoreson; Vigasaa; Weiler; Speaker Delzer

ABSENT AND NOT VOTING: Delmore; Froelich

Engrossed HB 1304 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. BELTER MOVED that the House do concur in the Senate amendments to Engrossed HB 1312 as printed on HJ page 948, which motion prevailed on a voice vote.

Engrossed HB 1312, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1312: A BILL for an Act to create and enact section 57-15-63.1 of the North Dakota Century Code, relating to relevy by a school district of property taxes omitted by mistake; to provide an effective date; and to provide an expiration date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, 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; Dosch; Drovdal; Ekstrom; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleeson; 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; Nelson; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Solberg; Sukut; Svedjan; Thorpe; Uglen; Vig; Vigasaa; Wald; Wall; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

NAYS: Dietrich; Kasper; Thoreson; Weiler

ABSENT AND NOT VOTING: Delmore; Froelich; Skarphol

Reengrossed HB 1312 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KEISER MOVED that the House do concur in the Senate amendments to Engrossed HB 1315 as printed on HJ page 1001, which motion prevailed on a voice vote.

Engrossed HB 1315, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1315: A BILL for an Act to create and enact a new section to chapter 49-22 of the North Dakota Century Code, relating to electrical generation and transmission safety.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, 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; Dietrich; Dosch; Drovdal; Ekstrom; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleeson; 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; Nelson; 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: Delmore; Froelich

Reengrossed HB 1315 passed and the title was agreed to.

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

MR. PRESIDENT: The House does not concur in the Senate amendments to HB 1002, HB 1125, and HB 1372 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1002: Reps. Carlisle; Thoreson; Kroeber

HB 1125: Reps. Hawken; Martinson; Gulleson

HB 1372: Reps. Haas; Karls; Hanson

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

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

SB 2002: Reps. Thoreson; Carlisle; Williams

SB 2004: Reps. Skarphol; Kempenich; Glassheim

SB 2005: Reps. Skarphol; Thoreson; Glassheim

SB 2008: Reps. Kempenich; Thoreson; Kroeber

SB 2010: Reps. Carlisle; Carlson; Williams

SB 2100: Reps. Hatlestad; Porter; Schneider

SB 2323: Reps. D. Johnson; Klein; Mueller

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

MR. PRESIDENT: The House has concurred in the Senate amendments and subsequently passed: HB 1134, HB 1155, HB 1160, HB 1195, HB 1229, HB 1258, HB 1282, HB 1293, HB 1295, HB 1304, HB 1312, and HB 1315.

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

MR. PRESIDENT: The House has amended and subsequently passed: SB 2021.

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

MR. SPEAKER: The Senate has failed to pass: HB 1474.

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

MR. SPEAKER: The Senate has amended and subsequently failed: HB 1404.

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

MR. SPEAKER: The Senate has amended, subsequently passed, and the emergency clause carried: HB 1021, HB 1330.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1021

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Page 3, after line 16, insert:

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

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

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

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

Page 3, after line 23, insert:

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

Page 4, after line 22, insert:

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

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

ReNUMBER accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

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

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$38,446,651	\$37,871,433	(\$148,014)	\$37,723,419
Operating expenses	57,149,648	57,062,912		57,062,912
Capital assets	12,145,250	12,145,250		12,145,250
Division of Independent Study	6,376,005	6,496,005	(30,000)	6,466,005
Educational Technology Council	906,574	906,574	230,900	1,136,574
EduTech	2,722,348	2,722,348		2,722,348
Wide area network	4,066,926	4,066,926		4,066,926
Geographic information system	698,313	698,313	100,000	798,313
Criminal justice information	2,352,448	2,352,448		2,352,448

sharing Statewide longitudinal data system		228,116		228,116
Total all funds	\$124,864,163	\$124,550,325	\$151,986	\$124,702,311
Less estimated income	<u>113,595,729</u>	<u>113,188,171</u>	<u>(148,014)</u>	<u>113,040,157</u>
General fund	\$11,268,434	\$11,362,154	\$300,000	\$11,662,154
FTE	312.20	309.20	(1.00)	308.20

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

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

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

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

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

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

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

This amendment:

- Amends Section 4 of the engrossed bill to limit transfer of funds between the salaries and wages, operating expenses, and capital assets line items.
- Amends Section 5 of the engrossed bill to reflect one-time funding for the 2007-09 biennium.
- Adds a new section providing that the North Dakota University System is to provide funding of \$300,110 for the cost of 2 FTE positions and related operating expenses for support for video services in school districts.
- Adds a new section to create a new section to North Dakota Century Code Chapter 23-01 relating to the creation of a health information technology steering committee.

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

SENATE AMENDMENTS TO HOUSE BILL NO. 1330

Page 2, line 18, after the underscored boldfaced period insert:

"1."

Page 2, line 25, replace "1." with "a."

Page 2, line 27, replace "2." with "b."

Page 3, line 1, replace "3." with "c."

