

JOURNAL OF THE SENATE

Fifty-first Legislative Assembly

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Bismarck, April 18, 1989

The Senate convened at 8:00 a.m., with President Omdahl presiding.

The prayer was offered by Rev. John Nicolai, Trinity Lutheran Church, Bismarck.

Gracious Father, in this morning hour we thank You for the rest of another night and the grace of another day in which to live and serve You.

Aware of the several decisions yet to be made in the remaining time of this legislative session and aware of one's inability to understand and know all things, we implore Your guidance and direction.

In relationship one with another, grant wisdom and understanding as these Senators strive to bring forth what they feel to be right. In all dealings may they act with decency, order, and respect.

And now may Your Spirit guide, and Your love prevail, in the ensuing hours of deliberation and decision.

In Jesus' name. Amen.

The roll was called and all Senators were present, except Senators Dotzenrod, Keller, Lashkowitz, Richard, and Tallackson.

A quorum was declared by the President.

MOTION

SEN. MAIXNER MOVED that the Senate stand at recess until 10:00 a.m., which motion prevailed.

THE SENATE RECONVENED pursuant to recess taken, with the President presiding.

MESSAGE to the SENATE from the HOUSE (Roy Gilbreath, Chief Clerk)

MR. PRESIDENT: The Speaker has signed and your signature is respectfully requested: HB 1006, HB 1017, HB 1020, HB 1058, HB 1158, HB 1164, HB 1200, HB 1267, HB 1297, HB 1369, HB 1479, HB 1499, HB 1604, HB 1669, HB 1674, HCR 3005, HCR 3040, HCR 3090.

MESSAGE to the SENATE from the HOUSE (Roy Gilbreath, Chief Clerk)

MR. PRESIDENT: The House has adopted the conference committee report on SB 2001 and SB 2417.

MESSAGE to the SENATE from the HOUSE (Roy Gilbreath, Chief Clerk)

MR. PRESIDENT: The House has adopted the conference committee report on SB 2455 and SB 2475 and subsequently passed the same.

MESSAGE to the SENATE from the HOUSE (Roy Gilbreath, Chief Clerk)

MR. PRESIDENT: The House has amended and subsequently failed to pass: SB 2150, SB 2397, SB 2541.

MESSAGE to the SENATE from the HOUSE (Roy Gilbreath, Chief Clerk)

MR. PRESIDENT: The House has adopted the conference committee report on HB 1134.

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT: Your Conference Committee to which was referred HB 1134 has had the same under consideration and recommends that the SENATE RECEDE from the Senate amendments as found on page 1011 of the Senate Journal.

For the Senate: Sens. J. Meyer, Mathern, Nalewaja
For the House: Reps. Gates, Trautman, J. DeMers

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

CORRECTION and REVISION of the JOURNAL (Sen. Axtman, Chairman)

MR. PRESIDENT: Your Committee on Correction and Revision of the Journal has carefully examined the Journal of the Seventy-second Day and finds it to be correct.

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

MOTION

SEN. J. MEYER MOVED that the rules be suspended and that HB 1134 be placed on the Seventh order of business on the calendar, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

SEN. J. MEYER MOVED that the conference committee report on HB 1134 as printed on the pages of the Senate Journal of the Seventy-third day be adopted, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1134: A BILL for an Act to create and enact a new section to chapter 23-07 of the North Dakota Century Code, relating to disclosure of disease control records.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 50 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Axtman; David; Dotzenrod; Ewen; Freborg; Hanson; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Olson; Peterson; Redlin; Robinson; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Vosper; Waldera; Wogsland; Yockim

NAYS: None

ABSENT AND NOT VOTING: Lashkowitz; Meyer, W.; Richard

HB 1134 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. STROMME MOVED that the Senate do concur in the House amendments to SCR 4043 as printed on page 1962 of the Senate Journal, which motion prevailed.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4043: A concurrent resolution to create a new section to article IV of the Constitution of North Dakota, relating to the office of state auditor; to amend sections 12 and 13 of article V of the Constitution of North Dakota, relating to the office of state auditor; and to provide an effective date.

ROLL CALL

The question being on the final adoption of the amended resolution, which has been read, the roll was called and there were 38 YEAS, 13 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Axtman; Dotzenrod; Ewen; Freborg; Hanson; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelsh; Kinnoin; Krauter; Krebsbach; Lodoen; Maixner; Mathern; Maxson; Moore; Mushik; Nalewaja; Nelson; Nething; Olson; Peterson; Redlin; Robinson; Satrom; Shea; Stenehjem; Stromme; Tallackson; Tennefos; Todd; Vosper; Waldera; Wogsland; Yockim

NAYS: David; Heigaard; Langley; Lips; Meyer, D.; Meyer, J.; Meyer, W.; Mutch; Naaden; O'Connell; Schoenwald; Streibel; Thane

ABSENT AND NOT VOTING: Lashkowitz; Richard

SCR 4043 was declared adopted on a roll call vote.

MOTION

SEN. HEIGAARD MOVED that the Senate stand at recess until 1:00 p.m., which motion prevailed.

THE SENATE RECONVENED pursuant to recess taken, with the President presiding.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

THE PRESIDENT ANNOUNCED that the following bills were delivered to the Governor for his approval at the hour of 11:43 a.m., April 18, 1989: SB 2030, SB 2072, SB 2192, SB 2193, SB 2226, SB 2304, SB 2320, SB 2322, SB 2376, SB 2389, SB 2422, SB 2459, SB 2537.

SIGNING of BILLS and RESOLUTIONS (Patricia Conrad, Secretary)

THE SECRETARY ANNOUNCED that the President signed the following enrolled bills and resolutions: HB 1006, HB 1017, HB 1020, HB 1058, HB 1158, HB 1164, HB 1200, HB 1267, HB 1297, HB 1369, HB 1479, HB 1499, HB 1604, HB 1669, HB 1674, HCR 3005, HCR 3040, HCR 3090.

MESSAGE to the HOUSE from the SENATE (Patricia Conrad, Secretary)

MR. SPEAKER: The President has signed: HB 1006, HB 1017, HB 1020, HB 1058, HB 1158, HB 1164, HB 1200, HB 1267, HB 1297, HB 1369, HB 1479, HB 1499, HB 1604, HB 1669, HB 1674, HCR 3005, HCR 3040, HCR 3090.

SIGNING of BILLS and RESOLUTIONS (Patricia Conrad, Secretary)

THE SECRETARY ANNOUNCED that the President signed the following enrolled bills: SB 2037, SB 2062, SB 2222, SB 2237, SB 2261, SB 2542.

MESSAGE to the HOUSE from the SENATE (Patricia Conrad, Secretary)

MR. SPEAKER: The President has signed and your signature is respectfully requested: SB 2037, SB 2062, SB 2222, SB 2237, SB 2261, SB 2542.

