

JOURNAL OF THE SENATE

Fifty-third Legislative Assembly

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Bismarck, April 5, 1993

The Senate convened at 9:00 a.m., with President Myrdal presiding.

The prayer was offered by Fr. Robert Feeney, St. Joseph Catholic Church, Mandan.

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

A quorum was declared by the President.

MOTION

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

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

MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

MADAM PRESIDENT: The House has reconsidered SB 2398 pursuant to Article V, Section 9, of the Constitution of North Dakota for the purpose of overriding the Governor's veto. The House failed to pass SB 2398 over the Governor's veto. The vote was 41 YEAS, 53 NAYS, AND 4 ABSENT AND NOT VOTING. Therefore, the Governor's veto was sustained.

SIGNING OF BILLS AND RESOLUTIONS

The President signed the following enrolled bills and resolutions: SB 2085, SB 2222, SB 2223, SB 2228, SB 2244, SB 2305, SB 2308, SB 2339, SB 2360, SB 2361, SB 2370, SB 2400, SB 2418, SB 2449, SCR 4048, SCR 4052, SCR 4057, SCR 4060, SCR 4065, SCR 4068.

MESSAGE TO THE HOUSE FROM THE SENATE (CAROL SIEGERT, SECRETARY)

MR. SPEAKER: The President has signed and your signature is respectfully requested on: SB 2085, SB 2222, SB 2223, SB 2228, SB 2244, SB 2305, SB 2308, SB 2339, SB 2360, SB 2361, SB 2370, SB 2400, SB 2418, SB 2449, SCR 4048, SCR 4052, SCR 4057, SCR 4060, SCR 4065, SCR 4068.

MESSAGE TO THE HOUSE FROM THE SENATE (CAROL SIEGERT, SECRETARY)

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1015.

REPORT OF DELAYED BILLS COMMITTEE

MADAM PRESIDENT: Your Delayed Bills Committee (Sen. Schoenwald, Chairman) has examined and has cast a unanimous ballot in favor of a bill for an Act to create and enact three new sections to chapter 12.1-35 and a new subsection to section 12.1-35-02 of the North Dakota Century Code, relating to testimony and proceedings involving a witness or victim who is a minor; and to amend and reenact sections 12.1-35-01 and 12.1-35-04 of the North Dakota Century Code, relating to victim and witness standards.

The bill will be SB 2540.

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

REPORT OF DELAYED BILLS COMMITTEE

MADAM PRESIDENT: Your Delayed Bills Committee (Sen. Schoenwald, Chairman) has examined and has cast a unanimous ballot in favor of a concurrent resolution directing the Legislative Council to study methods for funding state, county, and city law enforcement, correctional, and emergency medical

technician training facilities and programs and the feasibility and desirability of establishing a centralized training center for law enforcement, correctional, and emergency medical assistance personnel.

The resolution will be SCR 4075.

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

FIRST READING OF SENATE BILL

Sens. Mathern, Freborg and Reps. Clayburgh, Kerzman introduced:
(Approved by the Delayed Bills Committee)

SB 2540: A BILL for an Act to create and enact three new sections to chapter 12.1-35 and a new subsection to section 12.1-35-02 of the North Dakota Century Code, relating to testimony and proceedings involving a witness or victim who is a minor; and to amend and reenact sections 12.1-35-01 and 12.1-35-04 of the North Dakota Century Code, relating to victim and witness standards.

Was read the first time and referred to the **Human Services Committee**.

FIRST READING OF SENATE CONCURRENT RESOLUTION

Sens. Keller, Graba, Nalewaja and Reps. Nichols, Tollefson, Stenehjem introduced:

(Approved by the Delayed Bills Committee)

SCR 4075: A concurrent resolution directing the Legislative Council to study methods for funding state, county, and city law enforcement, correctional, and emergency medical technician training facilities and programs and the feasibility and desirability of establishing a centralized training center for law enforcement, correctional, and emergency medical assistance personnel.

Was read the first time and referred to the **Natural Resources Committee**.

MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

MADAM PRESIDENT: The Speaker has signed and your signature is respectfully requested on: HB 1009, HB 1096, HB 1168, HB 1180, HB 1181, HB 1225, HB 1344, HB 1469.

MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

MADAM PRESIDENT: The Speaker has signed: SB 2245, SB 2375, SB 2397, SB 2415, SB 2425, SB 2470, SB 2472, SB 2476, SB 2479, SB 2488, SB 2519, SB 2527, SB 2534, SCR 4019.

CONSIDERATION OF AMENDMENTS

HB 1010: SEN. YOCKIM (Appropriations Committee) MOVED that the amendments on SJ pages 1419-1420 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

MOTION

SEN. NETHING MOVED that Engrossed HB 1010 be amended as follows:

In lieu of the amendments to Engrossed House Bill No. 1010 as printed on pages 1419-1420 of the Senate Journal, Engrossed House Bill No. 1010 is amended as follows:

Page 1, line 5, remove "and senior citizens mill levy match"

Page 2, replace lines 10 through 19 with "moneys in the general fund in the state treasury, not otherwise appropriated, to the state treasurer for the purpose of distributing revenue sharing and personal property tax replacement payments to political subdivisions, for the biennium beginning July 1, 1993, and ending June 30, 1995, as follows:

Grants, benefits, and claims	<u>\$51,197,983</u>
Total general fund appropriation	<u>\$51,197,983"</u>

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:**DEPARTMENT 085 - PAYMENTS TO POLITICAL SUBDIVISIONS**

SENATE - This amendment eliminates the \$500,000 general fund appropriation for the senior citizens mill levy match, leaving a \$51,197,983 general fund appropriation for payments to political subdivisions.

REQUEST

SEN. KRAUTER REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to Engrossed HB 1010, which request was granted.

ROLL CALL

The question being on the motion to adopt the proposed amendments to Engrossed HB 1010, the roll was called and there were 19 YEAS, 28 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Bowman; Freborg; Goetz; Grindberg; Holmberg; Lindgren; Mutch; Naaden; Nalewaja; Nelson; Nething; Sand; Solberg; Stenehjem, W.; Streibel; Tennefos; Traynor; Urlacher; Yockim

NAYS: Andrist; DeMers; Dotzenrod; Evanson; Graba; Heinrich; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lips; Marks; Mathern; Maxson; Mushik; O'Connell; Redlin; Robinson; Scherber; Schoenwald; Stenehjem, B.; Tallackson; Thane; Tomac

ABSENT AND NOT VOTING: Jerome; Wogsland

The proposed amendments to Engrossed HB 1010 failed.

REQUEST

SEN. YOCKIM REQUESTED that his vote show as "Nay" on the amendment to HB 1010, which request was granted.

SECOND READING OF HOUSE BILL

HB 1010: A BILL for an Act making an appropriation for state revenue sharing and personal property tax replacement payments to political subdivisions; to provide for a transfer; to provide a statement of legislative intent; and to provide for allotments, reductions, and a transfer.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 41 YEAS, 7 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; DeMers; Dotzenrod; Evanson; Freborg; Goetz; Graba; Grindberg; Heinrich; Holmberg; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Maxson; Mushik; Nalewaja; O'Connell; Redlin; Robinson; Sand; Scherber; Schoenwald; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Thane; Tomac; Traynor; Urlacher; Wogsland; Yockim

NAYS: Bowman; Mutch; Naaden; Nelson; Nething; Solberg; Tennefos

ABSENT AND NOT VOTING: Jerome

HB 1010 passed and the title was agreed to.

POINT OF PERSONAL PRIVILEGE

SEN. NETHING: Madam President: I rise on a point of personal privilege and request that my remarks be printed in the Journal.

Madam President, I voted against HB 1010 because I am fundamentally opposed to keeping these funds in a special fund. I am also opposed to the other amendments to the bill. I have been supportive of funding for the cities, counties, park districts, and townships and will continue to be supportive in the future.