Page 3, after line 3, insert:

"2. If the attorney general receives federal funds in excess of the year 2006 level of Byrne grant funding that may be used to defray the expenses and operating costs incurred by a multijurisdictional task force during the 2007-09 biennium, the attorney general may seek emergency commission approval to receive and spend the additional federal funds but may not spend moneys from the funds appropriated by the legislative assembly to the extent of the additional federal funds received for this purpose for the biennium beginning July 1, 2007, and ending June 30, 2009."

Renumber accordingly

SENATE AMENDMENTS TO HOUSE BILL NO. 1330

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

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

Renumber accordingly

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has passed unchanged: HB 1360, HB 1434, HB 1446, HB 1483.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has amended and subsequently passed: HB 1019, HB 1044, HB 1351, HB 1359, HB 1392, HB 1395, HB 1403, HB 1433, HB 1435, HB 1463, HB 1465.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1019

Page 1, line 2, after "education" insert "; to create and enact a new section to chapter 15-20.1 of the North Dakota Century Code, relating to an elementary student entrepreneurship grant program; and to provide legislative intent"

Page 1, line 22, replace "2,800,000" with "3,800,000"

Page 1, line 23, replace "(175,958)" with "(175,958)"

Page 1, after line 23, insert:

"Workforce training 2,650,000"

Page 1, line 24, replace "2,988,825" with "6,638,825"

Page 2, line 2, replace "3,244,307" with "6,894,307"

Page 2, line 11, replace "24,300,116" with "25,300,116"

Page 2, line 13, replace "1,350,000" with "4,000,000"

Page 2, line 15, replace "31,120,808" with "34,770,808"

Page 2, line 17, replace "20,085,093" with "23,735,093"

Page 2, line 29, replace "area" with "cooperative delivery efforts of", replace "technology centers" with "technical education programs", and replace "The board" with:

"SECTION 5. CURRICULUM DESIGN GRANTS. The grants line item in section 3 of this Act includes the sum of \$1,000,000, or so much of the sum as may be necessary, for the purpose of providing a \$250,000 grant each to Bismarck state college, Lake Region state college, North Dakota state college of science, and Williston

state college for curriculum design and development relating to critical workforce needs as determined in collaboration with the department of commerce, for the biennium beginning July 1, 2007, and ending June 30, 2009.

SECTION 6. CURRICULUM DESIGN - USE OF FUNDS. The funding referenced in section 5 of this Act may only be allocated to a higher education institution after the higher education institution, the state board for career and technical education, and the department of commerce have agreed upon a plan for curriculum design and development relating to critical workforce needs, including a dollar-for-dollar match from higher education institutions. In-kind matches may be allowed if appropriate. In preparing plans, higher education institutions should emphasize meeting the high and emerging needs of the workforce and should make an effort to limit adverse duplication of programs. Each of the higher education institutions must use a minimum of eighty-five percent of the funding received for curriculum development and may use up to five percent for administration.

SECTION 7. WORKFORCE TRAINING GRANTS. The workforce training line item in section 3 of this Act includes the sum of \$2,650,000, or so much of the sum as may be necessary, for the purpose of providing supplemental workforce training grants to the institutions of higher education assigned primary responsibility for workforce training in this state, for the biennium beginning July 1, 2007, and ending June 30, 2009.

SECTION 8. A new section to chapter 15-20.1 of the North Dakota Century Code is created and enacted as follows:

North Dakota elementary student entrepreneurship program. There is created a North Dakota elementary student entrepreneurship program under the authority of the state board. The state board shall adopt policies to create a program of grants to support entrepreneurship education that is coordinated with classroom curriculum, standards, and activities encouraging and showcasing entrepreneurial activities at the elementary education level. The grants must be administered through local school districts and require matching funds of up to fifty percent of the curriculum and activity costs.

SECTION 9. LEGISLATIVE INTENT. It is the intent of the legislative assembly that the state board for career and technical education use \$250,000, or so much of the sum as may be necessary, from the grants line item in section 3 of this Act, for the purpose of providing grants to support the North Dakota elementary student entrepreneurship program."

Page 2, remove line 30

Page 3, remove lines 1 and 2

ReNUMBER accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1019 - Board for Career and Technical Education - Senate Action

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$3,576,832	\$3,576,832		\$3,576,832
Operating expenses	986,606	986,606		986,606
Grants	23,500,116	24,300,116	\$1,000,000	25,300,116
Adult farm management	549,802	549,802		549,802
Workforce training	1,350,000	1,350,000	2,650,000	4,000,000
Postsecondary education vocational grant	357,452	357,452		357,452
Total all funds	\$30,320,808	\$31,120,808	\$3,650,000	\$34,770,808
Less estimated income	11,035,715	11,035,715		11,035,715
General fund	\$19,285,093	\$20,085,093	\$3,650,000	\$23,735,093
FTE	27.50	27.50	0.00	27.50

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

PROVIDES
FUNDING FOR

PROVIDES
FUNDING FOR

	CURRICULUM DESIGN GRANTS 1	WORKFORCE TRAINING GRANTS 2	TOTAL SENATE CHANGES
Salaries and wages			
Operating expenses			
Grants	\$1,000,000		\$1,000,000
Adult farm management			
Workforce training		\$2,650,000	2,650,000
Postsecondary education vocational grant			
Total all funds	\$1,000,000	\$2,650,000	\$3,650,000
Less estimated income			
General fund	\$1,000,000	\$2,650,000	\$3,650,000
FTE	0.00	0.00	0.00

¹ This amendment provides funding for curriculum design grants of \$250,000 each to Bismarck State College, Lake Region State College, North Dakota State College of Science, and Williston State College.