MOTION

SEN. D. MEYER MOVED that the rules be suspended and that SB 2024 be returned to the Senate floor from the Committee on State and Federal Government and be placed on the Twelfth order on the calendar, which motion prevailed.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. D. MEYER MOVED that the Senate do concur in the House amendments to SB 2024 as printed on pages 1940-1941 of the Senate Journal, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2024: A BILL for an Act making an appropriation for defraying the expenses of the workers compensation bureau and the divisions thereof of the state of North Dakota; and relating to the appointment of the executive director of the workers compensation bureau.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 51 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Axtman; David; Dotzenrod; Ewen; Freborg; Hanson; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lips; Lodeen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nothing; O'Connell; Olson; Peterson; Redlin; Robinson; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Vosper; Waldera; Wogsland; Yockim

NAYS: None

ABSENT AND NOT VOTING: Lashkowitz; Richard

SB 2024 passed and the title was agreed to.

MOTION

SEN. HEIGAARD MOVED that SB 2538 be placed at the top of the calendar, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2538: A BILL for an Act making an appropriation to the department of human services to defray the expenses of developing and expanding programs of active treatment for mentally ill and chemically addicted individuals; providing a transfer from the revolving loan fund maintained in the Bank of North Dakota; stating legislative intent and making an appropriation to the department of human services to supplement senior citizens mill levy match appropriations contained in House Bill No. 1012; stating legislative intent and making an appropriation to the department of human services to supplement the service program for elderly and disabled appropriations contained in House Bill No. 1012; stating legislative intent and making an appropriation to the department of human services for the family

subsidy program; establishing a joint medicaid payment account; making an appropriation for the child evaluation and treatment program; making an appropriation for adult protection services; to amend and reenact section 3 of House Bill No. 1037, as approved by the fifty-first legislative assembly, relating to the capital construction fund; authorizing the developmental disabilities revolving loan fund to sell its loans to the Bank of North Dakota; allowing the proceeds of the sale of the loans to assure the availability of funds for predicted caseload growth in medical assistance, aid to families with dependent children, and foster care; providing for a legislative council study of the appropriations process; and providing a transfer to the capital construction fund.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 45 YEAS, 6 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Axtman; Dotzenrod; Ewen; Freborg; Hanson; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Meyer, W.; Mushik; Nalewaja; Nething; O'Connell; Olson; Peterson; Redlin; Robinson; Satrom; Schoenwald; Shea; Stenehjem; Stromme; Tallackson; Tennefos; Thane; Todd; Vosper; Waldera; Wogsland; Yockim

NAYS: David; Moore; Mutch; Naaden; Nelson; Streibel

ABSENT AND NOT VOTING: Lashkowitz; Richard

SB 2538 passed and the title was agreed to.

MOTION

SEN. TODD MOVED that the Senate override the Governor's veto on SB 2395, which motion prevailed.

RECONSIDERATION OF A VETOED MEASURE - SB 2395

SB 2395: A BILL for an Act to create and enact a new section to chapter 34-06 of the North Dakota Century Code, relating to the application of wage and hour standards to persons providing companionship services, personal care services, and family home care.

ROLL CALL

The question being on the motion that the Senate override the veto by the Governor on SB 2395, which has been read, the roll was called and there were 28 YEAS, 23 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: David; Dotzenrod; Ewen; Freborg; Holmberg; Ingstad; Kinnoin; Krebsbach; Langley; Lips; Lodoen; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Stenehjem; Streibel; Tennefos; Thane; Todd; Vosper

NAYS: Axtman; Hanson; Heigaard; Heinrich; Hilken; Keller; Kelsh; Krauter; Maixner; Mathern; Maxson; Mushik; O'Connell; Redlin; Robinson; Satrom; Schoenwald; Shea; Stromme; Tallackson; Waldera; Wogsland; Yockim

ABSENT AND NOT VOTING: Lashkowitz; Richard

The veto of the Governor was sustained on SB 2395.

MOTIONS

SEN. MAIXNER MOVED that the vote by which HB 1134, SB 2538, SB 2024, and SCR 4043 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SEN. MAIXNER MOVED that the rules be suspended and that HB 1134, SB 2538, SB 2024, and SCR 4043 be messaged to the House immediately, which motion prevailed.

MESSAGE to the HOUSE from the SENATE (Patricia Conrad, Secretary)

MR. SPEAKER: The Senate has adopted the conference committee report on HB 1134 and subsequently passed the same.

MESSAGE to the HOUSE from the SENATE (Patricia Conrad, Secretary)

MR. SPEAKER: The Senate has concurred in the House amendments to SB 2024, SCR 4043, and SB 2538 and subsequently passed the same.

MOTIONS

SEN. MAIXNER MOVED that the Senate stand at recess until 3:00 p.m., which motion prevailed.

THE SENATE RECONVENED pursuant to recess taken, with the President presiding.

SEN. MAIXNER MOVED that the Senate stand at recess until 5:00 p.m., which motion prevailed.

THE SENATE RECONVENED pursuant to recess taken, with the President presiding.

SEN. MAIXNER MOVED that the rules be suspended and that SB 2006 be placed on the calendar, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT: Your Conference Committee to which was referred Engrossed SB 2006 has had the same under consideration and recommends that the SENATE ACCEDE to the House amendments as found on pages 1705-1706 of the Senate Journal.

For the Senate: Sens. Wogsland, Mushik, Nelson

For the House: Reps. Sorensen, Wald, Stofferahn

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

SECOND READING OF SENATE BILL

SB 2006: A BILL for an Act making an appropriation for defraying the expenses of the department of health and consolidated laboratory services of the state of North Dakota; to provide for a transfer from the abandoned motor vehicle disposal fund; and to provide legislative intent regarding health vaccination charges.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 47 YEAS, 0 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Axtman; David; Dotzenrod; Ewen; Freborg; Hanson; Heinrich; Hilken; Holmberg; Ingstad; Keller; Keish; Kinnoin; Krauter; Krebsbach; Lips;

Lodoen; Maixner; Mathern; Maxson; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Olson; Peterson; Redlin; Robinson; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Vosper; Waldera; Wogsland; Yockim

NAYS: None

ABSENT AND NOT VOTING: Heigaard; Langley; Lashkowitz; Meyer, D.; Richard; Satrom

SB 2006 passed and the title was agreed to.

MOTIONS

SEN. MAIXNER MOVED that the vote by which SB 2006 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SEN. MAIXNER MOVED that the rules be suspended and that SB 2006 be messaged to the House immediately, which motion prevailed.

MESSAGE to the HOUSE from the SENATE (Patricia Conrad, Secretary)

MR. SPEAKER: The Senate has adopted the conference committee report on SB 2006 and subsequently passed the same.

MOTION

SEN. MAIXNER MOVED that the Senate stand at recess until 6:00 p.m., which motion prevailed.

THE SENATE RECONVENED pursuant to recess taken, with the President presiding.

MESSAGE to the SENATE from the HOUSE (Roy Gilbreath, Chief Clerk)

MR. PRESIDENT: The Speaker has signed: SB 2037, SB 2062, SB 2222, SB 2237, SB 2261, SB 2542.

