

JOURNAL OF THE HOUSE

Sixtieth Legislative Assembly

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Bismarck, April 6, 2007

The House convened at 12:00 p.m., with Speaker Delzer presiding.

The prayer was offered by Rep. Bette Grande, District 41, Fargo.

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

A quorum was declared by the Speaker.

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1460, HB 1466.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1460

In lieu of the amendments adopted by the Senate as printed on pages 965-967 of the Senate Journal, Engrossed House Bill No. 1460 is amended as follows:

Page 1, line 1, after "to" insert "create and enact a new section to chapter 65-02 of the North Dakota Century Code, relating to employee awards and incentive spending authority; to"

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

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

Page 1, remove lines 5 through 23

Page 2, remove lines 1 through 30

Page 3, remove lines 1 through 19

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

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

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

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

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

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

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

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

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

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

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

Page 4, line 15, overstrike "Board members" and insert immediately thereafter "A board member whose initial appointment was before August 1, 2007,"

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

Page 4, line 22, overstrike "the"

Page 4, line 25, replace "greater North Dakota chamber of commerce" with "a coordinating committee appointed by the governor, composed of representatives from the associated general contractors of North Dakota, the North Dakota petroleum council, the greater North Dakota chamber of commerce, the North Dakota motor carriers association, the North Dakota healthcare association, the national federation of independent business, the lignite energy council, and other statewide business interests. The governor may reject a list of potential candidates and request the coordinating committee to submit a new list of potential candidates"

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

Page 5, after line 9, insert:

"SECTION 2. A new section to chapter 65-02 of the North Dakota Century Code is created and enacted as follows:

Spending authority - Limited. Notwithstanding any other law enacted by the sixtieth legislative assembly, any statement of legislative intent, any statement of purpose of amendment, or other provision of law, the organization may not expend funds for the purpose of providing workers' compensation education or training for public officials other than the director and members of the board, or for providing awards, other than service awards or other awards or incentives allowed under law and applicable to executive branch agencies."

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

Page 5, remove lines 12 through 18

Renumber accordingly

SENATE AMENDMENTS TO HOUSE BILL NO. 1466

In lieu of the amendments adopted by the Senate as printed on page _____ of the Senate Journal, House Bill No. 1466 is amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new section to chapter 54-35 of the North Dakota Century Code, relating to calling of a special session if Roe v. Wade is overturned.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 54-35 of the North Dakota Century Code is created and enacted as follows:

Legislative assembly to convene - Abortion. The attorney general shall notify the legislative council if the United States supreme court issues a decision that would allow the legislative assembly to impose restrictions on abortions which are more

restrictive than those contained in title 14. Upon receipt of a notification under this section, the legislative council shall issue a call for the legislative assembly to convene as provided under section 54-35-16 if there are at least three natural days available under the constitution to allow the legislative assembly to enact legislation."

Renumber accordingly

COMMUNICATION FROM GOVERNOR JOHN HOEVEN

This is to inform you that on April 5, 2007, I have signed the following: HB 1171, HB 1279, HB 1332, and HB 1375.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. VIGESAA MOVED that the conference committee report on Engrossed HB 1065 as printed on HJ page 1453 be adopted, which motion prevailed on a voice vote.

Engrossed HB 1065, as amended, was placed on the Eleventh order.

SECOND READING OF HOUSE BILL

HB 1065: A BILL for an Act to amend and reenact section 54-53-02 of the North Dakota Century Code, relating to the membership of the advisory transportation council of the upper great plains transportation institute.

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; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleon; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; 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: Kingsbury

Reengrossed HB 1065 passed and the title was agreed to.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. HERBEL MOVED that the conference committee report on Engrossed HB 1270 as printed on HJ page 1454 be adopted, which motion prevailed on a voice vote.

Engrossed HB 1270, as amended, was placed on the Eleventh order.

SECOND READING OF HOUSE BILL

HB 1270: A BILL for an Act to amend and reenact section 15.1-06-04 of the North Dakota Century Code, relating to professional development days for teachers.

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

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleon; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; 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; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

NAYS: Ruby; Weiler

ABSENT AND NOT VOTING: Kingsbury

Reengrossed HB 1270 passed and the title was agreed to.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. R. KELSCH MOVED that the conference committee report on Engrossed HB 1334 as printed on HJ pages 1454-1456 be adopted, which motion prevailed on a voice vote.