² This amendment provides funding for workforce training grants to the institutions of higher education.

Subsection 2 of Section 4 is amended to make cooperative delivery funding available to all schools that cooperate.

A section is added regarding curriculum design grants to certain colleges.

A section is added providing guidance for the use of the curriculum design grants.

A section is added providing workforce training grants to institutions of higher education.

A section is added providing for an elementary student entrepreneurship program.

A section is added providing legislative intent that \$250,000 from the grants line item be used to support the elementary entrepreneurship program.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1044

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

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

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

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

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

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

Re-number accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1351

Page 1, line 7, after "was" insert "a resident of a nursing facility, intermediate care facility for the mentally retarded, or other medical institution and with respect to whom the department of human services determined that resident reasonably was not expected to be discharged from the medical institution and to return home, or who was"

Page 1, line 10, after "following" insert "the determination that the recipient cannot reasonably be expected to be discharged from the medical institution, or" and after "birthday" insert ", as the case may be,"

Re-number accordingly

SENATE AMENDMENTS TO HOUSE BILL NO. 1359

Page 1, line 2, after "trucks" insert "; and to provide an expiration date"

Page 1, after line 10, insert:

"SECTION 2. EXPIRATION DATE. This Act is effective through July 31, 2009, and after that date is ineffective."

Renumber accordingly

SENATE AMENDMENTS TO HOUSE BILL NO. 1392

Page 1, line 11, after "dollars" insert "annually"

Renumber accordingly

SENATE AMENDMENTS TO REENGROSSED HOUSE BILL NO. 1395

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

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

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

Page 2, remove line 9

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

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

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

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1403

Page 1, after line 12, insert:

"c. "Economically viable small community" means a community with a population of at least one hundred but fewer than two thousand, which has one or more of the following:

- (1) An active community economic development organization;
- (2) An ongoing relationship with a regional or urban economic development organization; or
- (3) An existing city sales tax, all or part of the revenue from which is dedicated to economic development."

Page 1, line 13, replace "c." with "d."

Page 1, line 14, replace "the city limits of a city of three thousand or less population" with "an economically viable small community"

Page 1, line 15, replace "d." with "e."

Page 1, line 22, replace "e." with "f."

Page 2, remove lines 9 through 25

Page 3, line 15, remove "and"

Page 3, line 17, after "located" insert ";

- d. The new business will not directly compete with any established business located within fifteen miles of the proposed new business;
- e. The new business will be located in an area determined by the director to be an economically viable small community located at least

fifteen miles from the city limits of a city with a population of two thousand or more; and

- f. The applicant is not closing or reducing its business operation in one area of the state and relocating substantially the same business operation in another area."

Page 4, line 17, remove "this" and after "subsection" insert "10"

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1403

In addition to the amendments adopted by the Senate as printed on page 733 of the Senate Journal, Engrossed House Bill No. 1403 is further amended as follows:

Page 4, line 5, after "entity" insert "entitled"

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1433

Page 1, line 3, after "families" insert "; and to provide an appropriation"

Page 1, line 13, replace "and" with an underscored comma and after "pharmacists" insert ", and certified diabetes educators"

Page 1, line 15, after "pharmacists" insert "and certified diabetes educators"

Page 1, line 21, replace "prescriptives" with "prescriptive"

Page 2, after line 4, insert:

"SECTION 2. 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 other funds derived from federal funds and other income, to the following departments for the purpose of defraying the cost of additional health insurance premiums necessary to pay the cost of the provisions of section 1 of this Act, for the biennium beginning July 1, 2007, and ending June 30, 2009, as follows:

DEPARTMENT	GENERAL	OTHER
Governor	\$864	\$0
Secretary of state	1,243	53
Office of management and budget	5,119	1,241
Information technology department	941	14,045
State auditor	1,826	805
State treasurer	288	0
Attorney general	7,232	1,470
Tax commissioner	6,384	0
Office of administrative hearings	0	384
Legislative assembly	6,000	0
Legislative council	1,584	0
Judicial branch	16,039	425
Commission on legal counsel for indigents	1,392	0
Retirement and investment office	0	816
Public employees retirement system	0	1,584
Department of public instruction	1,413	3,303
Land department	0	900
State library	1,233	195
School for the deaf	2,212	113
North Dakota vision services - school for the blind	996	300
Department of career and technical education	1,224	96
State department of health	4,896	11,016
Veterans' home	1,304	3,062
Indian affairs commission	192	0
Department of veterans' affairs	288	0
Department of human services	63,181	36,931

