

JOURNAL OF THE HOUSE

Fifty-sixth Legislative Assembly

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Bismarck, February 16, 1999

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

The prayer was offered by Reverend George Walker, Chaplain for the Bismarck Law Enforcement Center, Bismarck.

The roll was called and all members were present.

A quorum was declared by the Speaker.

CORRECTION AND REVISION OF THE JOURNAL

MR. SPEAKER: Your **Committee on Correction and Revision of the Journal (Rep. DeKrey, Chairman)** has carefully reexamined the Journal of the Twenty-eighth Day and reexamined the Journal of the Twenty-ninth Day and recommends that they be corrected as follows and when so corrected, recommends that they be approved:

Page 440, line 12, replace "15" with "9" and replace the first "0" with "6"

Page 471, after line 7, insert:

"MESSAGE TO THE SENATE FROM THE HOUSE (LANCE HAGEN, CHIEF CLERK)
MADAM PRESIDENT: The House has passed and your favorable consideration is requested on: HCR 3056."

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

MOTION

REP. DORSO MOVED that all the amendments on the Sixth order of business, with the exception of HB 1024, be adopted, which motion prevailed.

MOTION

REP. DORSO MOVED that House Rule 601(3)(c) be suspended, which motion prevailed.

SIXTH ORDER OF BUSINESS

HB 1024: REP. DEKREY (Judiciary Committee) MOVED that the amendments on HJ pages 509-511 be adopted.

REQUEST

REP. DEKREY REQUESTED that the House divide the amendments to HB 1024.

ANNOUNCEMENT

SPEAKER WALD ANNOUNCED that in accordance with House Rule 603, page 129, that whenever the report of any committee, except a conference committee, contains several amendments, any member may have the amendments divided into separate divisions. The question of adoption must be taken separately on each amendment. All approved divisions comprise the report that is to be adopted, therefore Representative DeKrey's request was granted.

DIVISION A

Page 1, line 3, replace the second "and" with ", subsections 4 and 7 of section 28-32-02,"

Page 1, line 4, after "28-32-03.3" insert ", and section 28-32-04"

Page 1, line 5, replace "and" with ", administrative rulemaking procedures,"

Page 1, line 6, after "rules" insert ", and petitions for reconsideration of administrative rules" and remove "to repeal section 28-32-04 of the North Dakota Century Code, relating to"

Page 1, line 7, remove "petitions for reconsideration of administrative rulemaking;"

Page 1, line 13, remove the overstrike over "~~28-32-04~~" and remove "28-32-03.3"

Page 1, after line 15, insert:

"SECTION 2. AMENDMENT. Subsections 4 and 7 of section 28-32-02 of the 1997 Supplement to the North Dakota Century Code are amended and reenacted as follows:

4. The agency's notice of the proposed adoption, amendment, or repeal of a rule must include a short, specific explanation of the proposed rule and the purpose of the proposed rule, a determination of whether the proposed rulemaking is expected to have an impact on the regulated community in excess of fifty thousand dollars, identify at least one location where interested persons may review the text of the proposed rule, provide the address to which written data, views, or arguments concerning the proposed rule may be sent, provide a phone number at which a copy of the rules and regulatory analysis may be requested, and, in the case of a substantive rule, provide the time and place set for each oral hearing. The notice must be filed with the office of the legislative council and published at least twice in each daily newspaper of general circulation published in this state. The agency shall mail a copy of the notice to each person who has made a timely request to the agency for a mailed copy of the notice. The agency may mail or otherwise provide a copy of the notice to any person who is likely to be an interested person. The agency shall mail or deliver a copy of the rules to any person requesting a copy. The agency may charge for the actual cost of providing copies of the proposed rule. At least ~~thirty~~ fourteen days must elapse between the later of the date of the second publication of the notice or the date the legislative council mails copies of an agency's notice and the date of the hearing. ~~The thirty day period begins on the first business day of the month in which the notices must be mailed or on the date of the second publication, whichever is later. At least fourteen days before the hearing, the agency shall provide the attorney general a copy of the notice and the proposed rules.~~ Subject to subsection 5, notices filed on or before the last calendar day of the preceding month must be mailed by the legislative council on the first business day of the following month to any person making a request. The agency shall allow, after the conclusion of any rulemaking hearing, a comment period of not less than ~~thirty~~ fourteen days during which data, views, or arguments concerning the proposed rulemaking will be received by the agency and made a part of the rulemaking record to be considered by the agency.

7. Every rule ~~proposed~~ submitted to the attorney general by any administrative agency must be ~~submitted to reviewed by~~ reviewed by the attorney general for an opinion as to its legality before final adoption, ~~and the~~ The attorney general shall ~~promptly~~ promptly furnish ~~each such~~ the agency a preliminary opinion, based upon the rules as submitted, by the close of the comment period for those rules. After the close of the comment period, the agency shall advise the attorney general of each change to the proposed rules made in contemplation of final adoption and the attorney general shall promptly furnish an opinion as to legality of the rules contemplated for final adoption. The attorney general may not approve any rule as to legality when the rule exceeds the statutory authority of the agency or is written in a manner that is not concise or easily understandable, or when the procedural requirements for adoption of the rule in this chapter are not substantially met. The attorney general shall advise an agency of any revision or rewording of a rule necessary to correct objections as to legality."

Page 3, line 14, replace "The" with "Upon request of any person substantially interested in the effect of a rule who has previously petitioned the adopting agency for review of the rule under section 28-32-04 or upon request of the adopting agency, the"

Page 3, replace lines 21 and 22 with:

"SECTION 6. AMENDMENT. Section 28-32-04 of the North Dakota Century Code is amended and reenacted as follows:

28-32-04. Petition for ~~reconsideration~~ review of rule - Hearing by agency. Any person substantially interested in the effect of a rule adopted by an administrative agency may petition such agency for ~~a reconsideration~~ review of the effect and consideration of any such the rule or for ~~an~~ consideration of amendment or repeal ~~thereof~~ of the rule. ~~Such~~ The petition must state clearly and concisely the petitioners' alleged grounds for ~~such reconsideration~~ the review, or for the proposed repeal or amendment of ~~such~~ the rule. The agency ~~in its discretion~~ shall grant the petitioner a public hearing if the petitioner has not previously petitioned the agency under this section and otherwise may grant the petitioner a public hearing, upon such terms and conditions as the agency may prescribe."

Page 3, line 23, after the second period insert "Section 2 of this Act is effective for administrative rulemaking proceedings for which the notice of rulemaking is published after July 31, 1999.", replace "2" with "3", and replace "4" with "5"

Page 3, line 25, replace "3" with "4"

The question being on the adoption of Division A of the proposed amendments to HB 1024, which motion prevailed on a verification vote.

DIVISION B

Page 2, line 2, after the period insert "The membership of the administrative rules committee must include an equal number of members from each of the two political parties having the most members in the legislative assembly."

Page 3, line 20, after the underscored period insert "Notice of the time and place the rule will be reviewed must be published at least twice in each daily newspaper of general circulation published in this state."

The question being on the adoption of Division B of the proposed amendments to HB 1024, which motion failed on a verification vote.

The question then was on the adoption of the amendments to HB 1024 including Division A and excluding Division B, which motion prevailed on a voice vote. HB 1024, as amended, including Division A and excluding Division B, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1024: A BILL for an Act to create and enact section 28-32-03.4 of the North Dakota Century Code, relating to authority of the administrative rules committee to call up existing administrative rules for review; to amend and reenact subsection 1 of section 4-18.1-20, subsections 4 and 7 of section 28-32-02, subsection 1 of section 28-32-03.3, and section 28-32-04 of the North Dakota Century Code, relating to statutory references to administrative rulemaking provisions, administrative rulemaking procedures, authority of the administrative rules committee to void or object to administrative rules, and petitions for reconsideration of administrative rules; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 68 YEAS, 30 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Belter; Berg; Bernstein; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Froseth; Galvin; Grande; Grosz; Gunter; Haas; Hawken; Henegar; Herbel; Hoffner; Jensen; Johnson, D.; Johnson, N.; Kelsch, R.; Kempenich; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lloyd; Martinson; Meyer; Mickelson; Monson; Nelson; Nicholas; Nottestad; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Stefanowicz; Svedjan; Thoreson, B.; Thoreson, L.; Timm; Tollefson; Weisz; Wikenheiser; Speaker Wald

NAYS: Aarsvold; Boucher; Delmore; Ekstrom; Fairfield; Froelich; Glassheim; Gordor; Grumbo; Gullerson; Hanson; Huether; Keiser; Kelsh, S.; Kerzman; Lemieux; Lundgren; Mahoney; Maragos; Metcalf; Mueller; Nichols; Niemeier; Nowatzki; Solberg; Sveen; Thorpe; Warner; Wentz; Winrich

Engrossed HB 1024 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1311: A BILL for an Act to provide for the regulation and licensing of persons who administer radiologic procedures and establishing a radiology technology board of examiners; to create a new subsection to section 43-12.1-08 of the North Dakota Century Code, relating to radiography practiced by a nurse; and to provide a penalty.

MOTION

REP. KEMPENICH MOVED the previous question, which motion prevailed.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 47 YEAS, 51 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Boehm; Brekke; Cleary; Delmore; Disrud; Eckre; Ekstrom; Galvin; Glassheim; Grosz; Grumbo; Gunter; Hanson; Hawken; Henegar; Hoffner; Huether; Jensen; Keiser; Kelsh, S.; Klemmin; Koppang; Kroeber; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Meyer; Mueller; Nichols; Nottestad; Porter; Renner; Rose; Sandvig; Solberg; Stefanowicz; Sveen; Thoreson, L.; Thorpe; Tollefson; Warner; Wentz; Wikenheiser; Winrich; Speaker Wald

NAYS: Aarsvold; Belter; Berg; Bernstein; Boucher; Brandenburg; Brusegaard; Byerly; Carlisle; Carlson; Clark; Dalrymple; DeKrey; Delzer; Devlin; Dorso; Drovdal; Fairfield; Froelich; Froseth; Gorder; Grande; Gullerson; Haas; Herbel; Johnson, D.; Johnson, N.; Kelsch, R.; Kempenich; Kerzman; Klein; Kliniske; Koppelman; Lemieux; Metcalf; Mickelson; Monson; Nelson; Nicholas; Niemeier; Nowatzki; Pollert; Poolman; Price; Rennerfeldt; Schmidt; Severson; Svedjan; Thoreson, B.; Timm; Weisz

Engrossed HB 1311 was declared lost.