Engrossed HB 1334, as amended, was placed on the Eleventh order.

SECOND READING OF HOUSE BILL

HB 1334: A BILL for an Act to amend and reenact section 15.1-07-20 of the North Dakota Century Code, relating to requirements for certain school vehicle drivers.

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; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleon; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; 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: Kingsbury

Reengrossed HB 1334 passed and the title was agreed to.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. FROSETH MOVED that the conference committee report on HB 1380 as printed on HJ page 1456 be adopted, which motion prevailed on a voice vote.

HB 1380, as amended, was placed on the Eleventh order.

SECOND READING OF HOUSE BILL

HB 1380: A BILL for an Act to amend and reenact section 16.1-01-02.2, subsection 4 of section 16.1-01-04, section 16.1-01-05.1, and subsections 1 and 2 of section 16.1-01-09 of the North Dakota Century Code, relating to general procedures for elections.

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, 5 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovda; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleon; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; 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; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wolf

NAYS: Thoreson; Weiler; Wrangham; Zaiser; Speaker Delzer

ABSENT AND NOT VOTING: Kingsbury

Engrossed HB 1380 passed and the title was agreed to.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. RUBY MOVED that the conference committee report on Engrossed HB 1089 as printed on HJ page 1453 be adopted, which motion prevailed on a voice vote.

Engrossed HB 1089, as amended, was placed on the Eleventh order.

SECOND READING OF HOUSE BILL

HB 1089: A BILL for an Act to amend and reenact sections 39-26-12, 39-29.1-01, and 39-29.1-08 of the North Dakota Century Code, relating to the abandoned motor vehicle fund and low-speed vehicles.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 88 YEAS, 5 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

NAYS: Damschen; Gruchalla; Porter; Weisz; Speaker Delzer

ABSENT AND NOT VOTING: Kingsbury

Reengrossed HB 1089 passed and the title was agreed to.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. HAWKEN MOVED that the conference committee report on Reengrossed HB 1125 as printed on HJ page 1454 be adopted, which motion prevailed on a voice vote.

Reengrossed HB 1125, as amended, was placed on the Eleventh order.

SECOND READING OF HOUSE BILL

HB 1125: A BILL for an Act to create and enact chapter 43-29.1 of the North Dakota Century Code, relating to a loan repayment program for veterinarians; 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 92 YEAS, 1 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovda; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gullerson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; 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; Vigesaa; Wald; Wall; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

NAYS: Weiler

ABSENT AND NOT VOTING: Kingsbury

Reengrossed HB 1125 passed and the title was agreed to.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. KASPER MOVED that the conference committee report on Engrossed SB 2037 as printed on HJ page 1456 be adopted, which motion prevailed on a voice vote.

Engrossed SB 2037, as amended, was placed on the Fourteenth order.

SECOND READING OF SENATE BILL

SB 2037: A BILL for an Act to amend and reenact subdivision h of subsection 2 of section 12-60-24 and sections 54-35-15.2, 54-59-05, 54-59-11, 54-59-19, 54-59-20, and 54-59-21 of the North Dakota Century Code, relating to criminal history record checks, powers and duties of the information technology committee and the information technology department, information technology plans, the information technology department annual report, and access to the criminal justice information sharing 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 86 YEAS, 7 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; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gullerson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Mueller; Myxter; Nottestad; Onstad; Pietsch; Pinkerton; Pollert; Porter; Price; Ruby; Schmidt; Schneider; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Wall; Weiler; Wieland; Williams; Wolf; Wrangham; Zaiser

NAYS: DeKrey; Monson; Nelson; Owens; Skarphol; Weisz; Speaker Delzer

ABSENT AND NOT VOTING: Kingsbury

Engrossed SB 2037, as amended, passed and the title was agreed to.

APPOINTMENT OF CONFERENCE COMMITTEE

REP. R. KELSCH MOVED that the Speaker appoint a committee of three to act with a like committee from the Senate as a Conference Committee on Engrossed SB 2200, which motion prevailed.

THE SPEAKER APPOINTED as a Conference Committee on:

Engrossed SB 2200: Reps. R. Kelsch, Haas, Mueller

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

MR. SPEAKER: The President has signed: HB 1218, HB 1309, HB 1322, HB 1340, HB 1344, HB 1392, HB 1429, HB 1461, HB 1465, HB 1499, HCR 3046.