Protection and advocacy project	259	1,061
Job service North Dakota	66	14,718
Insurance commissioner	0	2,232
Industrial commission	2,382	276
Labor commissioner	377	151
Public service commission	1,326	690
Aeronautics commission	0	288
Department of financial institutions	0	1,296
Securities department	432	0
Bank of North Dakota	0	8,472
Housing finance agency	0	2,064
North Dakota mill and elevator association	0	6,288
Workforce safety and insurance	0	10,711
Highway patrol	6,241	3,215
Department of corrections and rehabilitation	32,051	1,875
Adjutant general	3,897	7,239
Department of commerce	2,564	940
Agriculture commissioner	1,708	1,508
Seed department	0	1,440
Upper great plains transportation institute	224	1,859
Branch research centers	3,369	1,203
North Dakota state university extension service	7,052	5,325
Northern crops institute	302	236
Main research center	11,415	5,293
Agronomy seed farm	0	144
Racing commission	17	79
Historical society	2,560	320
Council on the arts	240	0
Game and fish department	0	7,440
Parks and recreation department	2,302	122
State water commission	3,663	369
Department of transportation	0	50,520
Total	\$208,298	\$214,113"

Renumber accordingly

SENATE AMENDMENTS TO REENGROSSED HOUSE BILL NO. 1435

Page 1, line 1, remove "amend and reenact subsection 1 of section 23-07-17.1 of the North Dakota"

Page 1, line 2, remove "Century Code, relating to child immunizations; and to" and after "appropriation" insert "; and to provide for a report to the legislative council"

Page 1, remove lines 4 through 23

Page 2, remove lines 1 through 4

Page 2, line 8, replace "providing vaccines to" with "implementing the provider choice program including the purchase of vaccines for"

Page 2, line 11, remove the second comma

Page 2, line 12, remove "pursuant to section 2 of this Act"

Renumber accordingly

SENATE AMENDMENTS TO REENGROSSED HOUSE BILL NO. 1435

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

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

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1463

Page 1, line 3, after "program" insert "; to provide a contingent appropriation; and to provide an effective date"

Page 2, after line 13, insert:

"SECTION 3. CONTINGENT APPROPRIATION. If section 1 of this Act does not become effective and section 2 of this Act does become effective, there is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$144,067 and from special funds derived from federal funds and other income \$2,196,987 to the department of human services for the purpose of defraying the expenses of implementing the expansion of the state children's health insurance program as described in section 2 of this Act for the biennium beginning July 1, 2007, and ending June 30, 2009.

SECTION 4. EFFECTIVE DATE. Section 1 of this Act becomes effective on the date the department of human services certifies to the legislative council that the department has received approval to claim federal financial participation to expand medical assistance benefits to children as described in section 1 of this Act.

SECTION 5. EFFECTIVE DATE. Section 2 of this Act becomes effective on the date the department of human services certifies to the legislative council that the federal reauthorization of the state children's health insurance program resulted in an allotment to the state in an amount that is sufficient to fund the increase identified in section 2 of this Act."

Renumber accordingly

SENATE AMENDMENTS TO HOUSE BILL NO. 1465

Page 1, line 3, after "sections" insert "39-22-05.1,"

Page 1, line 5, after "to" insert "deposit of dealer enforcement funds and"

Page 1, after line 10, insert:

"SECTION 2. AMENDMENT. Section 39-22-05.1 of the North Dakota Century Code is amended and reenacted as follows:

39-22-05.1. Disposition of fees. Fees from registration of dealers and fees collected from dealers found in violation of this chapter must be deposited with the state treasurer, credited to the ~~motor vehicle registration~~ dealer enforcement fund, and used exclusively for enforcement of this chapter."

Page 4, line 6, replace "the registration" with "dealer enforcement"

Renumber accordingly

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

MR. SPEAKER: The President has signed: SB 2066, SB 2077, SB 2081, SB 2134, SB 2195, SB 2196, SB 2210, SB 2214, SB 2217, SB 2234, SB 2241, SB 2255, SB 2266, SB 2350, SB 2415.

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

MR. PRESIDENT: The Speaker has signed: HB 1216, HB 1217.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bills were delivered to the Governor for approval on April 3, 2007: HB 1216, HB 1217.

MOTION

REP. MONSON MOVED that the House stand in recess until 4:00 p.m., which motion prevailed.

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

MOTION

REP. BERG MOVED that HB 1421 be moved to the top of the Twelfth order, which motion prevailed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. D. JOHNSON MOVED that the House do concur in the Senate amendments to Reengrossed HB 1421 as printed on HJ page 931, which motion prevailed on a voice vote.

Reengrossed HB 1421, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1421: A BILL for an Act 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, the roll was called and there were 88 YEAS, 0 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Dahl; Damschen; Dietrich; Dosch; Drovdal; 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; Nelson; 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; Zaiser; Speaker Delzer

ABSENT AND NOT VOTING: Conrad; DeKrey; Delmore; Froelich; Nottestad; Wrangham

Reengrossed HB 1421 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. WEISZ MOVED that the House do concur in the Senate amendments to HB 1362 as printed on HJ page 844, which motion prevailed on a voice vote.