MOTION

SEN. MATHERN MOVED that the Senate resolve itself into a Confirmation Session, which motion prevailed.

REPORT OF SELECT COMMITTEE

MADAM PRESIDENT: Your Select Committee (Sen. Tomac, Chairman) appointed to consider the nomination for Securities Commissioner does advise and consent to the appointment of: Cal Hoovestol

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

ROLL CALL

The question being "will the Senate advise and consent to the nomination of Cal Hoovestol, for Securities Commissioner", the roll was called and there were 46 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; DeMers; Evanson; Freborg; Goetz; Graba; Grindberg; Heinrich; Holmberg; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Maxson; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Robinson; Sand; Scherber; Schoenwald; Solberg; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wogsland; Yockim

ABSENT AND NOT VOTING: Dotzenrod; Jerome; Redlin

The Senate advises and consents to the nomination of Cal Hoovestol for Securities Commissioner.

MOTION

SEN. WOGSLAND MOVED that the Confirmation Session be dissolved, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

SEN. DOTZENROD MOVED that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on HB 1399, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on HB 1399: Sens. Dotzenrod, Tomac, Tennefos.

REPORT OF CONFERENCE COMMITTEE

SEN. MAXSON MOVED that the conference committee report on SB 2042 be adopted, which motion prevailed.

SB 2042, as amended, was placed on the Eleventh order.

SECOND READING OF SENATE BILL

SB 2042: A BILL for an Act to create and enact two new subsections to section 12.1-32-02 and a new subsection to section 54-23.3-04 of the North Dakota Century Code, relating to presentence reports in certain felony cases; to amend and reenact section 12.1-32-15 of the North Dakota Century Code, relating to the registration requirements for individuals convicted of crimes against children and individuals convicted of sexual offenses; to repeal sections 12.1-20-18, 12.1-20-19, 12.1-20-20, 12.1-20-21, 12.1-20-22, and 12.1-20-23 of the North Dakota Century Code, relating to the registration of individuals convicted of sexual offenses; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; DeMers; Dotzenrod; Evanson; Freborg; Goetz; Graba; Grindberg; Heinrich; Holmberg; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Maxson; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Robinson; Sand; Scherber; Schoenwald; Solberg; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wogsland; Yockim

ABSENT AND NOT VOTING: Jerome; Redlin

SB 2042 passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

SEN. TOMAC MOVED that the conference committee report on Engrossed SB 2101 be adopted, which motion prevailed.

Engrossed SB 2101, as amended, was placed on the Eleventh order.

SECOND READING OF SENATE BILL

SB 2101: A BILL for an Act to create and enact a new section to chapter 47-30.1 of the North Dakota Century Code, relating to making confidential the audit records under the uniform abandoned property act; and to provide a civil penalty.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; DeMers; Dotzenrod; Evanson; Freborg; Goetz; Graba; Grindberg; Heinrich; Holmberg; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Maxson; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Robinson; Sand; Scherber; Schoenwald; Solberg; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wogsland; Yockim

ABSENT AND NOT VOTING: Jerome; Redlin

SB 2101 passed and the title was agreed to.

MESSAGE TO THE HOUSE FROM THE SENATE (CAROL SIEGERT, SECRETARY)

MR. SPEAKER: The Senate has adopted the conference committee report and subsequently passed: HB 1187, HB 1188, HB 1304, HB 1438, HB 1462, HB 1479, HB 1490.

MESSAGE TO THE HOUSE FROM THE SENATE (CAROL SIEGERT, SECRETARY)

MR. SPEAKER: The Senate has adopted the conference committee report on HB 1019, HB 1079, HB 1111, HB 1238, HB 1239, HB 1374.

MESSAGE TO THE HOUSE FROM THE SENATE (CAROL SIEGERT, SECRETARY)

MR. SPEAKER: The Senate has concurred in the House amendments and subsequently passed: SB 2403.