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

MR. SPEAKER: The Senate has failed to pass: HB 1175.

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1107.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1107

Page 1, line 14, remove the overstrike over "~~seventy~~" and remove "seventy-eight"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment removes the increase in the mileage rate for travel by plane.

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 1001.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1001

In lieu of the amendments to Engrossed House Bill No. 1001 as printed on pages 1084-1087 of the Senate Journal, Engrossed House Bill No. 1001 is amended as follows:

Page 1, line 2, remove "to create and enact a new section to chapter 54-03 and a new section to"

Page 1, remove lines 3 and 4

Page 1, line 5, remove "including legislative intent items;"

Page 2, line 11, replace "606,404" with "770,940"

Page 2, line 12, replace "21,182" with "(69,342)"

Page 2, line 16, replace "4,540,893" with "4,614,904"

Page 2, line 18, replace "4,560,892" with "4,634,904"

Page 2, line 21, replace "702,547" with "603,058"

Page 2, line 22, replace "247,231" with "270,731"

Page 2, line 25, replace "790,778" with "714,789"

Page 2, line 26, replace "5,351,670" with "5,349,693"

Page 2, line 28, replace "5,331,670" with "5,329,693"

Page 3, line 6, replace "6,691,021" with "6,855,557"

Page 3, line 7, replace "3,038,955" with "2,948,431"

Page 3, line 11, replace "14,053,117" with "14,127,129"

Page 3, line 14, replace "5,907,752" with "5,808,263"

Page 3, line 15, replace "2,614,967" with "2,638,467"

Page 3, line 17, replace "8,579,719" with "8,503,730"

Page 3, line 18, replace "22,632,836" with "22,630,859"

Page 3, line 31, replace "\$4,310,827" with "\$4,210,827"

Page 4, line 7, replace "400,000" with "300,000"

Page 4, line 8, replace "4,310,827" with "4,210,827"

Page 4, replace lines 19 through 31 with:

"SECTION 7. COMMITTEE ROOM RENOVATION FUNDING - EXPENDITURE DETERMINATION. Any expenditure of funds relating to \$100,000 of the \$200,000 provided for committee room renovations in subdivision 1 of section 3 of this Act must be approved by a majority of the senate members of the legislative management committee. Any expenditures relating to the remaining \$100,000 for committee room renovations must be approved by a majority of the house of representatives members of the legislative management committee for the biennium beginning July 1, 2007, and ending June 30, 2009."

Page 5, remove lines 1 through 13

Re-number accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1001 - Summary of Senate Action

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
Legislative Assembly				
Total all funds	\$13,918,501	\$14,053,117	\$74,012	\$14,127,129
Less estimated income				
General fund	\$13,918,501	\$14,053,117	\$74,012	\$14,127,129
Legislative Council				
Total all funds	\$8,298,218	\$8,579,719	(\$75,989)	\$8,503,730
Less estimated income				
General fund	\$8,298,218	\$8,579,719	(\$75,989)	\$8,503,730
Bill Total				
Total all funds	\$22,216,719	\$22,632,836	(\$1,977)	\$22,630,859
Less estimated income				
General fund	\$22,216,719	\$22,632,836	(\$1,977)	\$22,630,859

House Bill No. 1001 - Legislative Assembly - Senate Action

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$6,691,021	\$6,691,021	\$164,536	\$6,855,557
Operating expenses	2,904,339	3,038,955	(90,524)	2,948,431
Capital assets	206,000	206,000		206,000
National Conference of State Legislatures	206,314	206,314		206,314
Legislative applications replacements	3,910,827	3,910,827		3,910,827
Total all funds	\$13,918,501	\$14,053,117	\$74,012	\$14,127,129
Less estimated income				
General fund	\$13,918,501	\$14,053,117	\$74,012	\$14,127,129
FTE	0.00	0.00	0.00	0.00

Dept. 150 - Legislative Assembly - Detail of Senate Changes

	REDUCES FUNDING FOR COMPUTERS ¹	ADDS MILEAGE FUNDING ²	REMOVES FUNDING FOR PILOT PROJECT ³	ADDS FUNDING FOR LEGISLATIVE PAY ⁴	TOTAL SENATE CHANGES
Salaries and wages				\$164,536	\$164,536
Operating expenses	(\$100,000)	\$19,476	(\$10,000)		(90,524)
Capital assets					
National Conference of State Legislatures					
Legislative applications replacements					
Total all funds	(\$100,000)	\$19,476	(\$10,000)	\$164,536	\$74,012
Less estimated income					
General fund	(\$100,000)	\$19,476	(\$10,000)	\$164,536	\$74,012
FTE	0.00	0.00	0.00	0.00	0.00

¹ Funding added by the House for Legislative Assembly computer equipment is reduced to provide a total of \$300,000 from the general fund.