HB 1362, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1362: A BILL for an Act to amend and reenact subsection 3 of section 39-24-04 of the North Dakota Century Code, relating to out-of-state snowmobile registration fees.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, 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; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Dahl; Damschen; Dietrich; Dosch; Drovdal; 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; Nelson; 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: Conrad; DeKrey; Delmore; Froelich; Nottestad

Engrossed HB 1362 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. PRICE MOVED that the House do concur in the Senate amendments to Engrossed HB 1432 as printed on HJ page 1048, which motion prevailed on a voice vote.

Engrossed HB 1432, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1432: A BILL for an Act to create and enact a new section to chapter 54-52.1 of the North Dakota Century Code, relating to health treatment management services for state employees and their families; and to provide a continuing appropriation.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, 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; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Dahl; Damschen; Dietrich; Dosch; Drovdal; Ekstrom; 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; Nelson; 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: Conrad; DeKrey; Delmore; Froelich; Nottestad

Reengrossed HB 1432 passed and the title was agreed to.

MOTION

REP. MONSON MOVED that HB 1462, which is on the Twelfth order, be laid over two legislative days, which motion prevailed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. PRICE MOVED that the House do concur in the Senate amendments to Engrossed HB 1482 as printed on HJ page 983, which motion prevailed on a voice vote.

Engrossed HB 1482, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1482: A BILL for an Act to create and enact a new section to chapter 12-47 of the North Dakota Century Code, relating to health care for chronically or terminally ill offenders.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, 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; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Dahl; Damschen; Dietrich; Dosch; Drovdal; Ekstrom; 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; Nelson; 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: Conrad; DeKrey; Delmore; Froelich; Nottestad

Reengrossed HB 1482 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. D. JOHNSON MOVED that the House do concur in the Senate amendments to Engrossed HB 1492 as printed on HJ page 1048, which motion prevailed on a voice vote.

Engrossed HB 1492, as amended, was placed on the Eleventh order of business.

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, the roll was called and there were 82 YEAS, 7 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Dahl; Damschen; Dietrich; Drovdal; Ekstrom; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleeson; 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; Nelson; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Schmidt; Schneider; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser

NAYS: Bellew; Clark; Dosch; Kasper; Ruby; Skarphol; Speaker Delzer

ABSENT AND NOT VOTING: Conrad; DeKrey; Delmore; Froelich; Nottestad

Reengrossed HB 1492 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. D. JOHNSON MOVED that the House do concur in the Senate amendments to Engrossed HB 1501 as printed on HJ page 1048, which motion prevailed on a voice vote.

Engrossed HB 1501, as amended, was placed on the Eleventh order of business.

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, the roll was called and there were 82 YEAS, 7 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Damschen; Dietrich; Dosch; Drovdal; Ekstrom; Froseth; Glassheim; Grande; Gruchalla; Gulleeson; 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; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Ruby; Schmidt; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Speaker Delzer

NAYS: Dahl; Griffin; Nelson; Pinkerton; Schneider; Thorpe; Zaiser

ABSENT AND NOT VOTING: Conrad; DeKrey; Delmore; Froelich; Nottestad

Reengrossed HB 1501 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KEISER MOVED that the House do concur in the Senate amendments to HB 1503 as printed on HJ page 929, which motion prevailed on a voice vote.

HB 1503, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1503: A BILL for an Act to amend and reenact section 54-17-37 of the North Dakota Century Code, relating to extending the tribal-state guaranty program; to provide an effective date; and to declare an emergency.

ROLL CALL

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

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Dahl; Damschen; Dietrich; Dosch; Drovdal; 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; Nelson; 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: Conrad; DeKrey; Delmore; Froelich; Nottestad

Engrossed HB 1503 passed, the title was agreed to, and the emergency clause was declared carried.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. HAAS MOVED that the House do concur in the Senate amendments to HCR 3003 as printed on HJ page 893, which motion prevailed on a voice vote.

HCR 3003, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3003: A concurrent resolution proclaiming April 24 as a day of remembrance of the Armenian genocide.

The question being on the final passage of the amended bill, which has been read.

Engrossed HCR 3003 passed and the title was agreed to on a voice vote.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. D. JOHNSON MOVED that the House do concur in the Senate amendments to HCR 3021 as printed on HJ page 858, which motion prevailed on a voice vote.

HCR 3021, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3021: A concurrent resolution proclaiming February 6 to be Ronald Reagan Day.

The question being on the final passage of the amended bill, which has been read.

Engrossed HCR 3021 passed and the title was agreed to on a voice vote.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. D. JOHNSON MOVED that the House do concur in the Senate amendments to HCR 3028 as printed on HJ page 1049, which motion prevailed on a voice vote.

HCR 3028, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3028: A concurrent resolution urging Congress to recognize the multiple benefits of industrial hemp and to facilitate the growing of industrial hemp and the expansion of industries reliant on industrial hemp-based products.

The question being on the final passage of the amended bill, which has been read.

Engrossed HCR 3028 passed and the title was agreed to on a voice vote.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. DOSCH MOVED that the conference committee report on Engrossed HB 1088 as printed on HJ page 1357 be adopted, which motion prevailed on a voice vote.

Engrossed HB 1088, as amended, was placed on the Eleventh order.