MESSAGE TO THE HOUSE FROM THE SENATE (CAROL SIEGERT, SECRETARY)

MR. SPEAKER: The Senate has adopted the conference committee report and subsequently passed: SB 2279.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bills were delivered to the Governor for his approval at the hour of 2:04 p.m., April 5, 1993: SB 2245, SB 2375, SB 2397, SB 2415, SB 2425, SB 2470, SB 2472, SB 2476, SB 2479, SB 2488, SB 2519, SB 2527, SB 2534.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bills were delivered to the Governor for his approval at the hour of 2:04 p.m., April 5, 1993: SB 2033, SB 2036, SB 2049, SB 2060, SB 2068, SB 2079, SB 2093, SB 2116, SB 2122, SB 2123, SB 2128, SB 2130, SB 2133, SB 2142, SB 2143, SB 2148, SB 2153, SB 2161, SB 2176, SB 2184, SB 2189, SB 2211, SB 2243, SB 2251, SB 2255, SB 2265, SB 2276, SB 2288, SB 2290, SB 2306, SB 2313, SB 2333, SB 2334, SB 2390.

MOTION

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

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

MESSAGE TO THE HOUSE FROM THE SENATE (CAROL SIEGERT, SECRETARY)

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

HB 1399: Sens. Dotzenrod; Tomac; Tennefos

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following resolution was delivered to the Secretary of State for his filing at the hour of 2:52 p.m., April 5, 1993: SCR 4019.

MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

MADAM PRESIDENT: The House does not concur in the Senate amendments to HB 1004, HB 1018, and HB 1511 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1004: Reps. Byerly; Payne; Wilkie
 HB 1018: Reps. Dalrymple; DeWitz; Wilkie
 HB 1511: Reps. Stenehjem; Henegar; Boucher

MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

MADAM PRESIDENT: The House has failed to pass: SB 2217, SB 2238.

MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

MADAM PRESIDENT: The House has passed unchanged: SCR 4072.

MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

MADAM PRESIDENT: The House has adopted the conference committee report and subsequently passed: SB 2289, SB 2328, SB 2362.

MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

MADAM PRESIDENT: The House has adopted the conference committee report, subsequently passed, and the emergency clause carried on SB 2320.

CORRECTION AND REVISION OF THE JOURNAL

MADAM PRESIDENT: Your Committee on Correction and Revision of the Journal (Sen. Yockim, Chairman) has carefully examined the Journal of the Sixty-first Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 1420, line 26, replace "W. Stenehjem, Traynor, Maxson" with "Maxson, Traynor, W. Stenehjem"

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

COMMUNICATION FROM GOVERNOR EDWARD T. SCHAFER

March 25, 1993

I am returning SB 2447, and hereby veto the same.

The bill seeks to establish guidelines for contract negotiations between teachers and the school board in a consortium district. I am, however, troubled by the following passage within the legislation:

"If the issue has not been resolved, the commission shall, between ten and twenty days after transmittal, make its finding and recommendations public. If any issue remains unresolved fifteen days prior to the election, the parties shall adopt the recommendation of the commission as to the unresolved issue."

SB 2447 basically establishes binding arbitration for consortium districts. The voters of North Dakota in June 1992 made their intentions clear by successfully referring binding arbitration legislation passed in the 1991 Legislature.

MOTION

SEN. MATHERN MOVED that SB 2447 be reconsidered pursuant to Article V, Section 9, of the Constitution of North Dakota for the purpose of overriding the Governor's veto, which motion prevailed.

RECONSIDERATION OF A VETOED MEASURE

SB 2447: A BILL for an Act to create and enact a new subsection to section 15-27.6-04 of the North Dakota Century Code, relating to negotiations between teachers and interim district school boards.