SECOND READING OF HOUSE BILL

HB 1345: A BILL for an Act to amend and reenact section 57-36-32 of the North Dakota Century Code, relating to the rate of tax on the sale of cigarettes; to provide an appropriation for school nursing project grants; and to provide an effective date.

MOTION

REP. DEKREY MOVED the previous question, which motion prevailed.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 33 YEAS, 65 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Boucher; Cleary; Delmore; Ekstrom; Fairfield; Froelich; Glassheim; Gullerson; Hanson; Henegar; Hoffner; Jensen; Keiser; Kelsh, S.; Kerzman; Kroeber; Lemieux; Lundgren; Metcalf; Mueller; Niemeier; Nottestad; Rose; Sandvig; Schmidt; Solberg; Stefanowicz; Sveen; Thorpe; Warner; Wentz; Winrich

NAYS: Belter; Berg; Bernstein; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Dalrymple; DeKrey; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Froseth; Galvin; Gorder; Grande; Grosz; Grumbo; Gunter; Haas; Hawken; Herbel; Huether; Johnson, D.; Johnson, N.; Kelsch, R.; Kempenich; Klein; Klemmin; Kliniske; Koppang; Koppelman; Lloyd; Mahoney; Maragos; Martinson; Meyer; Mickelson; Monson; Nelson; Nicholas; Nichols; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Severson; Svedjan; Thoreson, B.; Thoreson, L.; Timm; Tollefson; Weisz; Wikenheiser; Speaker Wald

Engrossed HB 1345 was declared lost.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3017: A concurrent resolution for the amendment of section 13 of article I of the Constitution of North Dakota, relating to the right to a jury trial.

MOTION

REP. GALVIN MOVED the previous question, which motion prevailed on a verification vote.

ROLL CALL

The question being on the adoption of the amended resolution, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 63 YEAS, 35 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Belter; Berg; Bernstein; Boehm; Brandenburg; Brekke; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Disrud; Dorso; Froseth; Galvin; Gorder; Grande; Grosz; Gullerson; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Klein; Klemmin; Kliniske; Koppang;

Lemieux; Mahoney; Maragos; Martinson; Metcalf; Mickelson; Monson; Nelson; Nicholas; Nowatzki; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Severson; Solberg; Svedjan; Thoreson, B.; Thoreson, L.; Timm; Tollefson; Weisz; Wentz; Wikenheiser

NAYS: Aarsvold; Boucher; Brusegaard; Byerly; Delmore; Delzer; Devlin; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Glassheim; Grumbo; Gunter; Kelsh, S.; Kerzman; Koppelman; Kroeber; Lloyd; Lundgren; Meyer; Mueller; Nichols; Niemeier; Nottestad; Pollert; Sandvig; Schmidt; Stefonowicz; Sveen; Thorpe; Warner; Winrich; Speaker Wald

Engrossed HCR 3017 was declared adopted on a roll call vote.

SECOND READING OF HOUSE BILL

HB 1034: A BILL for an Act to create and enact title 15.1 of the North Dakota Century Code, relating to elementary and secondary education; to repeal chapter 15-21, sections 15-21.1-01, 15-21.1-02, 15-21.1-03, 15-21.1-04, 15-21.1-05, 15-21.1-06, 15-21.1-07, 15-21.1-09, chapters 15-21.2, 15-22, 15-27.1, 15-27.2, 15-27.3, 15-27.4, 15-27.5, 15-27.6, 15-27.7, 15-28, sections 15-29-01, 15-29-01.1, 15-29-02, 15-29-03, 15-29-03.1, 15-29-04, 15-29-05, 15-29-06, 15-29-07, 15-29-08, 15-29-08.4, 15-29-09, 15-29-10, 15-29-11, 15-29-13, 15-29-14, 15-34.2-12, 15-34.2-13, 15-34.2-14, 15-34.2-17, 15-34.2-18, 15-35-01.2, 15-35-09, 15-35-11, 15-35-12, 15-35-14, 15-38-04.1, 15-38-06, 15-38-13, 15-38-13.1, 15-38-13.2, 15-41-01, 15-41-02, 15-41-03, 15-41-04, 15-41-05, 15-41-07, 15-41-08, 15-41-27, chapter 15-41.1, sections 15-43-11.1, 15-43-11.2, 15-43-11.3, 15-43-11.4, 15-44-06, 15-44-09, 15-44-10, 15-44-11, chapter 15-46, sections 15-47-01, 15-47-01.1, 15-47-02.1, 15-47-04, 15-47-05, 15-47-06, 15-47-07, 15-47-08, 15-47-09, 15-47-10, 15-47-11, 15-47-12, 15-47-13, 15-47-14, 15-47-15, 15-47-16, 15-47-21, 15-47-22, 15-47-24, 15-47-25, 15-47-29, 15-47-30, 15-47-30.1, 15-47-31, 15-47-32, 15-47-33, 15-47-33.1, 15-47-36, 15-47-37, 15-47-39, 15-47-40, 15-47-40.1, 15-47-41, 15-47-43, 15-47-44.1, 15-47-44.2, 15-47-47, 15-47-48, 15-47-49, 15-47-50, 15-47-51, chapters 15-48, 15-49, 15-51, 15-64, and 15-65 of the North Dakota Century Code, relating to elementary and secondary education provisions addressed in the creation of North Dakota Century Code title 15.1; to provide penalties; and to provide a continuing appropriation.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 97 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gullerson; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

ABSENT AND NOT VOTING: Warner

Engrossed HB 1034 passed and the title was agreed to.

MOTION

REP. DORSO MOVED that HB 1035 be placed at the top of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1035: A BILL for an Act to create and enact a new section to chapter 15-38.1 of the North Dakota Century Code, relating to teacher negotiations; and to amend and reenact section 11-10-10.5, subsection 1 of section 12.1-05-05, sections 15-20.2-04, 15-36-12, 15-41-25, 15-47-42, subsection 1 of section 15-47-46, section 15-59.2-02, subsection 5 of section 40-01.1-04, subsection 1 of section 54-07-01.2, and subsection 4 of section

57-39.2-04 of the North Dakota Century Code, relating to cross references to statutes in the education title.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 97 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovda; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleson; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

ABSENT AND NOT VOTING: Warner

HB 1035 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1108: A BILL for an Act to create and enact five new sections to chapter 57-34 of the North Dakota Century Code, relating to the audit and assessment of telecommunications carriers, deficiency notice, protest and appeal procedure, claim for credit or refund of the tax on telecommunications carriers, preservation of records, and resale certificates; to amend and reenact sections 57-34-01, 57-34-02, 57-34-03, 57-34-06, and 57-34-10 of the North Dakota Century Code, relating to definitions, identification of taxable resellers and pay telephone operators, elimination of tentative assessments, allocation of revenue, filing extensions, tax liabilities of less than five dollars, and interest and lien provisions; to provide for retroactive application; to provide an effective date; and to provide an expiration date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 69 YEAS, 28 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Belter; Berg; Bernstein; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovda; Eckre; Froseth; Galvin; Gorder; Grande; Grosz; Gunter; Haas; Hawken; Henegar; Herbel; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Klein; Klemin; Kliniske; Koppang; Koppelman; Lloyd; Maragos; Martinson; Mickelson; Monson; Nelson; Nicholas; Nichols; Nottestad; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Severson; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Speaker Wald

NAYS: Aarsvold; Boucher; Cleary; Ekstrom; Fairfield; Froelich; Glassheim; Grumbo; Gulleson; Hoffner; Kelsh, S.; Kerzman; Kroeber; Lemieux; Lundgren; Mahoney; Metcalf; Meyer; Mueller; Niemeier; Nowatzki; Rose; Sandvig; Schmidt; Solberg; Stefonowicz; Thorpe; Winrich

ABSENT AND NOT VOTING: Hanson

Engrossed HB 1108 passed and the title was agreed to.

MOTION

REP. DORSO MOVED that the House stand in recess until 1:30 a.m., which motion prevailed.

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

SPECIAL ORDER OF BUSINESS**ANNOUNCEMENT**

SPEAKER WALD ANNOUNCED that the House would be on a Special Order of Business.

SPEAKER WALD APPOINTED Representatives Monson and Gulleon to the Escort Committee and the Honorable Byron L. Dorgan, U.S. Senator was escorted to the rostrum.

MOTION

REP. GULLESON MOVED that the remarks of the Honorable Byron L. Dorgan, U.S. Senator be printed in the Journal, which motion prevailed.

REMARKS OF HONORABLE BYRON L. DORGAN, UNITED STATES SENATOR

Mr. Speaker and members of the State House it's a pleasure for me to be here, in fact it's a pleasure to be anywhere. As you know if you have watched the U.S. Senate at the start of the sessions for the last five weeks the admonition by the sergeant-at-arms with a 160-year old admonition was "Hear Ye, Hear Ye, all Senators present know under the pain of imprisonment they shall remain silent during the conduct of the Senate's business." So I have remained silent for five weeks and your invitation was fortuitous because I have so much to say, but I won't say it all.

As all of us know this is the last year of this century and we look forward to the first year of the new century and those of us working in the U.S. Congress and those of you working in the state legislature know that there are two enduring truths that have been present for a quarter of a century as we have done the people's business. One is a cold war with the Soviet Union and the second is a crippling federal budget deficit, both are gone. There is no cold war, it's over and the federal budget deficit is gone. We have a surplus. That changes most of everything. Our economy is the strongest in the world and we have what every textbook in the field of economics would aspire to for every economy. The two twin economic goals of any economy is to have stable prices and full employment and this country has both.