SECOND READING OF HOUSE BILL

HB 1088: A BILL for an Act to amend and reenact subdivision c of subsection 4 of section 6-09-15 of the North Dakota Century Code, relating to defining eligible investments with the North Dakota alternative and venture capital investments; and to repeal section 6-09-40 of the North Dakota Century Code, relating to reimbursement of Bank losses for the new venture capital program.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 85 YEAS, 3 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Brandenburg; Carlisle; Carlson; Charging; Clark; Dahl; Damschen; Dietrich; Dosch; Drovdal; Ekstrom; 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; Nelson; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vigasaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

NAYS: Boucher; Onstad; Vig

ABSENT AND NOT VOTING: Conrad; DeKrey; Delmore; Froelich; Nottestad; Solberg

Reengrossed HB 1088 passed and the title was agreed to.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. N. JOHNSON MOVED that the conference committee report on Engrossed HB 1157 as printed on HJ page 1357 be adopted, which motion prevailed on a voice vote.

Engrossed HB 1157, as amended, was placed on the Eleventh order.

SECOND READING OF HOUSE BILL

HB 1157: A BILL for an Act to amend and reenact sections 11-15-29 and 11-15-31 of the North Dakota Century Code, relating to uniforms for sheriffs and sheriffs' deputies.

ROLL CALL

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

YEAS: Aarsvold; Amerman; Belter; Berg; Boe; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Dahl; Damschen; Dietrich; Drovdal; Ekstrom; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleston; Haas; Hanson; Hatlestad; Hawken; 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; Nelson; Onstad; Owens; Pietsch; Pinkerton; 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

NAYS: Bellew; Boehning; Dosch; Headland; Pollert

ABSENT AND NOT VOTING: Conrad; DeKrey; Delmore; Froelich; Nottestad

Reengrossed HB 1157 passed and the title was agreed to.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. WEISZ MOVED that the conference committee report on HB 1422 as printed on HJ page 1357 be adopted, which motion prevailed on a voice vote.

HB 1422, as amended, was placed on the Eleventh order.

SECOND READING OF HOUSE BILL

HB 1422: A BILL for an Act to amend and reenact section 50-24.6-04 of the North Dakota Century Code, relating to the prior authorization program; to provide for review by the drug utilization review board; to provide for a report to the legislative council; to provide an effective date; and to provide an expiration date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 88 YEAS, 0 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Dahl; Damschen; Dietrich; Dosch; Drovdal; Ekstrom; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleeson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunsakor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsch, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; 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; Wolf; Wrangham; Zaiser; Speaker Delzer

ABSENT AND NOT VOTING: Conrad; DeKrey; Delmore; Froelich; Nottestad; Williams

Engrossed HB 1422 passed and the title was agreed to.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. HEADLAND MOVED that the conference committee report on Engrossed HB 1348 as printed on HJ page 1357 be adopted, which motion prevailed on a voice vote.

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

MR. PRESIDENT: The Speaker has signed: SB 2001, SB 2006, SB 2007, SB 2135, SB 2163, SB 2183, SB 2205, SB 2224, SB 2232, SB 2238, SB 2248, SB 2402.

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

MR. PRESIDENT: The House has concurred in the Senate amendments and subsequently passed: HB 1362, HB 1421, HB 1432, HB 1482, HB 1492, HB 1501, HB 1503, HCR 3003, HCR 3021, and HCR 3028.

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

MR. PRESIDENT: The House has amended and subsequently passed: SB 2276.

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

MR. SPEAKER: The Senate has concurred in the House amendments and subsequently passed: SB 2129, SB 2268, SB 2310, SB 2336, SB 2338, and SB 2397.

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

MR. PRESIDENT: The House has adopted the conference committee report and subsequently passed: HB 1088, HB 1157, HB 1422.

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

MR. PRESIDENT: The House has adopted the conference committee report on: HB 1348.

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

MR. SPEAKER: The Senate has amended, subsequently passed, and the emergency clause carried: HB 1020.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1020

In lieu of the amendments adopted by the Senate as printed on pages 953-957 of the Senate Journal, Engrossed House Bill No. 1020 is amended as follows:

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

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

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

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

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

Page 3, line 19, replace "11,002,726" with "11,142,654"

Page 3, line 20, replace "10,965,630" with "11,072,603"

Page 3, line 21, replace "37,096" with "70,051"

Page 3, line 24, replace "10,276,066" with "11,905,735"

Page 3, line 25, replace "(2,951,489)" with "(1,534,949)"

Page 3, line 26, replace "13,227,555" with "13,440,684"

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

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

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

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

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

Page 4, line 13, replace "9,972,373" with "11,495,886"

Page 4, line 14, replace "29,451,115" with "30,778,512"

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

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

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

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

Page 5, line 6, replace "27,455,663" with "27,595,591"

Page 5, line 7, replace "26,255,663" with "26,362,636"

Page 5, line 8, replace "1,200,000" with "1,232,955"

Page 5, line 11, replace "85,732,779" with "87,362,448"

Page 5, line 12, replace "41,711,157" with "43,127,697"

Page 5, line 13, replace "44,021,622" with "44,234,751"

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

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

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

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

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

Page 6, line 1, replace "108,258,940" with "109,782,453"

Page 6, line 2, replace "184,349,869" with "185,677,266"

Page 7, replace lines 29 through 31 with:

"SECTION 9. LEGISLATIVE INTENT - BEEF RESEARCH FACILITY. It is the intent of the sixtieth legislative assembly that before proceeding with a beef research facility, a documented agreement as to the location of the facility must be provided to the main research center from applicable city and county government officials.