ROLL CALL

The question being on the passage of the amended bill, as enrolled over the Governor's veto, which has been read, the roll was called and there were 25 YEAS, 21 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: DeMers; Dotzenrod; Evanson; Graba; Heinrich; Holmberg; Keller; Kelly; Kelsh; Kinnoin; Lindaas; Lips; Marks; Mathern; Maxson; Mushik; O'Connell; Robinson; Scherber; Schoenwald; Stenehjem, W.; Tallackson; Thane; Wogsland; Yockim

NAYS: Andrist; Bowman; Freborg; Goetz; Grindberg; Krauter; Krebsbach; Langley; Mutch; Naaden; Nalewaja; Nelson; Nething; Sand; Solberg; Stenehjem, B.; Streibel; Tennefos; Tomac; Traynor; Urlacher

ABSENT AND NOT VOTING: Jerome; Lindgren; Redlin

The Senate sustained the Governor's veto on SB 2447.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. KELSH MOVED that the Senate do concur in the House amendments to Engrossed SB 2523 as printed on SJ pages 1346-1348, which motion prevailed.

Engrossed SB 2523, as amended, was placed on the Eleventh order.

SECOND READING OF SENATE BILL

SB 2523: A BILL for an Act to amend and reenact sections 63-01.1-02, 63-01.1-03, 63-01.1-04, 63-01.1-04.1, 63-01.1-05, 63-01.1-05.1, 63-01.1-06, 63-01.1-08, 63-01.1-12.1, 63-01.1-12.2, 63-01.1-13, and 63-01.1-15 of the North Dakota Century Code, relating to noxious weed

control and pest control by county weed boards; and to repeal sections 63-01.1-06.1, 63-01.1-06.2, 63-01.1-06.3, 63-01.1-06.4, 63-01.1-06.5, 63-01.1-06.6, 63-01.1-13.1, 63-01.1-16, and 63-01.1-17 of the North Dakota Century Code and sections 2, 3, 4, 6, 7, 9, and 10 of House Bill No. 1054, as approved by the fifty-third legislative assembly, relating to the leafy spurge and cannabis control programs, the control of noxious weeds on game and fish property, judicial review of rules, actions, and penalties relating to noxious weed control, and pest control by county weed boards.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 46 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; DeMers; Dotzenrod; Evanson; Freborg; Goetz; Graba; Grindberg; Heinrich; Holmberg; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lips; Marks; Mathern; Maxson; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Robinson; Sand; Scherber; Schoenwald; Solberg; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wogsland; Yockim

ABSENT AND NOT VOTING: Jerome; Lindgren; Redlin

SB 2523 passed and the title was agreed to.

MOTION

SEN. TOMAC MOVED that the Senate reconsider its action whereby SB 2101 passed, which motion prevailed.

MOTION

SEN. TOMAC MOVED that the Senate reconsider its action whereby the Senate concurred on the conference committee report and reject the conference committee report on SB 2101, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

MADAM PRESIDENT: Your procedural Committee on Committees (Sen. Wogsland, Chairman) respectfully submits the following names for your Select Committee to consider the nomination of James Wang to serve on the North Dakota State Gaming Commission: Sens. Keller, Kelsh, Redlin, O'Connell, Lindgren, Bowman, and Grindberg.

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

MOTION

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

MOTION

SEN. MATHERN MOVED that the Senate be on the Fourth, Fifth, Seventh, Twelfth, and Sixteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 9:00 a.m., Tuesday, April 6, 1993, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1017, as engrossed: Appropriations Committee (Sen. Tallackson, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1017 was placed on the Sixth order on the calendar.

Page 1, line 15, replace "9,893,723" with "9,529,941"

Page 1, line 16, replace "1,351,407" with "1,450,065"

Page 1, line 17, replace "3,553,126" with "4,564,853"

Page 1, line 20, replace "1,319,931" with "663,865"

Page 2, line 2, replace "21,008,179" with "21,098,716"

Page 2, line 3, replace "20,997,776" with "21,088,343"

Page 2, line 4, replace "10,403" with "10,373"

Page 2, line 6, replace "\$20,904,633" with "\$20,995,200"

ReNUMBER accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 485 - WORKERS COMPENSATION BUREAU

SENATE - This amendment increases the salaries and wages line item by \$100,000 from other funds to provide the necessary funding to change 25 temporary employees to 25 authorized FTEs and decreases salaries and wages by \$463,782 from other funds for the elimination of 5 FTE staff attorneys added by the House for a net decrease of \$363,782.