MESSAGE to the SENATE from the HOUSE (Roy Gilbreath, Chief Clerk)

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

SB 2412: Reps. Dorso, Wald, Solberg

MOTION

SEN. MAIXNER MOVED that the rules be suspended and that all conference committee reports coming into the Senate be put immediately on the calendar, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT: Your Conference Committee to which was referred Engrossed SB 2014 has reconsidered the same and now recommends that the HOUSE RECEDE from the House amendments as found on pages 1455-1456 of the Senate Journal and that Engrossed SB 2014 be amended as follows:

Page 1, line 15, replace "1,405,640" with "1,394,990"

Page 1, line 17, replace "1,864,733" with "1,854,083"

Page 1, line 18, replace "1,255,374" with "1,280,374"

Page 1, line 19, replace "609,359" with "573,709"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 709 - COUNCIL ON THE ARTS

Compared to the House version, this amendment makes the following changes to the grants line item:

| | <u>General Fund</u> | <u>Other Funds</u> | <u>Total</u> |
|-----------------------|-----------------------------|-----------------------------|------------------|
| Community programs | \$ 43,000 | | \$ 43,000 |
| Touring arts | 24,000 | | 24,000 |
| Rural arts initiative | <u>(25,000)¹</u> | <u>\$25,000¹</u> | |
| Total | <u>\$ 42,000</u> | <u>\$25,000</u> | <u>\$ 67,000</u> |

Compared to the Senate version, this amendment makes the following changes to the grants line item:

| | <u>General Fund</u> | <u>Other Funds</u> | <u>Total</u> |
|-----------------------|-----------------------------|-----------------------------|-------------------|
| Community programs | \$ (7,000) | | \$ (7,000) |
| Touring arts | (3,650) | | (3,650) |
| Rural arts initiative | <u>(25,000)¹</u> | <u>\$25,000¹</u> | |
| Total | <u>\$(35,650)</u> | <u>\$25,000</u> | <u>\$(10,650)</u> |

Compared to the executive budget, this amendment makes the following changes to the grants line item:

| | <u>Total Funding in Executive Budget</u> | <u>Conference Committee Changes</u> | | | <u>Total Funding After Conference Committee Changes</u> |
|-----------------------|--|-------------------------------------|------------------------|------------------|---|
| | | <u>General Fund</u> | <u>Other Funds</u> | <u>Total</u> | |
| Community programs | \$ 97,500 | \$ 43,000 | | \$ 43,000 | \$ 140,500 |
| Touring arts | 53,550 | 24,000 | | 24,000 | 77,550 |
| Rural arts initiative | | 25,000 | \$75,000 ² | 100,000 | 100,000 |
| Arts in education | 268,400 | 10,000 | | 10,000 | 278,400 |
| Other grants | 798,540 | | | | 798,540 |
| Total | <u>\$1,217,990</u> | <u>\$102,000</u> | <u>\$75,000</u> | <u>\$177,000</u> | <u>\$1,394,990</u> |

¹ General fund support for the rural arts initiative is reduced by \$25,000, from \$50,000 to \$25,000. Other funds for the rural arts initiative are increased by \$25,000 to allow the Council on the Arts to raise, from other sources, matching funds for \$50,000 of federal funds which may become available.

² This amount includes \$25,000 of estimated income that the Council on the Arts may use, in addition to the \$25,000 general fund appropriation, to match up to \$50,000 of federal funds for the rural arts initiative.

For the Senate: Sens. Mushik, Waldera, Thane
 For the House: Reps. Sorensen, Jensen, Kelly

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

SECOND READING OF SENATE BILL

SB 2014: A BILL for an Act making an appropriation for defraying the expenses of the council on the arts of the state of North Dakota; and providing for a transfer of funds from the cultural endowment fund.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 47 YEAS, 0 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Axtman; David; Dotzenrod; Ewen; Freborg; Hanson; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelsh; Kinnoin; Krebsbach; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, J.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Olson; Peterson; Redlin; Robinson; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Vosper; Waldera; Wogsland; Yockim

NAYS: None

ABSENT AND NOT VOTING: Krauter; Langley; Lashkowitz; Meyer, D.; Meyer, W.; Richard

SB 2014 passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT: Your Conference Committee to which was referred Engrossed SB 2005 has had the same under consideration and recommends that the HOUSE RECEDE from the House amendments as found on pages 1786-1797 of the Senate Journal and that Engrossed SB 2005 be amended as follows:

Page 1, replace line 2 with "North Dakota state university extension service, the northern crops institute, and the North Dakota agricultural experiment station"

Page 1, line 3, remove "state university of agriculture and applied science"

Page 1, line 5, remove "to provide for appropriation"

Page 1, line 6, remove "reductions;"

Page 1, line 7, replace "and to amend and reenact sections 4-05-01, 4-05-02, 4-05-03," with "to change the name of the North Dakota state university extension division; to create and enact a new chapter to title 4 of the North Dakota Century Code, relating to the agricultural experiment station and the agricultural research station and centers; to amend and reenact section 4-28-03, subsection 2 of section 15-10-01, sections 15-12-05, 15-12-08, 15-12-17, subdivision c of subsection 16 of section 19-18-02, and section 23-20-04 of the North Dakota Century Code, relating to the name of the agricultural experiment station; and to repeal chapter 4-05 of the North Dakota Century Code, relating to the agricultural experiment stations."

Page 1, remove lines 8 through 15

Page 1, replace line 21 with "North Dakota state university extension service, the northern crops institute, and the North Dakota agricultural experiment station"

Page 1, line 22, remove "university of agriculture and applied science"

Page 2, line 4, replace "COOPERATIVE EXTENSION DIVISION" with "NORTH DAKOTA STATE UNIVERSITY EXTENSION SERVICE"

Page 2, line 5, replace "16,772,597" with "16,538,597"

Page 2, line 6, replace "3,494,602" with "3,436,102"

Page 2, line 8, replace "20,827,199" with "20,534,699"

Page 2, line 10, replace "10,236,788" with "9,944,288"

Page 2, line 12, replace "DIVISION" with "SERVICE"

Page 2, line 27, after "UNIVERSITY" insert "MAIN"

Page 2, line 28, replace "28,781,477" with "29,061,477"

Page 2, line 29, replace "6,157,165" with "6,169,665"

Page 3, line 4, replace "37,619,227" with "37,911,727"

Page 3, line 6, replace "21,683,819" with "21,976,319"

Page 3, line 8, replace "STATION" with "CENTER"

Page 3, line 11, replace "41,076" with "41,076"

Page 3, after line 11, insert:

"Capital improvements

2,000"

Page 3, line 12, replace "1,220,170" with "1,222,170"

Page 3, line 13, replace "268,990" with "270,990"

Page 3, line 16, replace "STATION" with "CENTER"

Page 3, line 19, replace "116,705" with "116,705"

Page 3, after line 19, insert:

"Capital improvements

2,000"

Page 3, line 20, replace "819,326" with "821,326"

Page 3, line 21, replace "250,001" with "252,001"

Page 3, line 24, remove "EXTENSION"

Page 3, line 27, replace "108,463" with "108,463"

Page 3, after line 27, insert:

"Capital improvements 2,000"

Page 3, line 28, replace "648,806" with "650,806"

Page 3, line 29, replace "201,245" with "203,245"

Page 4, line 3, replace "STATION" with "CENTER"

Page 4, line 6, replace "40,000" with "40,000"

Page 4, after line 6, insert:

"Capital improvements 2,000"

Page 4, line 7, replace "602,948" with "604,948"

Page 4, line 8, replace "91,000" with "93,000"

Page 4, line 11, remove "EXTENSION"

Page 4, line 14, replace "59,000" with "59,000"

Page 4, after line 14, insert:

"Capital improvements 2,000"