The question that is what do we do, what is our new agenda, given all of this good news, and it is good news. This country is healthy and growing and its economy is the envy of the world. In every indices is positive, homeownership, up, up, way up, record highs. Crime down. Employment up. Inflation down. All of the indices represent good news. So what then is this partnership in the legislative process requiring us to do, you and the state legislature and those of us in the U.S. Congress. Well, there's a lot to do. We are spending more in block grants, sending money to the states with fewer restrictions and more flexibility for its spending, and I think that makes good sense.

We also have a common agenda--better schools. All of us want better schools for our children. We understand that better schools come from school boards and the funding for those schools comes largely from the state legislature. Well, we also understand that things like school construction, repair and maintenance of school buildings can be helped by federal legislation. At the end of the second world war when the American GIs came home we had the largest baby crop ever produced in our country. Those GIs went to school on the GI bill, got jobs, and began to build schools. And we built schools all over this country for those children. Many of those schools now are very old and they are showing wear and need repair and the money is not so easily available for school construction to rebuild and repair. We are going to pass a bill, I'm convinced, this year in the Congress and I think with bipartisan support that says we will offset most of the cost of interest on bonds issued for the purpose of investing and rebuilding schools that are in need of repair and we should do that. I know that your portion of that is required as well and I'm sure that you'll meet that objective, but we cannot shortchange our children and we must it seems. We need to continue to invest in those facilities so that when children walk through school doors they'll walk through the doors of a good school, a school we can be proud of.

Within driving distance from here, in about an hour, you can go to the Cannonball School I visited down there one day. That building desperately needs to be repaired. It's an old building, fairly well condemned. One of the areas, where they have chorus and band, they have to abandon it fairly frequently because sewer gas comes up and fills that room and a little third-grade girl said, "Mr. Senator, are you going to build us a new school?"--one hundred fifty students, two bathrooms, and one water faucet. The answer is no, I can't build a new school, but together we can put together the approach that will invest in these schools for those children and we should do that.

Second is good health care. We're going to pass, I think this year with bipartisan support, a patient's bill of rights so that in health care every patient in this country can be told and will be told by their HMO what all of their options for treatment are, not just the cheapest option for treatment. We're going to pass that in the Congress, I'm convinced this year, and we'll do that I

think with bipartisan support. One other piece, and I know it's controversial, and I know you are working on it, is the children's health insurance program. I do want to mention it because we passed in Congress some while ago some resources in order to start understanding we can't provide health insurance to everybody who doesn't have health insurance, some 40 million Americans, but start with children who are the most vulnerable, the uninsured, some 15,000 of whom live in North Dakota. And I hope you'll take full advantage of that 80 percent funding that is available under that children's health insurance program. Take full advantage of that in order to invest in these young children's lives here in North Dakota.

We will also work on Social Security and Medicare this year in Congress and I don't ring my hands about that because the problems in both of them are borne of success, people are living longer and better lives. We wouldn't have problems in Social Security and Medicare if we went back to the old life expectancy, but of course we wouldn't want to do that, people are living longer, better lives and you're now expected in this country of ours to live to be on average about 78 years of age. A century ago you were expected to live to be 48 years of age. So success, better lives, longer lives give us these challenges in Social Security and Medicare, but we can solve that and we will.

Finally, the budget surpluses that are predicted now for the many years in the future give us an opportunity to review what we should do with those budget surpluses and I happen to think the first priority for budget surpluses ought to be to begin to pay down some of the federal debt. During good economic times this country needs to make an investment by paying down the debt. What greater gift to give to American children than to leave them with a lesser debt load. We will also, I suppose, debate tax cuts and I happen to like the suggestion that we provide tax cuts for USA savings accounts, incentivised to tax cuts for individual savings for a person's retirement. Again, what better investment in this country's future?

I want to especially tell you that the work you have done to fund water projects, which I'm sure is not a pleasant job, I think is awfully good work. You are required to meet the obligations that are necessary for flood control in Grand Forks, you're required to meet the obligations in other parts of the state, you're required to deal with this question of Devils Lake. None of us invited these challenges, but they are there and you know that the federal money is only available if there is a state and local match and the reason for that is the federal government doesn't want to invest in projects the state and local governments don't support. And because of that, you were burdened with this responsibility. I have not paid detailed attention to what you've done, but my understanding is that you have moved legislation now that will make money available for these important projects and give I think some peace of mind to people who wonder about flood control and wonder about the flooding crisis in Devils Lake and Grand Forks and elsewhere. I think you give them the peace of mind that they need and deserve and I congratulate you for that.

One last point, we live in a rural state and most rural areas in America are losing population. And a central fact that threads its way through every decision you make about schools, about roads, about health care is the fact that this state is shrinking. Oh, it's not shrinking a lot, but we're not gaining population, we're losing population and if you go to some counties it's shrinking a lot. Roughly 43 counties are shrinking like prunes. My home county, 5,000 citizens when I left, 3,000 citizens now. And what do we do about all of that?

You might have read the story last week about Margaret Hanson. I did and I called Margaret Hanson. She was the 90-year old woman from Forman, North Dakota, who got up to go to the hairdresser, got in her car on a foggy morning and drove into a snowbank, got out of her car and began to walk. She walked a mile apparently, or perhaps a mile and a half, and then her legs gave out at age 90 in freezing temperatures and so she began to crawl on the gravel road. She couldn't crawl any longer, and about eight or nine hours later a man named David picked her up in his pickup truck. I read that in the paper and it said she was in the Oakes Hospital, so I picked up the phone and called the Oakes Hospital, and a nurse answered and I said "Is Margaret Hanson able to speak?" "Oh, sure." "Is there any chance I could visit with her?" "Oh, of course." And so she put Margaret on the phone. I said, "Margaret, I just read about you in the paper. How are you doing?" "Oh, I'm fine. My legs aren't so good," she said, "but I'm fine." And I thought to myself, you know that's kind of the spirit all of us understand about the folks here in our state, in our hometowns. I mean who would say "I'm fine" after having gone through that, but Margaret did. Now is that kind of spirit, is that rural lifestyle that breeds that kind of determination useful and valuable and important to this country? I sure think it is. And the fact is, we have a department in Washington called the Housing and Urban Development Department, and I was thinking about that. I thought, gosh you know, we've urban developed now for a good many years, we've got lots of money in urban development and I'm all for helping blighted cities, but what about rural development? What about taking that part of the country that's shrinking and saying you make a difference, you matter, and we want to help you as well. Is there nothing we can do? I think there are some things we can do. I think we can put together a program in Congress and I'm going to suggest one that talks

about a rural development program. How about housing and rural development? How about just rural development? Forty percent of our economic base is agriculture, so we have to start there, and I know this will be controversial, but I hope that you'd consider passing a piece of legislation saying that when prices collapse for farmers there needs to be a better price support program, a better safety net. Some of you won't like that, but I hope you'll consider doing it because I don't think when prices collapse family farmers can make it across the valley without some sort of basic safety net that is workable. Aside from that, and the reason I say that, I hope you might do that as you know we've got probably a dozen or more farm organizations in North Dakota and every one of them go to the Congress and they've got a different story. They say we're here supporting family farmers and they all have different stories, they're all supporting different things. There's no unifying voice and I hope you'll weigh in on this issue.

I hope you'll also do it on a subject of antitrust and mergers and monopolies and deregulation and restructuring. Every time we've been deregulated by and large, we've lost. Every time you talk about restructuring, interesting, we're going to have a big debate on restructuring in the U.S. Congress. We're a relatively low-cost state with respect to power. The whole purpose of restructuring is some of the biggest users in the country want access to cheap power. Well, if they find cheap power where cheap power exists and move it there, what comes here? I mean I've been restructured and deregulated about enough. And I've seen about enough monopolies in every direction you turn. You've got a Public Service Commission that sits up on top of this building that says a \$100 million is overcharged North Dakotans for shipping things on the railroad. A \$100 million a year. We can do something about that. We should in Congress and I hope you will. Let's give regulators some teeth where monopolies exist. Where we can, let's break up monopolies. Let's give the free market system a decent chance to work the way it ought to work and that is with price as a regulator for competition. I know some of you probably don't like those subjects, but they're subjects that will determine whose left and whether this economy grows and whether rural America has much of a future.

Now, if I might just in one final point say that we have a lot of work to do and we must do it together or it won't get done. I was given an award by the National Council of State Legislatures a week and a half ago and Representative Dorso was there and when I accepted the NCSL award, they gave me one of their legislators of the year award, I guess they gave it to three, four, or five legislators, and when I accepted I said I was really pleased and I was especially pleased Representative Dorso was there, because if he hadn't witnessed it he wouldn't believe it. But I care a great deal about the agenda of the state legislatures. I began my public service in this building, in a state capital, and I care a great deal about what you do and how you do it and the opportunities you have to make life better in this state. And I think the only way that we can succeed, all of us, is if we do things together. Now, we might have a different approach on how you get to the end point, but I don't think there ought to be any disagreement about what the end point is for our state. So, my hope is that we can be bold and we can be aggressive as we confront these many challenges.

Thomas Jefferson said when they were discussing the construction of the constitution and the U.S. Congress and so on, he was living in Europe at the time serving this country abroad, so he wasn't in the constitutional convention, but he wrote most of the Bill of Rights and then he was talking with his friends about how do you pay legislators. If you're going to set up a Congress, a U.S. House, and a U.S. Senate, how do you pay them? And Thomas Jefferson, a couple hundred years ago suggested that they be paid in wheat. And I was thinking about that the other day, you know I'll bet if we paid members of Congress in wheat, we'd have 100 percent parity. I'm not suggesting we change the method of remuneration, but if you look at the origin of who we are and where we came from and the principles of self-government that Thomas Jefferson, Madison, Mason, Hamilton, and many others had some enduring truths, some transcendental truths that have never changed and part of those truths are in evidence every day that you meet here and every day that you cast votes in the state legislature. And I hope that you can say the same thing about the votes that I and my colleagues cast in the U.S. Congress. Let me say thank you for inviting me to say a few words today to you and let me wish you well as you work towards, I guess crossover, and then towards completing your work for North Dakota and our country. Thank you very much.