The total authorized FTEs would be 155.5, an increase of 21 FTEs from the House level of 134.5 FTEs. The increase in FTEs is composed of the following:

House authorized FTE level	134.5
25 new FTEs	25
Reduce FTEs transferred to Insurance Commissioner, for boiler inspections program, from 3 FTEs to 2 FTEs	1
Remove 5 FTE staff attorneys (added by the House)	<u>(5)</u>
Senate authorized FTE level	155.5

This amendment increases the information services line item by \$98,658 from other funds and decreases the imaging project line item by \$98,658 to restore a portion of the funding transferred by the House.

This amendment decreases the operating expenses line item by \$9,463, of which \$30 is from the general fund and \$9,433 is from other funds, to remove the general fund portion of the indirect cost allocation payments and reduce the other funds portion from \$60,166 to \$50,733. In total, the indirect cost allocation payments were reduced by \$9,463, from \$60,196 to \$50,733. This amendment also increases the operating expenses line item by \$1,021,190 from other funds, of which \$463,782 is being transferred from the salaries and wages line item and \$557,408 is being transferred from the imaging project line item. The \$1,021,190 and the \$117,760 already in operating expenses provides a total of \$1,138,950 for payments to the Attorney General's office for legal fees. In total, the operating expenses line is increased by \$1,011,727.

The imaging project line item is decreased by \$656,066 of other funds, of which \$98,658 is being transferred to the information services line item and \$557,408 is being transferred to the operating expenses line item.

In total, this amendment reduces the general fund appropriation to the Workers Compensation Bureau by \$30 and increases the other funds appropriation by \$90,567 for a net increase of \$90,537.

REPORT OF STANDING COMMITTEE

HB 1435, as engrossed: Appropriations Committee (Sen. Tallackson, Chairman) recommends DO NOT PASS (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1435 was placed on the Fourteenth order on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2379: Your conference committee (Sens. Scherber, O'Connell, Grindberg and Reps. Gates, Torgerson, Goffe) recommends that the HOUSE RECEDE from the House amendments on SJ page 860 and place SB 2379 on the Seventh order.

SB 2379 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SCR 4038: Your conference committee (Sens. Graba, Maxson, Andrist and Reps. Tollefson, Bernstein, Kilichowski) recommends that the HOUSE RECEDE from the House amendments on SJ page 1281 and place SCR 4038 on the Seventh order.

SCR 4038 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

HB 1300: Your conference committee (Sens. Heinrich, Scherber, Evanson and Reps. Porter, Torgerson, Hanson) recommends that the HOUSE ACCEDE to the Senate amendments on SJ pages 823-824 and place HB 1300 on the Seventh order.

HB 1300 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

HB 1349: Your conference committee (Sens. Jerome, Graba, Lindgren and Reps. Drovdal, Wanzek, Grumbo) recommends that the SENATE RECEDE from the Senate amendments on SJ page 1020, adopt amendments as follows, and place HB 1349 on the Seventh order:

That the Senate recede from its amendments as printed on page 1312 of the House Journal and page 1020 of the Senate Journal and that House Bill No. 1349 be amended as follows:

Page 1, line 3, replace "; and to" with a period

Page 1, remove lines 4 and 5

Page 1, line 10, remove the overstrike over "A" and remove "There is no limitation of time within which a"

Page 1, line 11, remove "must be commenced"

Page 1, line 13, remove the overstrike over "~~must be commenced in the~~"

Page 1, line 14, remove the overstrike over "~~proper court within seven years after the commission of the offense~~" and after "offense" insert "or, if the victim failed to report the offense within this limitation period, within three years after the offense was reported to law enforcement authorities"

Page 1, remove lines 15 and 16

Renumber accordingly

HB 1349 was placed on the Seventh order of business on the calendar.

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

CAROL SIEGERT, Secretary