Page 4, line 15, replace "723,836" with "725,836"

Page 4, line 16, replace "327,016" with "329,016"

Page 4, line 19, replace "STATION" with "CENTER"

Page 4, line 22, replace "10,122" with "10,122"

Page 4, after line 22, insert:

"Capital improvements 2,000"

Page 4, line 23, replace "594,374" with "596,374"

Page 4, line 24, replace "80,002" with "82,002"

Page 4, line 27, remove "EXTENSION"

Page 5, line 1, replace "137,500" with "137,500"

Page 5, after line 1, insert:

"Capital improvements 2,000"

Page 5, line 2, replace "1,750,573" with "1,752,573"

Page 5, line 3, replace "910,134" with "912,134"

Page 5, remove lines 18 through 21

- Page 5, line 22, replace "39,274,813" with "36,716,745"
- Page 5, line 23, replace "31,880,734" with "31,894,734"
- Page 5, line 24, replace "71,155,547" with "68,611,479"
- Page 5, line 27, replace "state university research" with "agricultural experiment"
- Page 5, line 28, remove "branch stations, land reclamation research center,"
- Page 5, line 29, replace "cooperative extension division" with "North Dakota state university extension service"
- Page 6, line 15, replace "state university research" with "agricultural experiment"
- Page 7, line 25, replace "state university research" with "agricultural experiment" and remove "or any"
- Page 7, line 26, remove "of its branch stations"
- Page 7, line 28, after "station" insert "or center"
- Page 8, remove lines 14 through 29
- Page 9, remove lines 1 through 4
- Page 9, line 5, after "INTENT" insert "- RESOURCE CENTERS - COUNTY SERVICES"
- Page 9, line 6, replace "extension division" with "North Dakota state university extension service"
- Page 9, line 11, after the period insert "Without a county's board of county commissioners approval, the extension service shall not change the manner in which it provides extension services to that county."
- Page 9, line 13, after "university" insert "main"
- Page 9, line 15, after "university" insert "main"
- Page 9, line 19, replace "state" with "agricultural experiment"
- Page 9, line 20, remove "university research"
- Page 9, after line 24, insert:

"SECTION 12. NORTH DAKOTA STATE UNIVERSITY EXTENSION SERVICE - AUTHORITY TO CODIFY NAME CHANGE. The legislative council is authorized to replace, where appropriate, "extension division of the North Dakota state university of agriculture and applied science", "cooperative extension division of the North Dakota state university of agriculture and applied science", "extension division", "cooperative extension service of North Dakota state university", "North Dakota cooperative extension service", "state extension service", "extension service", "cooperative extension service", "state cooperative extension service", and "North Dakota state university of agriculture and applied science extension service" wherever they appear in the North Dakota Century

Code or in the supplements to the North Dakota Century Code with "North Dakota state university extension service". The legislative council shall make the changes when any volume or supplement of the North Dakota Century Code is reprinted."

Page 9, line 25, replace "AMENDMENT. Section 4-05-01 of the North Dakota Century" with "A new chapter to title 4 of the North Dakota Century Code is hereby created and enacted to read as follows:

Definitions. In this chapter, unless the context otherwise requires:

1. "Agricultural experiment station" means the North Dakota state university main research station, the Dickinson research center, the Williston research center, the Langdon research center, the central grasslands research center, the Carrington research center, the Hettinger research center, the north central research center, and any other department or agency designated by the state board of higher education.
2. "Director" means the director of the North Dakota agricultural experiment station.
3. "Superintendent" means an administrator in charge of a research center.

Agricultural experiment station. The North Dakota agricultural experiment station is under the control of and subject to the supervision of the state board of higher education. The agricultural experiment station shall develop research programs involving the basic and applied biological, physical, and social sciences that will enhance agricultural systems and improve the quality of life.

Director - Superintendents - Research station and research centers. The director is under the direction of the president of the North Dakota state university of agriculture and applied science. The research station and research centers of the North Dakota agricultural experiment station are under the jurisdiction of the director. Each research center must be administered by a superintendent who shall report to the director.

Reports to director and state board of higher education. Each superintendent shall submit a biennial report to the director on or before the first day of August of each odd-numbered year. Each report must set forth in detail the investigations and experiments made during the preceding fiscal biennium, recommendations for the welfare of the center, the financial condition of the center, how all moneys have been expended, and the results of experiments. The director shall submit these reports, with a biennial report of the North Dakota state university main research station, to the board of higher education on or before the first day of September of each odd-numbered year. In addition to any requirements established under section 54-06-04, the board of higher education shall include a composite of the reports from the research station and each research center in its biennial report to the governor and the office of management and budget.

North Dakota state university main research station. The North Dakota state university main research station must be located on the

campus of North Dakota state university of agriculture and applied science. The station is the administrative location of the agricultural experiment station. The station shall conduct research and coordinate all research activities of the agricultural experiment station. The research must have as a purpose, the development and dissemination of technology important to the production and utilization of food, feed, fiber, and fuel from crop and livestock enterprises. The research must provide for an enhancement of the quality of life, sustainability of production, and protection of the environment. The research station shall keep detailed records of all research activities and publish the information that will be of value to the residents of this state.

Dickinson research center. The Dickinson research center must be located at or near Dickinson in Stark County. The center shall conduct research on increasing the carrying capacity of native rangeland, with emphasis on conservation and preservation for future generations. The center shall conduct research on grass production to determine how to best compensate for the vagaries of the weather as it influences forage production in the dryland agriculture of western North Dakota. The center shall conduct research at the ranch location in Dunn County with beef cattle and swine breeding, feeding, management, and disease control for the benefit of livestock producers of western North Dakota and the entire state. The center shall conduct research designed to increase productivity of all agricultural products of the soil by maintaining or improving the soil resource base in the dryland agricultural region of southwestern North Dakota by the identification of adapted crop species and superior crop cultivars; propagation and distribution of selected seedstock; and development of profitable cropping systems that achieve the necessary balance between profitability and conservation of all natural resources. The center shall disseminate research results and information for the benefit of this state.

Williston research center. The Williston research center must be located at or near Williston in Williams County. The center shall conduct research designed to increase productivity of all agricultural products of the soil while maintaining or improving the soil resource base in the dryland agricultural region of northwestern North Dakota by the identification of adapted crop species and superior crop cultivars; propagation and distribution of selected seedstocks; and development of profitable cropping systems that achieve the necessary balance between profitability and conservation of all natural resources. The center shall disseminate research results and information for the benefit of this state.

Langdon research center. The Langdon research center must be located at or near Langdon in Cavalier County. The center shall conduct research designed to increase productivity of all agricultural products of the soil while maintaining or improving the soil resource base in the dryland agricultural region of northeastern North Dakota by the identification of adapted crop species and superior crop cultivars; propagation and distribution of selected seedstocks; and development of profitable cropping systems that achieve the necessary balance between profitability and conservation of all natural resources. The center shall disseminate research results and information for the benefit of this state.

Central grasslands research center. The central grasslands research center must be located within an area bounded by the Missouri River on the west and the James River on the east. The center shall conduct research designed to fulfill needs within an area bounded by the Missouri River on the west and the James River on the east. Research objectives must be to increase the range-carrying capacity of native range, with emphasis on conservation and preservation for future generations; stabilization of grass production to discover how to best compensate for the vagaries of the weather and precipitation as it influences forage production in a dryland agriculture; identification of the impact of different management systems upon beef production in the central region of the state; and exploration of increased use of crop residues and byproducts for the maintenance of the cowherd.