SECOND READING OF HOUSE BILL

HB 1430: A BILL for an Act to create and enact a new section to chapter 36-05 of the North Dakota Century Code, relating to pregnancy determinations on cows sold through livestock auction markets; and to amend and reenact subsection 8 of section 43-29-01.1 of the North Dakota Century Code, relating to the practice of veterinary medicine.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 11 YEAS, 86 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Boehm; Carlson; Delzer; Froelich; Gorder; Grande; Kerzman; Lemieux; Metcalf; Winrich

NAYS: Belter; Berg; Bernstein; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Clark; Cleary; Dalrymple; DeKrey; Delmore; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Froseth; Galvin; Glassheim; Grosz; Grumbo; Guleson; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Speaker Wald

ABSENT AND NOT VOTING: Boucher

Engrossed HB 1430 was declared lost.

SECOND READING OF HOUSE BILL

HB 1482: A BILL for an Act to amend and reenact subsection 2 of section 4-05.1-21 of the North Dakota Century Code, relating to committees appointed by the state board of agricultural research.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 44 YEAS, 53 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Brandenburg; Brekke; Cleary; Delmore; Eckre; Ekstrom; Fairfield; Froelich; Glassheim; Gorder; Grumbo; Guleson; Haas; Hanson; Herbel; Hoffner; Huether; Kelsh, S.; Kempenich; Kerzman; Klemin; Kroeber; Lemieux; Lundgren; Mahoney; Maragos; Metcalf; Meyer; Mueller; Nichols; Niemeier; Nowatzki; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Thoreson, L.; Thorpe; Warner; Wentz; Winrich

NAYS: Belter; Berg; Bernstein; Boehm; Brusegaard; Byerly; Carlisle; Carlson; Clark; Dalrymple; DeKrey; Delzer; Devlin; Disrud; Dorso; Drovdal; Froseth; Galvin; Grande; Grosz; Gunter; Hawken; Henegar; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Klein; Kliniske; Koppang; Koppelman; Lloyd; Martinson; Mickelson; Monson; Nelson; Nicholas; Nottestad; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Svedjan; Sveen; Thoreson, B.; Timm; Tollefson; Weisz; Wikenheiser; Speaker Wald

ABSENT AND NOT VOTING: Boucher

Engrossed HB 1482 was declared lost.

SECOND READING OF HOUSE BILL

HB 1493: A BILL for an Act to create and enact a new section to chapter 6-01, a new section to chapter 10-04, a new section to chapter 26.1-01, and a new chapter to title 26.1 of the North Dakota Century Code, relating to the transfer of duties, functions, and powers of the commissioner of banking and financial institutions, the securities commissioner, and the insurance commissioner to a director of banking and financial institutions, a director of securities, and a director of insurance and to establish a department of commerce under the direction of the insurance commissioner and a state commerce advisory board; to amend and reenact sections 6-01-01, 10-04-03, subsection 2 of section 10-04-05, and section 26.1-06-12 of the North Dakota Century Code, relating to the transfer of the duties, functions, and powers of the commissioner of banking and financial institutions, the securities commissioner, and the insurance commissioner to a director of banking and financial institutions, a director of securities, and a director of insurance; to repeal sections 6-01-03, 6-01-04, 6-01-08, 6-01-10, 6-01-11, 6-01-12, 26.1-01-02, 26.1-01-08, and 26.1-01-09 of the North Dakota Century Code, relating to the appointment and salary of the commissioner of banking and financial institutions, the bond required of the commissioner of banking and financial institutions, the state banking board and the state credit union board, and the salary and official seal of the insurance commissioner; and to provide an effective date.

ANNOUNCEMENT

REP. DORSO ANNOUNCED that in accordance with House Rule 336, a time certain for debate on HB 1493 would be set at 2:26 p.m.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 32 YEAS, 64 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Berg; Bernstein; Brusegaard; Byerly; Carlson; Clark; DeKrey; Delmore; Delzer; Dorso; Drovdal; Froseth; Glassheim; Grande; Grosz; Gunter; Herbel; Huether; Johnson, N.; Kempenich; Klein; Lloyd; Martinson; Nelson; Svedjan; Thoreson, B.; Thoreson, L.; Timm; Tollefson; Weisz; Wentz; Speaker Wald

NAYS: Aarsvold; Belter; Boehm; Brandenburg; Brekke; Carlisle; Cleary; Dalrymple; Devlin; Disrud; Eckre; Ekstrom; Fairfield; Froelich; Galvin; Gorder; Grumbo; Gulleson; Haas; Hanson; Hawken; Henegar; Hoffner; Jensen; Johnson, D.; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Klemin; Kliniske; Koppang; Kroeber; Lemieux; Lundgren; Mahoney; Maragos; Metcalf; Meyer; Mickelson; Monson; Mueller; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Sveen; Thorpe; Warner; Wikenheiser; Winrich

ABSENT AND NOT VOTING: Boucher; Koppelman

Engrossed HB 1493 was declared lost.

MOTION

REP. DORSO MOVED that Engrossed HB 1252 be placed at the top of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1252: A BILL for an Act to create and enact a new section to chapter 4-35 of the North Dakota Century Code, relating to the sale and use of agricultural chemicals registered in Canada; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 93 YEAS, 4 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Berg; Bernstein; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleson; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

NAYS: Keiser; Klemin; Nowatzki; Warner

ABSENT AND NOT VOTING: Boucher

Engrossed HB 1252 passed, the title was agreed to, and the emergency clause was declared carried.

MOTION

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

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

SECOND READING OF HOUSE BILL

HB 1380: A BILL for an Act to amend and reenact sections 39-04.2-03 and 39-04.2-04 of the North Dakota Century Code, relating to the public transportation fund.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 89 YEAS, 4 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Berg; Bernstein; Brandenburg; Brekke; Byerly; Carlisle; Clark; Cleary; Dalrymple; DeKrey; Delmore; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleston; Gunter; Haas; Hanson; Hawken; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemm; Kliniske; Koppang; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

NAYS: Boehm; Brusegaard; Carlson; Delzer

ABSENT AND NOT VOTING: Boucher; Henegar; Koppelman; Nicholas; Tollefson

HB 1380 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1417: A BILL for an Act to amend and reenact sections 61-16.1-51, 61-16.1-53, 61-21-43.1, 61-21-67, and 61-32-07 of the North Dakota Century Code, relating to the time within which obstructions to drains, noncomplying dikes or dams, and noncomplying drains must be removed or closed.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 83 YEAS, 13 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Berg; Bernstein; Boehm; Brandenburg; Brekke; Carlisle; Clark; Cleary; Delmore; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleston; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemm; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lundgren; Mahoney; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Poolman; Porter; Price; Rose; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Warner; Wentz; Wikenheiser; Winrich; Speaker Wald

NAYS: Brusegaard; Byerly; Carlson; Dalrymple; DeKrey; Delzer; Lloyd; Nelson; Pollert; Renner; Rennerfeldt; Sandvig; Weisz

ABSENT AND NOT VOTING: Boucher; Tollefson

HB 1417 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1483: A BILL for an Act to amend and reenact section 4-05.1-19 of the North Dakota Century Code, relating to the state board of agricultural research.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 35 YEAS, 62 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Berg; Cleary; Delmore; Disrud; Eckre; Ekstrom; Fairfield; Froelich; Glassheim; Gorder; Grumbo; Gulleston; Hanson; Hoffner; Kelsh, S.; Kerzman; Kroeber;

Lundgren; Mahoney; Metcalf; Meyer; Mueller; Nicholas; Nichols; Niemeier; Nowatzki; Rose; Sandvig; Schmidt; Solberg; Stefonowicz; Thorpe; Warner; Winrich

NAYS: Belter; Bernstein; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Dalrymple; DeKrey; Delzer; Devlin; Dorso; Drovdal; Froseth; Galvin; Grande; Grosz; Gunter; Haas; Hawken; Henegar; Herbel; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Klein; Klemin; Kliniske; Koppang; Koppelman; Lemieux; Lloyd; Maragos; Martinson; Mickelson; Monson; Nelson; Nottestad; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Severson; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Timm; Tollefson; Weisz; Wentz; Wikenheiser; Speaker Wald

ABSENT AND NOT VOTING: Boucher

HB 1483 was declared lost.

MOTION

REP. DORSO MOVED that HCR 3020 be placed at the bottom of the calendar, which motion prevailed.

MOTION

REP. DORSO MOVED that HB 1475 be placed at the top of the calendar, which motion prevailed.

MOTION

REP. DORSO MOVED that HB 1436 and HB 1475 be placed at the bottom of the calendar, which motion prevailed.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3024: A concurrent resolution urging the administration of the University of North Dakota to change the university's sports teams' nickname.

ROLL CALL

The question being on the adoption of the resolution, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 26 YEAS, 71 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Boehm; Dalrymple; Ekstrom; Fairfield; Froelich; Gulleason; Hoffner; Jensen; Kelsch, S.; Kerzman; Lemieux; Lloyd; Lundgren; Meyer; Nichols; Niemeier; Renner; Sandvig; Schmidt; Solberg; Stefonowicz; Sveen; Thorpe; Warner; Wentz; Winrich

NAYS: Aarsvold; Belter; Berg; Bernstein; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Huether; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Mahoney; Maragos; Martinson; Metcalf; Mickelson; Monson; Mueller; Nelson; Nicholas; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Rennerfeldt; Rose; Severson; Svedjan; Thoreson, B.; Thoreson, L.; Timm; Tollefson; Weisz; Wikenheiser; Speaker Wald

ABSENT AND NOT VOTING: Boucher

HCR 3024 was declared lost.