² Funding is added for legislator mileage reimbursement during legislative sessions in accordance with provisions of House Bill No. 1107.

³ The funding and section added by the House providing for a personal communicator device pilot project are removed.

⁴ Funding is provided for increasing legislative pay in accordance with provisions of House Bill No. 1106. Monthly compensation and session pay are each increased by 4 percent on July 1, 2007, and by 3.85 percent on July 1, 2008, which is estimated to cost \$252,572 for the 2007-09 biennium. The legislative budget request included \$88,036 for increasing session pay by 4 percent for the 2007-09 biennium.

The section added by the House authorizing legislators to purchase personal communicator devices and related services from the Information Technology Department is removed.

A section is added providing that the Senate members of the Legislative Management Committee determine the expenditures of \$100,000 of the \$200,000 provided for committee room renovations and the House members of the committee determine the expenditures of the remaining \$100,000 of these funds.

House Bill No. 1001 - Legislative Council - Senate Action

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$5,637,138	\$5,907,752	(\$99,489)	\$5,808,263
Operating expenses	2,604,080	2,614,967	23,500	2,638,467
Capital assets	<u>57,000</u>	<u>57,000</u>		<u>57,000</u>
Total all funds	\$8,298,218	\$8,579,719	(\$75,989)	\$8,503,730
Less estimated income				
General fund	\$8,298,218	\$8,579,719	(\$75,989)	\$8,503,730
FTE	33.00	34.00	(1.00)	33.00

Dept. 160 - Legislative Council - Detail of Senate Changes

	INCREASES EQUITY FUNDING 1	ADDS MILEAGE FUNDING 2	REMOVES NEW FISCAL POSITION 3	ADDS FUNDING FOR LEGISLATIVE PAY 4	TOTAL SENATE CHANGES
Salaries and wages	\$18,000		(\$140,614)	\$23,125	(\$99,489)
Operating expenses		\$23,500			23,500
Capital assets					
National Conference of Insurance Legislators					
Total all funds	\$18,000	\$23,500	(\$140,614)	\$23,125	(\$75,989)
Less estimated income					
General fund	\$18,000	\$23,500	(\$140,614)	\$23,125	(\$75,989)
FTE	0.00	0.00	(1.00)	0.00	(1.00)

1 Funding provided for salary equity adjustments is increased from the House version to provide a total of \$148,000.

2 Funding is added for legislator mileage reimbursement for travel during the interim in accordance with provisions of House Bill No. 1107.

3 The new fiscal staff position added by the House is removed.

4 Funding is provided for increasing legislative pay in accordance with provisions of House Bill No. 1106. Legislator pay for attending interim meetings is increased by 4 percent on July 1, 2007, and by 3.85 percent on July 1, 2008.

The section added by the House providing that the Legislative Council review and report on agency implementation of appropriations and legislative intent items is removed.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The President has signed: SB 2298.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: Your signature is respectfully requested on: HB 1010, HB 1088, HB 1157, HB 1348, HB 1402, HB 1422, HB 1456.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has adopted the conference committee reports and subsequently passed: HB 1065, HB 1089, HB 1125, HB 1270, HB 1334, and HB 1380.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The Speaker has appointed as a conference committee to act with a like committee from the Senate on:

SB 2200: Reps. R. Kelsch; Haas; Mueller

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has adopted the conference committee report and subsequently passed: SB 2037.

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 2246.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The President has appointed Sen. G. Lee to replace Sen. Flakoll on the Conference Committee on SB 2200.