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

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

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

Page 8, remove lines 1 through 6

Page 8, line 18, replace "\$9,032,750" with "\$8,432,750"

Page 8, remove line 26

Page 8, remove line 31

Page 9, line 3, replace "9,782,750" with "9,182,750"

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

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1020 - Summary of Senate Action

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
Transportation Institute				
Total all funds	\$27,479,547	\$27,455,663	\$139,928	\$27,595,591
Less estimated income	26,255,663	26,255,663	106,973	26,362,636
General fund	\$1,223,884	\$1,200,000	\$32,955	\$1,232,955
Branch research centers				
Total all funds	\$24,374,515	\$24,870,515	(\$250,000)	\$24,620,515
Less estimated income	13,716,431	13,716,431		13,716,431
General fund	\$10,658,084	\$11,154,084	(\$250,000)	\$10,904,084
NDSU Extension Service				
Total all funds	\$41,322,455	\$42,387,455	(\$192,200)	\$42,195,255
Less estimated income	23,865,624	23,865,624		23,865,624
General fund	\$17,456,831	\$18,521,831	(\$192,200)	\$18,329,631
Northern Crops Institute				
Total all funds	\$2,598,111	\$2,673,111	\$0	\$2,673,111
Less estimated income	1,479,719	1,479,719		1,479,719
General fund	\$1,118,392	\$1,193,392	\$0	\$1,193,392
Main Research Station				
Total all funds	\$86,698,779	\$85,732,779	\$1,629,669	\$87,362,448
Less estimated income	41,261,157	41,711,157	1,416,540	43,127,697
General fund	\$45,437,622	\$44,021,622	\$213,129	\$44,234,751
Agronomy Seed Farm				
Total all funds	\$1,230,346	\$1,230,346	\$0	\$1,230,346
Less estimated income	1,230,346	1,230,346		1,230,346
General fund	\$0	\$0	\$0	\$0
Bill Total				
Total all funds	\$183,703,753	\$184,349,869	\$1,327,397	\$185,677,266
Less estimated income	107,808,940	108,258,940	1,523,513	109,782,453
General fund	\$75,894,813	\$76,090,929	(\$196,116)	\$75,894,813

House Bill No. 1020 - Transportation Institute - Senate Action

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
Transportation Institute	<u>\$27,479,547</u>	<u>\$27,455,663</u>	<u>\$139,928</u>	<u>\$27,595,591</u>

Total all funds	\$27,479,547	\$27,455,663	\$139,928	\$27,595,591
Less estimated income	<u>26,255,663</u>	<u>26,255,663</u>	<u>106,973</u>	<u>26,362,636</u>
General fund	\$1,223,884	\$1,200,000	\$32,955	\$1,232,955
FTE	43.40	43.40	0.00	43.40

Dept. 627 - Transportation Institute - Detail of Senate Changes

	RESTORES FUNDING FOR OPERATIONS ¹	ADDS FUNDING FOR ADDITIONAL 1 PERCENT SALARY INCREASE ²	TOTAL SENATE CHANGES
Transportation Institute	<u>\$23,000</u>	<u>\$116,928</u>	<u>\$139,928</u>
Total all funds	\$23,000	\$116,928	\$139,928
Less estimated income	_____	<u>106,973</u>	<u>106,973</u>
General fund	\$23,000	\$9,955	\$32,955
FTE	0.00	0.00	0.00

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

² This amendment provides for the Upper Great Plains Transportation Institute to receive a 5 percent salary increase effective July 1, 2007, and a 5 percent increase effective July 1, 2008.

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

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
Dickinson Research Center	\$6,077,229	\$6,077,229		\$6,077,229
Central Grasslands Research Center	2,267,506	2,267,506		2,267,506
Hettinger Research Center	2,441,212	2,441,212		2,441,212
Langdon Research Center	1,697,293	1,697,293		1,697,293
North Central Research Center	3,524,816	3,774,816	(\$300,000)	3,474,816
Williston Research Center	2,884,369	3,034,369	50,000	3,084,369
Carrington Research Center	<u>5,482,090</u>	<u>5,578,090</u>	_____	<u>5,578,090</u>
Total all funds	\$24,374,515	\$24,870,515	(\$250,000)	\$24,620,515
Less estimated income	<u>13,716,431</u>	<u>13,716,431</u>	_____	<u>13,716,431</u>
General fund	\$10,658,084	\$11,154,084	(\$250,000)	\$10,904,084
FTE	95.26	96.86	0.00	96.85

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

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

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

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

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

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
Extension Service	\$40,692,455	\$41,757,455	(\$300,000)	\$41,457,455
Soil Conservation Committee	<u>630,000</u>	<u>630,000</u>	<u>107,800</u>	<u>737,800</u>
Total all funds	\$41,322,455	\$42,387,455	(\$192,200)	\$42,195,255

Less estimated income	<u>23,865,624</u>	<u>23,865,624</u>	_____	<u>23,865,624</u>
General fund	\$17,456,831	\$18,521,831	(\$192,200)	\$18,329,631
FTE	257.86	260.46	0.00	260.46

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

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

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

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

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

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

The Senate did not change the House version.