MOTION

REP. DORSO MOVED that HB 1007, HB 1158, HB 1165, HB 1291, HB 1294, and HB 1344 be placed at the top of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILL

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

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 97 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Berg; Bernstein; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovda; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleason; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

ABSENT AND NOT VOTING: Boucher

Engrossed HB 1007 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1158: A BILL for an Act to create and enact a new section to chapter 43-17 of the North Dakota Century Code, relating to exceptions to the licensure requirements to practice medicine; and to amend and reenact sections 43-17-01, 43-17-02, 43-17-06, 43-17-30.1, and 43-17-31 of the North Dakota Century Code, relating to the definitions of practice of medicine and telemedicine, persons exempt from medical practice licensure requirements, officers of the board of medical examiners, and disciplinary action of the board.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 96 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Berg; Bernstein; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovda; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleason; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

ABSENT AND NOT VOTING: Boucher; Nicholas

Engrossed HB 1158 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1165: A BILL for an Act to amend and reenact section 15-10-12 of the North Dakota Century Code, relating to deposit with the state treasurer of funds received by board of higher education institutions.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 96 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Berg; Bernstein; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovda; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleason; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz;

Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

ABSENT AND NOT VOTING: Boucher; Nicholas

Engrossed HB 1165 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1291: A BILL for an Act to create and enact sections 39-06-04.1, 39-06-04.2, 39-06-04.3, 39-06-04.4, 39-06-04.5, and 39-06-04.6 of the North Dakota Century Code, relating to a graduated motor vehicle driver licensing program for minors; to amend and reenact sections 39-06-03, 39-06-04, 39-06-05, 39-06-07, 39-06-08, subsection 1 of section 39-06-14, and section 39-06-17 of the North Dakota Century Code, relating to a graduated motor vehicle driver licensing program for minors; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 64 YEAS, 32 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Berg; Bernstein; Carlisle; Carlson; Clark; Cleary; Dalrymple; Delmore; Disrud; Dorso; Eckre; Ekstrom; Fairfield; Glassheim; Gorder; Grumbo; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Martinson; Metcalf; Mickelson; Mueller; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Svedjan; Sveen; Thoreson, L.; Thorpe; Warner; Wentz; Wikenheiser; Winrich; Speaker Wald

NAYS: Belter; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; DeKrey; Delzer; Devlin; Drovdal; Froelich; Froseth; Galvin; Grande; Grosz; Gulleeson; Johnson, D.; Kempenich; Klein; Maragos; Meyer; Monson; Nelson; Nichols; Schmidt; Severson; Solberg; Stefonowicz; Thoreson, B.; Timm; Tollefson; Weisz

ABSENT AND NOT VOTING: Boucher; Nicholas

Engrossed HB 1291 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1294: A BILL for an Act to amend and reenact subsection 8 of section 43-29-01.1 of the North Dakota Century Code, relating to the practice of veterinary medicine.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 85 YEAS, 11 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Berg; Bernstein; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Disrud; Dorso; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Gulleeson; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Metcalf; Meyer; Monson; Mueller; Nelson; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Renner; Rose; Schmidt; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Weisz; Wikenheiser; Winrich; Speaker Wald

NAYS: Devlin; Drovdal; Grumbo; Mickelson; Nichols; Price; Rennerfeldt; Sandvig; Severson; Warner; Wentz

ABSENT AND NOT VOTING: Boucher; Nicholas

Engrossed HB 1294 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1344: A BILL for an Act to create and enact a new section to chapter 39-04 of the North Dakota Century Code, relating to commemorative Lewis and Clark number plates; and to provide an expiration date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 64 YEAS, 33 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Berg; Brandenburg; Brekke; Clark; Cleary; Dalrymple; Delmore; Eckre; Ekstrom; Fairfield; Froelich; Glassheim; Grumbo; Gulleson; Gunter; Haas; Hanson; Hawken; Henegar; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Koppang; Koppelman; Kroeber; Lemieux; Lundgren; Mahoney; Maragos; Martinson; Metcalf; Meyer; Monson; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Poolman; Rose; Schmidt; Solberg; Stefonowicz; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Tollefson; Warner; Wentz; Wikenheiser; Winrich; Speaker Wald

NAYS: Belter; Bernstein; Boehm; Brusegaard; Byerly; Carlisle; Carlson; DeKrey; Delzer; Devlin; Disrud; Dorso; Drovdal; Froseth; Galvin; Gorder; Grande; Grosz; Herbel; Kelsch, R.; Kliniske; Lloyd; Mickelson; Pollert; Porter; Price; Renner; Rennerfeldt; Sandvig; Severson; Svedjan; Timm; Weisz

ABSENT AND NOT VOTING: Boucher

Engrossed HB 1344 passed and the title was agreed to.

MOTION

REP. DORSO MOVED that HB 1475 and HB 1436 be placed at the top of the calendar and that HB 1475 be considered first, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1475: A BILL for an Act to provide for allocation of funds from settlements with tobacco product manufacturers; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 66 YEAS, 30 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Belter; Berg; Bernstein; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Dalrymple; DeKrey; Delmore; Delzer; Dorso; Drovdal; Eckre; Froelich; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleson; Haas; Hawken; Herbel; Huether; Jensen; Johnson, D.; Johnson, N.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Lloyd; Lundgren; Maragos; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nottestad; Nowatzki; Pollert; Poolman; Renner; Rennerfeldt; Schmidt; Severson; Svedjan; Sveen; Thoreson, L.; Timm; Tollefson; Wentz; Wikenheiser; Speaker Wald

NAYS: Aarsvold; Clark; Cleary; Devlin; Disrud; Ekstrom; Fairfield; Hanson; Henegar; Hoffner; Keiser; Kelsch, R.; Kelsh, S.; Kroeber; Lemieux; Mahoney; Martinson; Nichols; Niemeier; Porter; Price; Rose; Sandvig; Solberg; Stefonowicz; Thoreson, B.; Thorpe; Warner; Weisz; Winrich

ABSENT AND NOT VOTING: Boucher; Gunter

Engrossed HB 1475, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF HOUSE BILL

HB 1436: A BILL for an Act to create and enact a new section to chapter 23-01 of the North Dakota Century Code, relating to the establishment of the North Dakota health and education trust; and to provide for a continuing appropriation.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 29 YEAS, 67 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Cleary; Ekstrom; Fairfield; Froelich; Grumbo; Gulleson; Hanson; Henegar; Hoffner; Kelsh, S.; Kerzman; Kroeber; Lemieux; Lundgren; Mahoney; Maragos; Martinson; Nichols; Niemeier; Nowatzki; Rose; Sandvig; Schmidt; Solberg; Stefonowicz; Sveen; Thorpe; Warner

NAYS: Belter; Berg; Bernstein; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Gunter; Haas; Hawken; Herbel; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Klein; Klemin; Kliniske; Koppang; Koppelman; Lloyd; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nottestad; Pollert; Poolman; Porter; Price; Renner; Severson; Svedjan; Thoreson, B.; Thoreson, L.; Timm; Tollefson; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

ABSENT AND NOT VOTING: Boucher; Rennerfeldt

HB 1436 was declared lost.

MOTION

REP. DORSO MOVED that HCR 3032, HCR 3036, and HCR 3040 be placed at the top of the calendar, which motion prevailed.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3032: A concurrent resolution to create and enact a new section to article X of the Constitution of North Dakota, relating to creation of a health and education trust fund.

ROLL CALL

The question being on the adoption of the resolution, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 24 YEAS, 70 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Cleary; Ekstrom; Fairfield; Froelich; Grumbo; Gulleson; Hanson; Hoffner; Kerzman; Kroeber; Lemieux; Lundgren; Mahoney; Nichols; Niemeier; Nowatzki; Rose; Sandvig; Schmidt; Solberg; Stefonowicz; Thorpe; Winrich

NAYS: Belter; Berg; Bernstein; Boehm; Brandenburg; Brekke; Byerly; Carlisle; Carlson; Clark; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Gunter; Haas; Hawken; Henegar; Herbel; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Klein; Klemin; Kliniske; Koppang; Koppelman; Lloyd; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nottestad; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Severson; Svedjan; Sveen; Thoreson, B.; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Speaker Wald

ABSENT AND NOT VOTING: Boucher; Brusegaard; Kelsh, S.; Thoreson, L.

HCR 3032 was declared lost.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3036: A concurrent resolution for the amendment of section 9 of article I of the Constitution of North Dakota, relating to judicial review of governmental determinations that impact a person's property or activities.

ROLL CALL

The question being on the final passage of the resolution, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 13 YEAS, 83 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Ekstrom; Glassheim; Grumbo; Gulleson; Hoffner; Kelsh, S.; Lemieux; Niemeier; Sandvig; Stefonowicz; Thorpe; Winrich

NAYS: Belter; Berg; Bernstein; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Fairfield; Froelich; Froseth; Galvin; Gorder; Grande; Grosz; Gunter; Haas; Hanson; Henegar; Herbel; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Schmidt; Severson; Solberg; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Speaker Wald

ABSENT AND NOT VOTING: Boucher; Hawken

HCR 3036 was declared lost.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3040: A concurrent resolution urging Congress to make the federal income tax fairer, simpler, flatter, lower, and subject to fewer exceptions and special interest provisions.

ROLL CALL

The question being on the adoption of the resolution, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 86 YEAS, 11 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Berg; Bernstein; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Dalrymple; DeKrey; Delmore; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gullerson; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lloyd; Lundgren; Mahoney; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Sandvig; Schmidt; Severson; Solberg; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

NAYS: Cleary; Delzer; Froseth; Hoffner; Kelsch, S.; Lemieux; Maragos; Nichols; Rose; Stefonowicz; Thorpe

ABSENT AND NOT VOTING: Boucher

HCR 3040 was declared adopted.