Carrington research center. The Carrington research center must be located at or near Carrington in Foster County. The center shall conduct research designed to determine the potential of irrigated agriculture in the region proposed for irrigation development in the state which must be related to both crop and livestock production. The center shall conduct research designed to increase productivity of all agricultural products of the soil while maintaining or improving the soil resource base in the dryland and irrigated agricultural region of east central North Dakota by the identification of adapted crop species and superior crop cultivars; propagation and distribution of selected seedstocks; and development of profitable cropping and integrated crop and livestock systems that achieve the necessary balance between profitability and conservation of all natural resources. The center shall disseminate research results and information for the benefit of this state.

Hettinger research center. The Hettinger research center must be located at or near Hettinger in Adams County. The center shall develop the best available technology in breeding, feeding, management, and disease control pertinent to the production of sheep in the state. The center shall conduct research designed to increase productivity of all agricultural products of the soil while maintaining or improving the soil resource base in southwestern North Dakota by the identification of adapted crop species and superior crop cultivars; propagation and distribution of selected seedstocks; and development of profitable cropping systems that achieve the necessary balance between profitability and conservation of all natural resources. The center shall disseminate research results and information for the benefit of this state.

North central research center. The north central research center must be located at or near Minot in Ward County. The center shall conduct research designed to increase productivity of all agricultural products of the soil while maintaining or improving the soil resource base in the dryland agricultural region of north central North Dakota by the identification of adapted crop species and superior crop cultivars; propagation and distribution of selected seedstocks; and development of profitable cropping systems which achieve the necessary balance between profitability and conservation of all natural resources. The center shall disseminate research results and information for the benefit of this state.

Board of visitors - Members - Inspection - Expenses - Duties. The boards of county commissioners of Renville, Bottineau, Rolette,

Benson, Ward, McHenry, Pierce, McLean, Mountrail, Sheridan, Burke, and Wells Counties shall name two farmers operating farms in their respective counties to serve as a board of visitors to the north central research center. A member of the board of visitors shall serve for three years and is not eligible for reappointment until after a lapse of three years following each term of office. The board of county commissioners of the county from which a vacancy occurs shall fill the vacancy. The board of visitors shall make an annual inspection of the north central research center upon call of the director. At least one inspection a biennium must be during the growing season. The board of visitors is entitled to a fee for each visit, plus mileage at the same rate as provided by law for other state officials for every mile [1.61 kilometer] actually traveled to and from the farm. The board of visitors shall inspect the work of the north central research center and counsel and advise with the officials in charge. The board of visitors shall name one of its members to serve as chairman and another to serve as secretary. The chairman and the secretary shall make a written report to the director.

Mandan experiment station. The Mandan experiment station is an agricultural, grass, and tree experiment station. The station must be maintained on the grounds of the state industrial school and operated in connection with the North Dakota state university of agriculture and applied science. The Mandan experiment station is under the direction of the state board of higher education."

Page 9, remove lines 26 through 29

Page 10, remove lines 1 through 29

Page 11, remove lines 1 through 28

Page 12, remove lines 1 through 29

Page 13, remove lines 1 through 29

Page 14, remove lines 1 through 29

Page 15, remove lines 1 through 29

Page 16, remove lines 1 through 28

Page 17, remove lines 1 through 9

Page 17, line 27, remove "North Dakota", overstrike "state" and insert immediately thereafter "North Dakota agricultural", and remove the overstrike over "~~experiment~~"

Page 17, line 28, remove "university research" and after the second "the" insert "North Dakota" and after "state" insert "university"

Page 18, line 28, after "the" insert "North Dakota" and after "state" insert "university"

Page 19, line 6, after the first "the" insert "North Dakota" and after "state" insert "university"

Page 19, remove lines 19 through 29

Page 20, remove lines 1 through 7

Page 20, line 12, after "the" insert "agricultural", remove the overstrike over "~~experiment~~", and remove "research"

Page 20, line 19, after the first comma insert "agricultural", remove the overstrike over "~~experiment~~", and remove "research"

Page 20, line 27, remove the overstrike over "~~an~~", after "~~an~~" insert "agricultural", remove the overstrike over "~~experiment~~", and remove "a research"

Page 21, remove lines 1 through 12

Page 21, line 15, after "Dakota" insert "agricultural", remove the overstrike over "~~experiment~~", and remove "state university"

Page 21, line 16, remove "research"

Page 21, line 17, after "Dakota" insert "agricultural", remove the overstrike over "~~experiment~~", and remove "state university research"

Page 21, line 29, after "state" insert "agricultural"

Page 22, line 1, remove the overstrike over "~~experiment~~" and remove "research"

Page 22, remove lines 5 through 22

Page 22, line 27, after the second comma insert "agricultural", remove the overstrike over "~~experiment~~", and remove "research"

Page 23, after line 8, insert:

"SECTION 21. REPEAL. Chapter 4-05 of the North Dakota Century Code is hereby repealed."

Page 23, remove lines 9 through 28

Page 24, remove lines 1 through 29

Page 25, remove lines 1 through 29

Page 26, remove lines 1 through 27

Re-number accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The section relating to the development of the NDSU-Extension Service's area resource centers is amended to provide that the NDSU-Extension Service shall not change the manner in which extension services are provided to a county without the approval of that county's board of county commissioners.

Section 9 of the bill, which identified specific general fund appropriation reductions of \$1,472,000 from the NDSU-Main Research Station and \$528,000 from the NDSU-Extension Service which would take effect in the event an

initiated or referred measure would reduce general fund revenues during the 1989-91 biennium, is removed.

Section 13 of the bill provides that the Legislative Council is to replace, in the North Dakota Century Code, the varying names of the Extension Division with North Dakota State University Extension Service.

Section 14 of the bill revises Chapter 4-05 which relates to the Agricultural Experiment Station and includes changing the names of the branch experiment stations to research centers. The major change from the engrossed bill is the reference to the NDSU Main Research Station and the role of the North Dakota Agricultural Experiment Station which was clarified to include the NDSU Main Research Station and all of the research centers including the Agronomy Seed Farm.

Other changes are shown on the attached schedules.