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

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
Main Research Station	<u>\$86,698,779</u>	<u>\$85,732,779</u>	<u>\$1,629,669</u>	<u>\$87,362,448</u>
Total all funds	\$86,698,779	\$85,732,779	\$1,629,669	\$87,362,448
Less estimated income	<u>41,261,157</u>	<u>41,711,157</u>	<u>1,416,540</u>	<u>43,127,697</u>
General fund	\$45,437,622	\$44,021,622	\$213,129	\$44,234,751
FTE	348.08	348.88	0.00	348.88

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

	REMOVES FUNDING FOR INDUSTRIAL HEMP RESEARCH ¹	ADDS FUNDING FOR ADDITIONAL 1 PERCENT SALARY INCREASE ²	ADDS FUNDING FOR A STUDY ³	ADDS AUTHORITY FOR BEEF RESEARCH FACILITY ⁴	TOTAL SENATE CHANGES
Main Research Station	<u>(\$300,000)</u>	<u>\$829,669</u>	<u>\$100,000</u>	<u>\$1,000,000</u>	<u>\$1,629,669</u>
Total all funds	(\$300,000)	\$829,669	\$100,000	\$1,000,000	\$1,629,669
Less estimated income	_____	<u>416,540</u>	_____	<u>1,000,000</u>	<u>1,416,540</u>
General fund	(\$300,000)	\$413,129	\$100,000	\$0	\$213,129
FTE	0.00	0.00	0.00	0.00	0.00

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

² This amendment provides for agriculture research and extension agencies to receive a 5 percent salary increase effective July 1, 2007, and a 5 percent increase effective July 1, 2008. The Main Research Center will allocate the funding between the Main Research Center, branch research centers, North Dakota State University Extension Service, Northern Crops Institute, and Agronomy Seed Farm.

³ This amendment adds funding for a study and development of plans for the Agricultural Research Center.

⁴ This amendment provides spending authority for a beef research facility.

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

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

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

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

House Bill No. 1020 - Agronomy Seed Farm - Senate Action

The Senate did not change the House version.

MOTION

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

MOTION

REP. MONSON MOVED that the House be on the Fifth, Seventh, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 9:30 a.m., Wednesday, April 4, 2007, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

HB 1010, as engrossed: Your conference committee (Sens. Holmberg, Fischer, Seymour and Reps. Wieland, Kreidt, Kerzman) recommends that the **SENATE RECEDE** from the Senate amendments on HJ pages 947-948, adopt amendments as follows, and place HB 1010 on the Seventh order:

That the Senate recede from its amendments as printed on pages 947 and 948 of the House Journal and page 731 of the Senate Journal and that Engrossed House Bill No. 1010 be amended as follows:

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

Page 1, line 22, replace "163,537" with "186,616"

Page 1, line 24, replace "143,537" with "166,616"

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

Page 2, line 9, replace "2,431,546" with "2,454,625"

Page 2, line 11, replace "1,143,228" with "1,166,307"

ReNUMBER accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1010 - Council on the Arts - Conference Committee Action

	EXECUTIVE BUDGET	HOUSE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	SENATE VERSION	COMPARISON TO SENATE
Salaries and wages	\$592,485	\$569,406	\$23,079	\$592,485	\$592,485	
Operating expenses	246,862	246,862		246,862	246,862	
Grants	<u>1,645,278</u>	<u>1,615,278</u>		<u>1,615,278</u>	<u>1,645,278</u>	(\$30,000)
Total all funds	\$2,484,625	\$2,431,546	\$23,079	\$2,454,625	\$2,484,625	(\$30,000)
Less estimated income	<u>1,288,318</u>	<u>1,288,318</u>		<u>1,288,318</u>	<u>1,288,318</u>	
General fund	\$1,196,307	\$1,143,228	\$23,079	\$1,166,307	\$1,196,307	(\$30,000)
FTE	5.00	5.00	0.00	5.00	5.00	0.00

Dept. 709 - Council on the Arts - Detail of Conference Committee Changes

	RESTORES FUNDING FOR SALARY EQUITY ¹	TOTAL CONFERENCE COMMITTEE CHANGES
Salaries and wages	\$23,079	\$23,079
Operating expenses		
Grants		
Total all funds	\$23,079	\$23,079

Less estimated income		
General fund	\$23,079	\$23,079
FTE	0.00	0.00

¹ This amendment restores funding removed by the House for salary equity, the same as the Senate version.

Engrossed HB 1010 was placed on the Seventh order of business on the calendar.

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

Buell J. Reich, Chief Clerk