MOTION

REP. DORSO MOVED that HB 1476, HB 1478, and HB 1358 be placed at the top of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1476: A BILL for an Act to amend and reenact section 6-09.13-03 of the North Dakota Century Code, relating to agricultural loans; and to provide an appropriation.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 94 YEAS, 3 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Berg; Bernstein; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Clark; Cleary; Dalrymple; DeKrey; Delmore; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grosz; Grumbo; Gullerson; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsch, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

NAYS: Carlson; Delzer; Grande

ABSENT AND NOT VOTING: Boucher

Reengrossed HB 1476 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1478: A BILL for an Act to create and enact a new section to chapter 25-17 of the North Dakota Century Code, relating to newborn infant hearing screening; to amend and reenact section 25-17-05 of the North Dakota Century Code, relating to testing charges for newborn health screening; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 47 YEAS, 49 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Cleary; Delmore; Disrud; Eckre; Ekstrom; Fairfield; Froelich; Galvin; Glassheim; Gorder; Grumbo; Gulleon; Gunter; Hanson; Hawken; Hoffner; Huether; Jensen; Kelsch, S.; Kerzman; Klemin; Kroeber; Lemieux; Lundgren; Mahoney; Maragos; Martinson; Meyer; Nichols; Niemeier; Nottestad; Nowatzki; Poolman; Rose; Sandvig; Schmidt; Solberg; Stefonowicz; Sveen; Thoreson, L.; Thorpe; Tollefson; Warner; Wentz; Wikenheiser; Winrich

NAYS: Belter; Berg; Bernstein; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Dalrymple; DeKrey; Delzer; Devlin; Dorso; Drovda; Froseth; Grande; Grosz; Haas; Henegar; Herbel; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Klein; Kliniske; Koppang; Koppelman; Lloyd; Metcalf; Mickelson; Monson; Mueller; Nelson; Pollert; Porter; Price; Renner; Rennerfeldt; Severson; Svedjan; Thoreson, B.; Timm; Weisz; Speaker Wald

ABSENT AND NOT VOTING: Boucher; Nicholas

Reengrossed HB 1478, as amended, was declared lost.

MOTION

REP. DORSO MOVED that HB 1443 be placed at the top of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1443: A BILL for an Act to create and enact four new sections to chapter 52-08 of the North Dakota Century Code, relating to work force training; to amend and reenact subsection 6 of section 15-10-01 and subsection 13 of section 15-10-17 of the North Dakota Century Code, relating to name changes of institutions of higher education; and to repeal section 15-11-02.1 of the North Dakota Century Code, relating to supervision of the college at Devils Lake.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 88 YEAS, 9 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Berg; Bernstein; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; Delmore; Disrud; Dorso; Drovda; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Grumbo; Gulleon; Gunter; Haas; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsch, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Lundgren; Mahoney; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Wentz; Wikenheiser; Winrich; Speaker Wald

NAYS: DeKrey; Delzer; Devlin; Gorder; Hanson; Kroeber; Lemieux; Lloyd; Weisz

ABSENT AND NOT VOTING: Boucher

Reengrossed HB 1443, as amended, passed and the title was agreed to.

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

HCR 3009: A concurrent resolution urging Congress to carefully review the planned merger between Cargill, Incorporated, and Continental Grain Company and take any action appropriate to minimize potentially adverse effects on farmers, ranchers, and consumers that could result from such increased concentration in the agricultural sector.

HCR 3014: A concurrent resolution directing the Legislative Council to study the disparity in prices and the inconsistency in the registration of agricultural pesticides.

HCR 3019: A concurrent resolution directing the Legislative Council to study the composition of the Oilseed Council and the impact, at the state and federal level, of any changes in membership of the council.

HCR 3029: A concurrent resolution urging Congress to aggressively pursue legislation that will permit substantially similar crop protection products registered in Canada to be purchased and used by farmers in the United States; to direct the administrator of the Environmental Protection Agency to work toward the harmonization of crop protection product legislation, and in the event substantial progress is not made, to disallow the importation of any commodity into this country if the commodity contains any crop protection product not approved for use in this country; and to require that the manufacturers of crop protection products publicly justify any price discrepancies between similar products sold in Canada and in the United States.

HCR 3030: A concurrent resolution urging Congress to ensure the availability of as many crop protection products as possible, to use actual scientific data to determine the safety of crop protection products, to accept scientific data generated by the North Dakota State University Main Research Center and by the research extension centers regarding the safety of crop protection products, to establish uniform policies governing the implementation of the 1996 Food Quality Protection Act, and to ensure that implementation of the 1996 Food Quality Protection Act does not negatively impact agricultural production nor the availability and affordability of food.

HCR 3031: A concurrent resolution urging Congress to encourage the formation of new legislative or administrative initiatives to extend insurance options, similar to crop insurance options, to livestock producers.

HCR 3033: A concurrent resolution urging Congress to raise the cap on marketing loans available to farmers and to adopt a cost of production index adjustment mechanism.

HCR 3035: A concurrent resolution urging the Environmental Protection Agency and the Congress of the United States to increase resources for and efforts of the U.S.-Canada Technical Working Group to harmonize pesticide regulations between the two countries, to commit more resources and efforts toward establishing tolerances for pesticides registered for use in Canada but not in the United States, and to accept registration data currently accepted by Canadian officials in support of Canadian pesticide registrations.

HCR 3037: A concurrent resolution urging Congress to review the North American Free Trade Agreement and the General Agreement on Tariffs and Trade and amend those portions of the agreements that treat North Dakota agricultural producers inequitably or repeal the agreements in their entirety.

HCR 3045: A concurrent resolution directing the Legislative Council to study grain credit-sale contracts to determine the need to provide protection for farmers against grain warehouse and grain buyer insolvency.

HCR 3049: A concurrent resolution directing the Legislative Council to study taxation and regulatory incentives for the lignite industry in order to improve its competitive position in the energy marketplace and to identify federal and international impediments to development of the lignite industry and potential state actions to address such impediments.

HCR 3051: A concurrent resolution directing the Legislative Council to study the role and mission of the Milk Marketing Board.

HCR 3053: A concurrent resolution directing the Legislative Council to study the feasibility and impact of mental health and substance abuse parity in the state of North Dakota.

HCR 3054: A concurrent resolution directing the Legislative Council to study accreditation standards for elementary and secondary schools, including optional accreditation standards, the fiscal impact of accreditation standards, and the waiver of accreditation standards based on student performance.

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

HCR 3009, HCR 3014, HCR 3019, HCR 3029, HCR 3030, HCR 3031, HCR 3033, HCR 3035, HCR 3037, HCR 3045, HCR 3049, HCR 3051, HCR 3053, and HCR 3054 were declared adopted on a voice vote.

MOTION

REP. MONSON MOVED that the House be on the Fifth, Ninth, Twelfth, Thirteenth, and Sixteenth orders of business and at the conclusion of those orders, the House stand adjourned until 9:00 a.m., Wednesday, February 17, 1999, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1002: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1002 was placed on the Sixth order on the calendar.

Page 1, line 13, replace "4,971,514" with "5,079,436"

Page 1, line 14, replace "1,685,266" with "1,535,514"

Page 1, line 15, replace "141,950" with "214,513"

Page 1, line 16, replace "289,409" with "276,860"

Page 1, remove lines 17 and 18

Page 1, line 19, replace "7,088,139" with "7,106,323"

Page 1, line 22, replace "22,401,692" with "22,526,069"

Page 1, line 23, replace "9,178,319" with "8,334,038"

Page 1, line 24, replace "788,600" with "674,603"

Page 2, line 1, replace "851,889" with "814,561"

Page 2, after line 1, insert:

"UND - Central legal research

80,000"

Page 2, line 2, replace "60,000" with "40,000"

Page 2, line 3, replace "33,280,500" with "32,469,271"

Page 2, line 4, replace "773,402" with "779,943"

Page 2, line 5, replace "32,507,098" with "31,689,328"

Page 2, line 8, replace "496,000" with "511,925"

Page 2, line 9, replace "496,000" with "511,925"

Page 2, line 11, replace "226,000" with "241,925"

Page 2, line 14, replace "3,005,847" with "3,129,346"

Page 2, remove lines 15 and 16

Page 2, line 17, replace "3,005,847" with "3,129,346"

Page 2, line 18, replace "42,827,084" with "42,166,922"

Page 2, line 19, replace "1,043,402" with "1,049,943"

Page 2, line 20, replace "43,870,486" with "43,216,865"

Page 3, line 4, replace "eighty-six" with "eighty-three" and replace "two" with "eight"

Page 3, line 5, replace "seventy-two" with "seven", replace "ninety" with "eighty-five", and replace "five" with "four"

Page 3, line 6, replace "eighty-six" with "eighty-three"

Page 3, line 7, replace "four" with "three" and replace "thirty-four" with "sixty-five"

Page 3, line 8, replace "five" with "four" and replace "fifty-six" with "twelve"

Page 3, line 13, overstrike "six" and insert immediately thereafter "one" and replace "fifteen" with "seventy-one"

Page 3, line 14, replace "eighty-three" with "eighty" and replace "five" with "seven"

Page 3, line 15, replace "ninety-six" with "fifty-four"

Page 3, line 19, replace "eighty-five" with "thirty-one"

Page 3, line 20, replace "nine" with "eight" and replace "seventy-nine" with "sixty-eight"

ReNUMBER accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 181 - SUPREME COURT

HOUSE - This amendment makes the following changes:

	AGENCY REQUEST*	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$5,215,698	(\$136,262)	\$5,079,436
Operating expenses	1,685,266	(149,752)	1,535,514
Equipment	141,950	72,563	214,513
Judges retirement	<u>289,409</u>	<u>(12,549)</u>	<u>276,860</u>
Total all funds	\$7,332,323	(\$226,000)	\$7,106,323
Less special funds	_____	_____	_____
General fund	\$7,332,323	(\$226,000)	\$7,106,323
FTE	44.50	0.00	44.50

* The numbers listed as the agency request are the amounts included in the Governor's budget and the legislative budget status. These amounts do not agree with the bill because the bill does not include the compensation package. These amendments correct this and make the bill and the legislative budget status the same.