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 1006: Sens. Fischer; Holmberg; Tallackson

HB 1044: Sens. Tollefson; Urlacher; Triplett

HB 1487: Sens. Flakoll; G. Lee; Taylor

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 1106.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1106

In lieu of the amendments to Engrossed House Bill No. 1106 as printed on pages 1015 and 1016 of the Senate Journal, Engrossed House Bill No. 1106 is amended as follows:

Page 1, line 1, after the first "1" insert "and subdivision a of subsection 7"

Page 1, line 3, remove "and" and after "date" insert "; and to declare an emergency"

Page 1, line 8, replace "forty" with "thirty"

Page 1, after line 11, insert:

"SECTION 2. AMENDMENT. Subsection 1 of section 54-03-20 of the North Dakota Century Code is amended and reenacted as follows:

1. Each member of the legislative assembly is entitled to receive as compensation for services the sum of one hundred ~~thirty~~ thirty-five dollars for each calendar day during any organizational, special, or regular legislative session and for each day that member attends a meeting of a legislative committee between the organizational session and the regular session as authorized by legislative rule.

SECTION 3. AMENDMENT. Subdivision a of subsection 7 of section 54-03-20 of the North Dakota Century Code is amended and reenacted as follows:

7. a. In addition, each member is entitled to receive during the term for which the member was elected, as compensation for the execution of public duties during the biennium, the sum of three hundred ~~fifty~~ sixty-four dollars a month, which is payable every six months or monthly, at the member's option.

SECTION 4. AMENDMENT. Subdivision a of subsection 7 of section 54-03-20 of the North Dakota Century Code is amended and reenacted as follows:

7. a. In addition, each member is entitled to receive during the term for which the member was elected, as compensation for the execution of public duties during the biennium, the sum of three hundred ~~sixty-four~~ seventy-eight dollars a month, which is payable every six months or monthly, at the member's option."

Page 1, line 16, replace "twenty-five" with "four"

Page 1, replace lines 20 and 21 with:

"SECTION 6. AMENDMENT. Subsection 1 of section 54-35-10 of the North Dakota Century Code is amended and reenacted as follows:

1. The members of the council and the members of any committee of the council are entitled to be compensated for the time spent in attendance at sessions of the council and of its committees at the rate of one hundred ~~four~~ eight dollars per day and must also be paid for expenses incurred in attending said meetings and in the performance of their official duties in the amounts provided by law for other state officers.

SECTION 7. EFFECTIVE DATE. Sections 1, 3, and 5 of this Act become effective on July 1, 2007, and sections 2, 4, and 6 of this Act become effective on July 1, 2008.

SECTION 8. EMERGENCY. Sections 1, 3, and 5 of this Act are declared to be an emergency measure."

Renumber accordingly

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

MR. SPEAKER: The Senate has failed to pass: HB 1495.

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

MR. SPEAKER: The Senate has adopted the conference committee report on: HB 1092, HB 1219.

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

MR. SPEAKER: The Senate has adopted the conference committee report and subsequently passed: HB 1505.

MOTION

REP. MONSON MOVED that the absent member 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 1:00 p.m., Monday, April 9, 2007, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

HB 1002, as engrossed: Your conference committee (Sens. Christmann, Kilzer, Tallackson and Reps. Carlisle, Thoreson, Kroeber) recommends that the **HOUSE ACCEDE** to the Senate amendments on HJ pages 1344-1346 and place HB 1002 on the Seventh order.

Engrossed HB 1002 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

HB 1256, as engrossed: Your conference committee (Sens. Erbele, J. Lee, Heckaman and Reps. Hatlestad, Weisz, Conrad) recommends that the **SENATE RECEDE** from the Senate amendments on HJ pages 1157-1158, adopt amendments as follows, and place HB 1256 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1157 and 1158 of the House Journal and pages 928 and 929 of the Senate Journal and that Engrossed House Bill No. 1256 be amended as follows:

Page 4, line 20, replace "board of pharmacy" with "department of health" and after the third "of" insert "providing a grant of \$22,000 to the state board of pharmacy for"

Page 4, line 22, after the period insert "The state department of health may not impose a fee for providing the grant nor impose any condition on the issuance of the grant other than that the state board of pharmacy is required to use the funds to establish and administer a legend prescription drug and device donation and repository program in accordance with section 1 of this Act."

Renumber accordingly

Engrossed HB 1256 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

HB 1417, as engrossed: Your conference committee (Sens. Andrist, Wanzek, Heitkamp and Reps. Clark, Dietrich, Boe) recommends that the **HOUSE ACCEDE** to the Senate amendments on HJ pages 1326-1327 and place HB 1417 on the Seventh order.

Engrossed HB 1417 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