SCHEDULE "A"

SUMMARY OF CONFERENCE COMMITTEE GENERAL FUND CHANGES TO ENGROSSED SENATE BILL NO. 2005

| | Engrossed Senate Bill No. 2005 as Passed by the Senate ¹ | Conference Committee Changes | General Fund Appropriation After Conference Committee Changes ² | House Version General Fund Appropriation | Conference Committee Increase (Decrease) From House Version |
|---|--|------------------------------------|--|--|--|
| NDSU-Extension Service | \$10,236,768 | \$ (292,500) ² | \$ 9,944,268 | \$ 9,976,343 | \$ (32,055) |
| Extension Service - Food and Nutrition | | | | | |
| Northern Crops Institute | 564,493 | | 564,493 | 564,493 | |
| NDSU-Main Research Station | 21,683,819 | 292,500 ³ | 21,976,319 | 22,048,256 | (71,937) |
| Dickinson Research Center | 951,180 | | 951,180 | 953,158 | (1,978) |
| Central Grasslands Research Center | 569,325 | | 569,325 | 569,976 | (651) |
| Hettinger Research Center | 447,361 | | 447,361 | 448,731 | (1,370) |
| Langdon Research Center | 511,948 | | 511,948 | 515,017 | (3,069) |
| North Central Research Center | 396,820 | | 396,820 | 398,067 | (1,247) |
| Milliston Research Center | 814,372 | | 814,372 | 815,833 | (1,461) |
| Carrington Research Center | 840,439 | | 840,439 | 842,783 | (2,344) |
| Agronomy Seed Farm | | | | | |
| Land Reclamation Research Center | | | | | |
| Dickinson Experiment Station bond payments | 2,558,068 | (2,558,068) ⁴ | | | |
| Total | <u>\$19,274,813</u> | <u>\$ (2,558,068)</u> | <u>\$16,716,745</u> | <u>\$16,830,627</u> | <u>\$ (113,882)</u> |

¹ Provides annual salary increases for faculty of eight percent the first year of the biennium and seven percent the second year and support staff salary increases in accordance with legislative compensation policy contained in House Bill No. 1005.

² Funding for the development of the NDSU-Extension Service's area resource centers is reduced by \$292,500 from the general fund from \$458,000 to \$292,500. The extension service anticipated creating 14 to 18 area resource centers. The \$292,500 of general fund support remaining is to be used to develop a plan for the establishment of area resource centers and to establish two area resource center pilot projects. The reductions are as follows:

| | GENERAL FUND |
|--------------------|-----------------|
| Salaries and wages | \$ (234,000) |
| Operating expenses | <u>(58,500)</u> |
| Total | \$ (292,500) |

³ Funding for the NDSU-Main Research Station is increased by \$292,500 from the general fund for foliar disease research in cereal grains. The additional funding will permit the NDSU-Main Research Station to hire two scientists (\$90,000 each) and two technicians (\$90,000 each). Because the NDSU-Main Research Station has unfilled positions, no additional authorized FTE positions are necessary. The increases are as follows:

| | GENERAL FUND |
|--------------------|---------------|
| Salaries and wages | \$ 280,000 |
| Operating expenses | <u>12,500</u> |
| Total | \$ 292,500 |

⁴ The Dickinson Experiment Station bond payments of \$2,558,068 from the general fund are deleted because an appropriation for the bond payments is included in House Bill No. 1037. In addition, the section exempting the bond payments from budget reductions caused by an initiated or referred measure is removed.

SCHEDULE "B"

SUMMARY OF CONFERENCE COMMITTEE TOTAL CHANGES TO ENGROSSED SENATE BILL NO. 2005

| | Engrossed Senate Bill No. 2005 as Passed by the Senate ¹ | Conference Committee Changes | Total Appropriation After Conference Committee Changes | House Version Total Appropriation | Conference Committee Increase (Decrease) From House Version |
|---|--|------------------------------------|--|---|--|
| NDSU-Extension Service | \$20,827,199 | \$ (292,500) ² | \$20,534,699 | \$20,570,717 | \$ (36,018) |
| Extension Service - Food and Nutrition | 737,270 | | 737,270 | 737,270 | |
| Northern Crops Institute | 725,857 | | 725,857 | 725,857 | |
| NDSU-Main Research Station | 37,619,227 | 292,500 ³ | 37,911,727 | 38,008,940 | (97,213) |
| Dickinson Research Center | 1,220,170 | 2,000 ⁴ | 1,222,170 | 1,224,148 | (1,978) |
| Central Grasslands Research Center | 819,326 | 2,000 ⁴ | 821,326 | 821,977 | (651) |
| Nettinger Research Center | 448,806 | 2,000 ⁴ | 450,806 | 451,976 | (1,170) |
| Langdon Research Center | 402,948 | 2,000 ⁴ | 404,948 | 406,017 | (1,069) |
| North Central Research Center | 723,856 | 2,000 ⁴ | 725,856 | 727,083 | (1,227) |
| Williston Research Center | 594,374 | 2,000 ⁴ | 596,374 | 597,436 | (1,061) |
| Carrington Research Center | 1,750,573 | 2,000 ⁴ | 1,752,573 | 1,754,407 | (1,834) |
| Agronomy Seed Farm | 802,765 | | 802,765 | 803,382 | (617) |
| Land Reclamation Research Center | 1,525,128 | | 1,525,128 | 1,528,401 | (3,273) |
| Dickinson Experiment Station bond payments | 2,558,068 | (2,558,068) ⁵ | | | |
| Total | \$71,155,547 | \$(2,544,068) | \$68,611,479 | \$68,758,490 | \$(147,011) |

¹ Provides annual salary increases for faculty of eight percent the first year of the biennium and seven percent the second year and support staff salary increases in accordance with legislative compensation policy contained in House Bill No. 1005.

² Funding for the development of the NDSU-Extension Service's area resource centers is reduced by \$292,500 from the general fund from \$585,000 to \$292,500. The extension service anticipated creating 14 to 18 area resource centers. The \$292,500 of general fund support remaining is to be used to develop a plan for the establishment of area resource centers and to establish two area resource center pilot projects. The reductions are as follows:

| GENERAL FUND | |
|--------------------|---------------------|
| Salaries and wages | \$ (234,000) |
| Operating expenses | <u>(58,500)</u> |
| Total | \$ (292,500) |

³ Funding for the NDSU-Main Research Station is increased by \$292,500 from the general fund for foliar disease research in cereal grains. The additional funding will permit the NDSU-Main Research Station to hire two scientists (\$90,000 each) and two technicians (\$60,000 each). Because the NDSU-Main Research Station has unfilled positions, no additional authorized FTE positions are necessary. The increases are as follows:

| GENERAL FUND | |
|--------------------|-------------------|
| Salaries and wages | \$ 280,000 |
| Operating expenses | <u>12,500</u> |
| Total | \$ 292,500 |

⁴ A capital improvements line item of \$2,000 is added from other funds for facilities maintenance.

⁵ The Dickinson Experiment Station bond payments of \$2,558,068 from the general fund are deleted because an appropriation for the bond payments is included in House Bill No. 1057. In addition, the section exempting the bond payments from budget reductions caused by an initiated or referred measure is removed.

For the Senate: Sens. Wogsland, Ewen, Thane
For the House: Reps. Thompson, O. Hanson, Nowatzki

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

SECOND READING OF SENATE BILL

SB 2005: A BILL for an Act making an appropriation for defraying the expenses of the North Dakota state university extension service, the northern crops institute, and the North Dakota agricultural experiment station; to provide a statement of legislative intent; to provide for a transfer from the lignite research fund; to provide a contingent appropriation; to provide for the investment of the agronomy seed farm reserve income fund; to change the name of the North Dakota state university extension division; to create and enact a new chapter to title 4 of the North Dakota Century Code, relating to the agricultural experiment station and the agricultural research station and centers; to amend and reenact section 4-28-03, subsection 2 of section 15-10-01, sections 15-12-05, 15-12-08, 15-12-17, subdivision c of subsection 16 of section 19-18-02, and section 23-20-04 of the North Dakota Century Code, relating to the name of the agricultural experiment station; and to repeal chapter 4-05 of the North Dakota Century Code, relating to the agricultural experiment stations.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 47 YEAS, 0 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Axtman; David; Dotzenrod; Ewen; Freborg; Hanson; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelsh; Kinnoin; Krebsbach; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, J.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Olson; Peterson; Redlin; Robinson; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Vosper; Waldera; Wogsland; Yockim

NAYS: None

ABSENT AND NOT VOTING: Krauter; Langley; Lashkowitz; Meyer, D.; Meyer, W.; Richard

SB 2005 passed and the title was agreed to.