Detail of House changes to the executive budget includes:

	REDUCE COMPENSATION PACKAGE TO 2/2	ADJUST HEALTH INSURANCE COST	DECREASE OPERATING EXPENSES	INCREASE EQUIPMENT FUNDING	TOTAL HOUSE CHANGES
Salaries and wages	(\$149,092)	\$12,830			(\$136,262)
Operating expenses			(\$149,752)		(149,752)
Equipment				\$72,563	72,563
Judges retirement	<u>(12,549)</u>				<u>(12,549)</u>
Total all funds	(\$161,641)	\$12,830	(\$149,752)	\$72,563	(\$226,000)
Less special funds	_____	_____	_____	_____	_____
General fund	(\$161,641)	\$12,830	(\$149,752)	\$72,563	(\$226,000)
FTE	0.00	0.00	0.00	0.00	0.00

House changes narrative:

This amendment provides for the following salaries for the Supreme Court justices:

	JULY 1, 1999	JULY 1, 2000
Chief Justice	\$86,172	\$87,895
Justices	\$83,807	\$85,483

DEPARTMENT 182 - DISTRICT COURTS

	AGENCY REQUEST*	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$23,500,870	(\$974,801)	\$22,526,069
Operating expenses	9,178,319	(844,281)	8,334,038
Equipment	788,600	(113,997)	674,603
Judges retirement	851,889	(37,328)	814,561
Alternative dispute resolution	60,000	(20,000)	40,000
UND - Central legal research		80,000	80,000
Total all funds	\$34,379,678	(\$1,910,407)	\$32,469,271
Less special funds	<u>774,115</u>	<u>5,788</u>	<u>779,943</u>
General fund	\$33,605,523	(\$1,916,195)	\$31,689,328
FTE	191.00	(1.50)	189.50

* The numbers listed as the agency request are the amounts included in the Governor's budget and the legislative budget status. These amounts do not agree with the bill because the bill does not include the compensation package. These amendments correct this and make the bill and the legislative budget status the same.

Detail of House changes to the executive budget includes:

	REDUCE COMPENSATION PACKAGE TO 2/2	ADJUST HEALTH INSURANCE COST	REDUCE OPERATING EXPENSES	REDUCE EQUIPMENT FUNDING	REMOVE .5 FTE SECRETARIAL POSITION	REMOVE 1 FTE COMPUTER SUPPORT POSITION
Salaries and wages	(\$937,863)	\$54,743			(\$29,663)	(\$62,018)
Operating expenses			(\$844,281)			
Equipment				(\$113,997)		
Judges retirement	(37,328)					
Alternative dispute resolution						
UND - Central legal research						
Total all funds	(\$975,191)	\$54,743	(\$844,281)	(\$113,997)	(\$29,663)	(\$62,018)
Less special funds	<u>5,759</u>	<u>29</u>				
General fund	(\$980,950)	\$54,714	(\$844,281)	(\$113,997)	(\$29,663)	(\$62,018)
FTE	0.00	0.00	0.00	0.00	(0.50)	(1.00)

	PROVIDE GRANT FUNDS FOR UND-CENTRAL LEGAL RESEARCH	REDUCE ALTERNATIVE DISPUTE RESOLUTION FUNDING	TOTAL HOUSE CHANGES
Salaries and wages			(\$974,801)
Operating expenses			(844,281)
Equipment			(113,997)
Judges retirement			(37,328)
Alternative dispute resolution		(\$20,000)	(20,000)
UND - Central legal research	\$80,000		80,000
Total all funds	\$80,000	(\$20,000)	(\$1,910,407)
Less special funds			<u>5,788</u>
General fund	\$80,000	(\$20,000)	(\$1,916,195)
FTE	0.00	0.00	(1.50)

House changes narrative:

This amendment provides for the following salaries for district court judges:

	JULY 1, 1999	JULY 1, 2000
Presiding judges	\$79,171	\$80,754
District court judges	\$77,340	\$78,886

DEPARTMENT 183 - JUDICIAL CONDUCT COMMISSION AND DISCIPLINARY BOARD

	AGENCY REQUEST*	HOUSE CHANGES	HOUSE VERSION
Judicial Conduct Commission and	\$499,562	\$12,363	\$511,925

Disciplinary Board			
Total all funds	\$499,562	\$12,363	\$511,925
Less special funds	<u>271,781</u>	<u>(1,781)</u>	<u>270,000</u>
General fund	\$227,781	\$14,144	\$241,925
FTE	4.00	0.00	4.00

* The numbers listed as the agency request are the amounts included in the Governor's budget and the legislative budget status. These amounts do not agree with the bill because the bill does not include the compensation package. These amendments correct this and make the bill and the legislative budget status the same.

Detail of House changes to the executive budget includes:

	REDUCE COMPENSATION PACKAGE TO 2/2	ADJUST HEALTH INSURANCE COST	TOTAL HOUSE CHANGES
Judicial Conduct Commission and Disciplinary Board	\$11,223	\$1,140	\$12,363
Total all funds	\$11,223	\$1,140	\$12,363
Less special funds	<u>(1,781)</u>		<u>(1,781)</u>
General fund	\$13,004	\$1,140	\$14,144
FTE	0.00	0.00	0.00

DEPARTMENT 184 - CLERK OF DISTRICT COURT

	AGENCY REQUEST*	HOUSE CHANGES	HOUSE VERSION
Clerk of district court	\$3,035,898	\$93,448	\$3,129,346
Total all funds	\$3,035,898	\$93,448	\$3,129,346
Less special funds			
General fund	\$3,035,898	\$93,448	\$3,129,346
FTE	129.00	0.00	129.00

* The numbers listed as the agency request are the amounts included in the Governor's budget and the legislative budget status. These amounts do not agree with the bill because the bill does not include the compensation package. These amendments correct this and make the bill and the legislative budget status the same.

Detail of House changes to the executive budget includes:

	REDUCE COMPENSATION PACKAGE TO 2/2	ADJUST HEALTH INSURANCE COST	TOTAL HOUSE CHANGES
Clerk of district court	\$83,825	\$9,623	\$93,448
Total all funds	\$83,825	\$9,623	\$93,448
Less special funds			
General fund	\$83,825	\$9,623	\$93,448
FTE	0.00	0.00	0.00

REPORT OF STANDING COMMITTEE

HB 1004: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (18 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1004 was placed on the Sixth order on the calendar.

Page 1, line 10, replace "26,380,615" with "25,904,309"

Page 1, line 11, replace "15,242,307" with "15,226,857"

Page 1, line 12, replace "1,461,678" with "1,321,678"

Page 1, line 14, replace "24,134,130" with "23,984,130"

Page 1, line 16, replace "85,486,106" with "84,704,350"

Page 1, line 17, replace "70,512,102" with "70,293,306"

Page 1, line 18, replace "14,974,004" with "14,411,044"

Page 1, line 20, replace "\$300,000" with "\$250,000"

Page 2, line 19, replace "LEGISLATIVE INTENT" with "DEPARTMENT OF HEALTH", replace "ALLOCATION" with "RECOVERIES", and remove "It is the intent"

Page 2, remove lines 20 and 21

ReNUMBER accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 301 - DEPARTMENT OF HEALTH

HOUSE - This amendment makes the following changes:

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$26,380,615	(\$476,306)	\$25,904,309
Operating expenses	15,242,307	(15,450)	15,226,857
Equipment	1,461,678	(140,000)	1,321,678
Major improvements	40,446		40,446
Grants	24,134,130	(150,000)	23,984,130
WIC food payments	<u>18,226,930</u>		<u>18,226,930</u>
Total all funds	\$85,486,106	(\$781,756)	\$84,704,350
Less special funds	<u>70,512,102</u>	<u>(218,796)</u>	<u>70,293,306</u>
General fund	\$14,974,004	(\$562,960)	\$14,411,044
FTE	305.00	(1.00)	304.00

Detail of House changes to the executive budget includes:

	REDUCE COMPENSATION PACKAGE TO 2/2	ADJUST HEALTH INSURANCE COST	REDUCE SALARIES FOR VACANT FTE POSITIONS	REDUCE FUNDING FOR ABANDONED MOTOR VEHICLES	REDUCE AID TO LOCAL HEALTH DISTRICTS TO \$1,000,000	REDUCE EQUIPMENT
Salaries and wages	(\$345,572)	\$81,829	(\$100,000)			
Operating expenses						
Equipment						(\$140,000)
Major improvements						
Grants				(\$50,000)	(\$100,000)	
WIC food payments						
Total all funds	(\$345,572)	\$81,829	(\$100,000)	(\$50,000)	(\$100,000)	(\$140,000)
Less special funds	<u>(221,166)</u>	<u>52,370</u>		<u>(50,000)</u>		
General fund	(\$124,406)	\$29,459	(\$100,000)	\$0	(\$100,000)	(\$140,000)

	REMOVE 1 FTE OFFICE OF COMMUNITY ASSISTANCE AND RELATED EXPENSES	TOTAL HOUSE CHANGES
Salaries and wages	(\$112,563)	(\$476,306)
Operating expenses	(15,450)	(15,450)
Equipment		(140,000)
Major improvements		
Grants		(150,000)
WIC food payments		
Total all funds	(\$128,013)	(\$781,756)
Less special funds		<u>(218,796)</u>
General fund	(\$128,013)	(\$562,960)
FTE	(1.00)	(1.00)

This amendment amends Section 7 relating to indirect cost reimbursement to remove legislative intent regarding the Office of Management and Budget collecting indirect cost reimbursement.

REPORT OF STANDING COMMITTEE

HB 1009: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (17 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1009 was placed on the Sixth order on the calendar.