MOTION

SEN. MAIXNER MOVED that the Senate stand at recess until 6:20 p.m., which motion prevailed.

THE SENATE RECONVENED pursuant to recess taken, with the President presiding.

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT: Your Conference Committee to which was referred Reengrossed SB 2003 has had the same under consideration and recommends that the HOUSE RECEDE from the House amendments as found on pages 1759-1766 of the Senate Journal and that Reengrossed SB 2003 be amended as follows:

Page 1, line 3, after the semicolon insert "to authorize the state board of higher education to issue and sell self-liquidating, tax-exempt bonds

for the remodeling and/or expansion of the student union at Minot state university; to amend and reenact section 4-19-03 of the North Dakota Century Code, relating to the state forester's authority to charge for seeds and planting stock;"

Page 1, line 5, remove "to provide for appropriation reductions; and"

Page 1, line 7, replace "board of higher education staff support," with "telecommunications,"

Page 1, line 9, after "fund" insert "; and to declare an emergency"

Page 1, line 21, replace "1,348,591" with "1,016,859"

Page 2, line 1, replace "573,872" with "308,872"

Page 2, line 2, replace "16,600" with "6,000"

Page 2, line 3, replace "1,250,000" with "700,000"

Page 2, after line 3, insert:

"Higher education planning 300,000"

Page 2, line 5, replace "1,972,100" with "2,271,900"

Page 2, remove line 8

Page 2, line 12, replace "3,900,000" with "1,500,000"

Page 2, line 13, replace "13,099,788" with "9,844,606"

Page 2, line 15, replace "11,030,807" with "7,775,625"

Page 2, line 20, replace "431,214" with "506,214"

Page 2, line 22, replace "251,050" with "401,050"

Page 2, line 23, replace "14,952,579" with "15,177,579"

Page 2, line 25, replace "7,503,969" with "7,728,969"

Page 2, line 29, replace "1,138,058" with "1,158,058"

Page 3, line 3, replace "274,204" with "407,204"

Page 3, line 4, replace "4,777,620" with "4,930,620"

Page 3, line 6, replace "2,560,682" with "2,713,682"

Page 3, line 22, replace "584,640" with "834,640"

Page 3, line 24, replace "106,073,266" with "106,323,266"

Page 3, line 26, replace "71,031,658" with "71,281,658"

Page 4, line 3, replace "515,235" with "765,235"

Page 4, line 5, replace "89,542,568" with "89,792,568"

Page 4, line 7, replace "60,850,930" with "61,100,930"

Page 4, line 12, replace "865,491" with "1,365,491"

Page 4, line 15, replace "25,336,119" with "25,836,119"

Page 4, line 17, replace "19,284,314" with "19,784,314"

Page 4, line 24, replace "197,935" with "647,935"

Page 4, line 25, replace "13,359,468" with "13,809,468"

Page 4, line 27, replace "10,300,586" with "10,750,586"

Page 6, line 12, replace "488,660" with "495,260"

Page 6, line 15, replace "604,825" with "611,425"

Page 6, line 17, replace "535,961" with "542,561"

Page 6, line 20, replace "1,254,678" with "1,315,678"

Page 6, line 21, replace "429,449" with "329,449"

Page 6, line 24, replace "1,766,293" with "1,727,293"

Page 6, line 26, replace "1,082,152" with "1,043,152"

Page 7, line 1, replace "15,428,598" with "15,024,598"

Page 7, line 3, replace "54,601,238" with "54,197,238"

Page 7, line 4, replace "28,315,992" with "26,815,992"

Page 7, line 5, replace "26,285,246" with "27,381,246"

Page 7, line 12, replace "250,355,647" with "249,992,065"

Page 7, line 13, replace "153,304,485" with "152,654,485"

Page 7, line 14, replace "403,660,132" with "402,646,550"

Page 9, line 4, after "grants" insert "and reciprocal agreements"

Page 9, line 5, replace "appropriation" with "appropriations"

Page 9, line 7, replace "this appropriation" with "these appropriations"

Page 9, line 8, remove "student assistance"

Page 9, line 18, replace "\$175,000 of the operating expense" with "the \$300,000 higher education planning"

Page 10, after line 1, insert:

- "7. Reeducation and retraining of the workforce, including a review of the existing delivery system and the development of a comprehensive delivery system for adults and industry education and training.
8. Role of higher education in business, community, and economic development, specifically with regard to research, training, and technology knowledge transfer."

Page 10, remove lines 2 through 29

Page 11, remove lines 1 through 15

Page 11, after line 22, insert:

"SECTION 13. AMENDMENT. Section 4-19-03 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

4-19-03. Distribution of seeds and planting stock - ~~Regulations governing~~. Seeds and planting stock from the state nursery may be distributed by the state forester to citizens and landowners of this state upon payment by them of a price not greater than one hundred ten percent of the cost to the state of production in the case of planting stock or collection in the case of seeds, and the cost of transportation from the nursery, except that planting stock distributed for the specific purpose of ~~live snow fence or~~ highway beautification plantings may be distributed free of charge.

SECTION 14. BOARD OF HIGHER EDUCATION - BOND ISSUANCE - PURPOSES. The state board of higher education, in accordance with chapter 15-55, is hereby authorized to issue and sell self-liquidating, tax-exempt bonds in any amount up to but not exceeding eight hundred fifty thousand dollars for the purpose of remodeling/expanding the student union at Minot state university. Bonds issued under the provisions of this Act shall not become a general obligation of the state of North Dakota.

SECTION 15. USE OF PROCEEDS - APPROPRIATION. The proceeds resulting from the sale of bonds authorized under section 14, or so much thereof as may be necessary, plus any available funds received from federal or private sources, are hereby appropriated for the construction and the equipment of the facility authorized in section 14. Any unexpended balances from the sale of bonds shall be placed in sinking funds for the retirement of the authorized bonds.

SECTION 16. TELECOMMUNICATION/TECHNOLOGY PROGRAMS. The amount included in the telecommunications line item in subdivision 1 of section 1 of this Act or such greater amounts as may become available for telecommunications or technology-related programs shall only be spent and/or distributed after consultation with the North Dakota educational telecommunications council to best coordinate telecommunication programs.

SECTION 17. EMERGENCY. This Act is declared to be an emergency measure."

Reumber accordingly

SUMMARY OF CONFERENCE COMMITTEE GENERAL FUND CHANGES TO ENGROSSED SENATE BILL NO. 2003

| | General Fund Appropriation in Engrossed Senate Bill No. 2003 ¹ | Conference Committee Increases ² | Conference Committee Decreases ³ | Proposed Increase (Decrease) to Engrossed Bill | Total General Fund Appropriation With Conference Committee Changes | House Version | Proposed Increase (Decrease) to House Version |
|-----------------------------------|--|---|---|---|--|-----------------------------|--|
| Board of Higher Education | \$ 11,030,807 | \$ 299,800 | | \$(3,255,182) | \$ 7,775,625 | \$ 7,865,975 | \$ (90,350) |
| Bismarck State College | 7,503,969 | 225,000 | | 225,000 | 7,728,969 | 7,542,844 | 204,125 |
| UND-Lake Region | 2,560,682 | 153,000 | | 153,000 | 2,713,682 | 2,585,146 | 128,536 |
| UND-Williston | 2,666,937 | | | | 2,666,937 | 2,535,055 | 131,882 |
| University of North Dakota | 71,031,658 | 250,000 | | 250,000 | 71,281,658 | 71,286,063 | (4,405) |
| UND Medical Center | 26,285,246 | 1,500,000 | (404,000) | 1,096,000 | 27,381,246 | 26,831,555 | 549,691 |
| College of Science | 19,284,314 | 500,000 | | 500,000 | 19,784,314 | 19,819,349 | (35,035) |
| Dickinson State University | 10,300,586 | 450,000 | | 450,000 | 10,750,586 | 10,529,603 | 220,983 |
| Mayville State University | 6,615,916 | | | | 6,615,916 | 6,354,926 | 260,990 |
| Minot State University | 19,063,662 | | | | 19,063,662 | 19,088,543 | (24,881) |
| Valley City State University | 8,475,964 | | | | 8,475,964 | 8,282,349 | 193,615 |
| Forest Service | 1,082,152 | 61,000 | (100,000) | (39,000) | 1,043,152 | 982,152 | 61,000 |
| NDSU-Bottineau | 3,066,863 | | | | 3,066,863 | 3,071,648 | (4,785) |
| State Toxicologist | 535,961 | 6,600 | | 6,600 | 542,561 | 535,961 | 6,600 |
| North Dakota State University | 60,850,930 | 250,000 | | 250,000 | 61,100,930 | 61,049,240 | 51,690 |
| Total Senate Bill No. 2003 | <u>\$250,355,647</u> | <u>\$3,695,400</u> | <u>\$(4,058,982)</u> | <u>\$(363,582)</u> | <u>\$249,992,065</u> | <u>\$248,342,409</u> | <u>\$1,649,656</u> |

¹ Provides annual faculty salary increases of eight percent and seven percent at the four-year universities and six percent and five percent at the two-year colleges, and annual support staff salary increases in accordance with legislative compensation policy contained in House Bill No. 1005 at all institutions.

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| | <u>General</u> <u>Fund</u> |
|--|-------------------------------|
| Conference committee increases consist of: | |
| Board of Higher Education - reciprocal agreements - add 4 veterinary and 2 dentistry slots | \$ 299,800 |
| Bismarck State College - \$75,000 equipment, \$150,000 capital improvements - armory | 225,000 |
| UND-Lake Region - roof (\$20,000 operating, \$133,000 capital improvements) | 153,000 |
| UND-Medical Center - restores general fund portion of Family Practice Center expenses | 1,500,000 |
| College of Science - equipment | 500,000 |
| Dickinson State University - electrical switch | 450,000 |
| UND - critical area adjustment | 250,000 |
| MDSU - critical area adjustment | 250,000 |
| State Toxicologist - faculty salary increase | 6,600 |
| Forest Service - land management salaries | <u>61,000</u> |
| Total | <u>\$3,695,400</u> |

3

| | |
|---|-----------------------|
| Conference committee decreases consist of: | |
| <u>Board of Higher Education</u> | |
| 4 FTE in enhancement (\$331,732 - salaries, \$90,000 - operating, \$10,600 - equipment) | \$ (432,332) |
| Higher education planning | 300,000 |
| Delete planning funds for higher education | (175,000) |
| Reduce telecommunications to \$700,000 | (550,000) |
| Eliminate increase in student financial assistance | (2,400,000) |
| Delete plant contingency line item | <u>(297,650)</u> |
| | <u>\$(3,554,982)</u> |
| <u>Forest Service</u> | |
| Delete Senate addition for lands management program | <u>\$ (100,000)</u> |
| <u>UND Medical Center</u> | |
| Reduce postgraduate stipend funding | \$ (224,000) |
| Reduce funds for community faculty teaching fees | <u>(180,000)</u> |
| | <u>\$ (404,000)</u> |
| Grand total | <u>\$ (4,058,982)</u> |

In addition, these amendments delete the general fund appropriation reduction allocation of \$20 million, authorizes the issuance of \$850,000 of revenue bonds for remodeling or constructing an addition to the Student Union at Minot State University, and amends current law to allow the State Forester to charge 110 percent of the cost of production for seeds and planting stock.

For the Senate: Sens. Waldera, Shea, Lips
For the House: Reps. R. Hausauer, Payne, Mertens

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

SECOND READING OF SENATE BILL

SB 2003: A BILL for an Act to provide an appropriation for defraying the expenses of the state board of higher education and the various institutions of higher learning under the supervision of the state board of higher education; to authorize the state board of higher education to issue and sell self-liquidating, tax-exempt bonds for the remodeling and/or expansion of the student union at Minot state university; to amend and reenact section 4-19-03 of the North Dakota Century Code, relating to the state forester's authority to charge for seeds and planting stock; to provide an exemption to the provisions of section 54-44.1-11 of the North Dakota Century Code; to provide legislative intent regarding student financial assistance grants, higher education planning, telecommunications, membership in the university center for atmospheric research, and the plant improvement contingency fund; 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 47 YEAS, 0 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Axtman; David; Dotzenrod; Ewen; Freborg; Hanson; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelsh; Kinnoin; Krebsbach; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, J.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Olson; Peterson; Redlin; Robinson; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Teneffos; Thane; Todd; Vosper; Waldera; Wogsland; Yockim

NAYS: None

ABSENT AND NOT VOTING: Krauter; Langley; Lashkowitz; Meyer, D.; Meyer, W.; Richard

SB 2003 passed, the title was agreed to, and the emergency clause carried.

MOTIONS

SEN. MAIXNER MOVED that the vote by which SB 2003, SB 2005, and SB 2014 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SEN. MAIXNER MOVED that the rules be suspended and that SB 2003, SB 2005, and SB 2014 be messaged to the House immediately, which motion prevailed.

MESSAGE to the HOUSE from the SENATE (Patricia Conrad, Secretary)

MR. SPEAKER: The Senate has adopted the conference committee report on SB 2003, SB 2005, and SB 2014 and subsequently passed the same.

MOTIONS

SEN. MAIXNER MOVED that the Senate reconsider the action whereby the Senate failed to concur with the House amendments on SB 2270, which motion prevailed.

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SEN. MAIXNER MOVED that the absent members be excused, which motion prevailed.

SEN. MAIXNER MOVED that the Senate be on the Seventh order of business, and at the conclusion of the Seventh order, the Senate be on the Twelfth order of business, and at the conclusion of the Twelfth order, the Senate be on the Sixteenth order of business, and at the conclusion of the Sixteenth order, the Senate stand adjourned until 8:00 a.m., Wednesday, April 19, 1989, which motion prevailed.

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

PATRICIA CONRAD, Secretary