Page 1, line 6, after the second comma insert "and from special funds derived from other income"

Page 1, line 10, replace "320,000" with "360,000"

Page 1, after line 10, insert:

"Total all funds	\$570,000
Less estimated income	<u>20,000"</u>

Page 1, line 11, replace "530,000" with "550,000"

Page 1, after line 11, insert:

"SECTION 2. MATCHING FUNDS REQUIRED. The state fair association shall provide matching funds for premiums from a source other than the state general fund in an amount equal to any general fund moneys spent in excess of \$320,000 from the premiums line item in section 1 of this Act for the biennium beginning July 1, 1999, and ending June 30, 2001."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 665 - STATE FAIR

HOUSE - This amendment increases the premiums line item by \$40,000, \$20,000 of which is from the general fund and \$20,000 of other funds to be raised by the State Fair and used as matching funds for the \$20,000 added from the general fund. To require the matching funds, a section is added requiring the State Fair to raise other funds for premiums to match any general fund moneys spent from the premiums line item in excess of \$320,000. The matching ratio is 1 to 1.

REPORT OF STANDING COMMITTEE

HB 1011: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1011 was placed on the Sixth order on the calendar.

Page 1, line 1, after "patrol" insert "; and to create and enact two new sections to chapter 39-03 of the North Dakota Century Code, relating to the highway patrol operating fund and law enforcement training academy fees"

Page 1, line 8, replace "2,016,729" with "1,996,541"

Page 1, line 9, replace "22,564,316" with "22,187,004"

Page 1, line 10, replace "927,900" with "922,445"

Page 1, line 11, replace "25,508,945" with "25,105,990"

Page 1, line 12, replace "15,604,953" with "15,799,754"

Page 1, line 13, replace "9,903,992" with "9,306,236"

Page 2, after line 7, insert:

"SECTION 5. TRANSFER. The state treasurer shall transfer the sum of \$100,000 from the highway fund to the general fund during the biennium beginning July 1, 1999, and ending June 30, 2001. The purpose of the transfer is to reimburse the general fund for expenses incurred by the highway patrol in collecting revenue for the highway fund.

SECTION 6. OFFICE OF MANAGEMENT AND BUDGET, SUPREME COURT, AND LEGISLATIVE ASSEMBLY - PAYMENTS TO HIGHWAY PATROL. The office of management and budget shall pay \$50,000 to the highway patrol on July 1, 1999, the supreme court shall pay \$30,000 to the highway patrol on July 1, 2000, and the legislative assembly shall pay \$20,000 to the highway patrol on January 1, 2001, for the purpose of providing funding for capitol grounds security services provided by the highway patrol for the biennium beginning July 1, 1999, and ending June 30, 2001. The highway patrol shall deposit these funds in the highway patrol operating fund to be used for paying costs associated with providing security on the capitol grounds.

SECTION 7. Two new sections to chapter 39-03 of the North Dakota Century Code are created and enacted as follows:

Highway patrol operating fund. The highway patrol operating fund is a special fund in the state treasury. Moneys deposited in the fund must be used pursuant to legislative appropriations for highway patrol programs.

Law enforcement training academy - User fees. The highway patrol shall charge a fee of ten dollars per day for each person, excluding highway patrol personnel, attending law enforcement programs at the law enforcement training academy. The highway patrol shall charge a lodging fee of ten dollars per night for each person, excluding highway patrol personnel, staying overnight at the law enforcement training academy. Revenues from these fees must be deposited in the highway patrol operating fund."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 504 - HIGHWAY PATROL

HOUSE - This amendment makes the following changes:

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Administration	\$2,016,729	(\$20,188)	\$1,996,541
Field operations	22,564,316	(377,312)	22,187,004
Law enforcement training academy	<u>927,900</u>	<u>(5,455)</u>	<u>922,445</u>
Total all funds	\$25,508,945	(\$402,955)	\$25,105,990
Less special funds	<u>15,604,953</u>	<u>194,801</u>	<u>15,799,754</u>
General fund	\$9,903,992	(\$597,756)	\$9,306,236
FTE	198.00	0.00	198.00

Detail of House changes to the executive budget includes:

	REDUCE COMPENSATION PACKAGE TO 2/2	ADJUST HEALTH INSURANCE COST	DELAY MARKET SALARY ADJUSTMENTS TO 1/1/2001	CHANGE FUNDING FOR CAPITOL SECURITY POSITION	REDUCE MOTOR POOL FUNDING	REMOVE MOBILE DATA TERMINAL MAINTENANCE FUNDING
Administration	(\$21,646)	\$4,847	(\$3,389) ¹			
Field operations	(206,410)	49,896		(5,798) ²	(175,000)	(40,000)
Law enforcement training academy	<u>(7,165)</u>	<u>1,710</u>				
Total all funds	(\$235,221)	\$56,453	(\$3,389)	(\$5,798)	(\$175,000)	(\$40,000)
Less special funds	<u>(11,936)</u>	<u>2,737</u>		<u>100,000</u> ³		
General fund	(\$223,285)	\$53,716	(\$3,389)	(\$105,798)	(\$175,000)	(\$40,000)
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	CHANGES FUNDING FOR LAW ENFORCEMENT TRAINING ACADEMY	TOTAL HOUSE CHANGES
Administration		(\$20,188)
Field operations		(377,312)
Law enforcement training academy		<u>(5,455)</u>
Total all funds	\$0	(\$402,955)
Less special funds	<u>104,000</u> ⁴	<u>194,801</u>
General fund	(\$104,000)	(\$597,756)
FTE	0.00	0.00

House changes narrative:

¹ In addition to the two percent annual salary increases, funding is included to provide the superintendent a market equity salary increase of \$155 per month for the final six months of the biennium.

² Reduces operating expenses from \$29,479 to \$23,681 associated with the capitol grounds security position added in the executive budget.

³ A section is added providing that the Office of Management and Budget's facility management division pay \$50,000, the Supreme Court pay \$30,000, and the Legislative Assembly pay \$20,000 to the Highway Patrol during the 1999-2001 biennium to provide funding for capitol grounds security services provided by the Highway Patrol during the 1999-2001 biennium.

⁴ A section is added providing that the Highway Patrol charge non-Highway Patrol personnel attending courses at the Law Enforcement Training Academy a rate of \$10 per day and for the non-Highway Patrol personnel who stay overnight at the academy an additional fee of \$10 per night. For the 1999-2001 biennium, the Highway Patrol estimates collecting \$104,000 from these fees which will be used for the costs associated with operating the academy for the 1999-2001 biennium.

A section is added transferring \$100,000 from the highway fund to the general fund during the 1999-2001 biennium. The \$100,000 is 2.5 percent of the \$4 million of highway fund revenues anticipated to be collected to be collected by the Highway Patrol from trucking permits, overloads, and other fees during the 1999-2001 biennium. This transfer is intended to reimburse the general fund for a portion of the Highway Patrol's costs relating to collecting this revenue for the highway fund.

REPORT OF STANDING COMMITTEE

HB 1012: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (19 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1012 was placed on the Sixth order on the calendar.

Page 1, line 9, replace "26,902,044" with "25,797,360"

Page 1, line 10, replace "10,646,562" with "7,413,072"

Page 1, line 11, replace "9,352,175" with "9,281,759"

Page 1, line 12, replace "553,629,335" with "553,523,851"

Page 1, line 13, replace "34,708,905" with "34,677,551"

Page 1, line 14, replace "all" with "special" and replace "635,239,021" with "630,693,593"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 801 - DEPARTMENT OF TRANSPORTATION

HOUSE - This amendment makes the following changes:

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Administration	\$26,902,044	(\$1,104,684)	\$25,797,360
Motor vehicle	10,646,562	(3,233,490)	7,413,072
Driver's license	9,352,175	(70,416)	9,281,759
Highways	553,629,335	(105,484)	553,523,851
Fleet services	<u>34,708,905</u>	<u>(31,354)</u>	<u>34,677,551</u>
Total all funds	\$635,239,021	(\$4,545,428)	\$630,693,593
Less special funds	<u>635,239,021</u>	<u>(4,545,428)</u>	<u>630,693,593</u>
General fund	\$0	\$0	\$0
FTE	1,042.00	(2.00)	1,040.00

Detail of House changes to the executive budget includes:

	REDUCE COMPENSATION PACKAGE TO 2/2	ADJUST HEALTH INSURANCE COST	DELAY MARKET SALARY ADJUSTMENTS TO 1/1/2001	REMOVE FUNDING FOR NEW LICENSE PLATE ISSUE	REDUCE TELECONFERENCE SYSTEM FUNDING	REDUCE ENGINEERING MERIT INCREASES
Administration	(\$113,015)	\$29,507	(\$27,586) ¹		(\$120,355) ³	
Motor vehicle	(34,609)	12,534		(\$2,827,623) ²		
Driver's license	(51,931)	17,515				
Highways	(808,914)	229,787				(\$200,000) ⁴
Fleet services	<u>(25,381)</u>	<u>8,037</u>				
Total all funds	(\$1,033,850)	\$297,380	(\$27,586)	(\$2,827,623)	(\$120,355)	(\$200,000)
Less special funds	<u>(1,033,850)</u>	<u>297,380</u>	<u>(27,586)</u>	<u>(2,827,623)</u>	<u>(120,355)</u>	<u>(200,000)</u>
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	REDUCE CAPITAL IMPROVEMENTS	REDUCE GRANTS	REMOVE VACANT POSITIONS	REDUCE PROGRAM FUNDING	ADD HIGHWAY CONSTRUCTION FUNDING	TOTAL HOUSE CHANGES
Administration				(\$873,235) ⁸		(\$1,104,684)
Motor vehicle				(383,792) ⁹		(3,233,490)
Driver's license				(36,000) ¹⁰		(70,416)
Highways	(\$1,238,000) ⁵	(\$4,372,266) ⁶	(\$110,977) ⁷	(800,000) ¹¹	\$7,194,886 ¹²	(105,484)
Fleet services			(14,010) ⁷			(31,354)
Total all funds	(\$1,238,000)	(\$4,372,266)	(\$124,987)	(\$2,093,027)	\$7,194,886	(\$4,545,428)
Less special funds	<u>(1,238,000)</u>	<u>(4,372,266)</u>	<u>(124,987)</u>	<u>(2,093,027)</u>	<u>(7,194,886)</u>	<u>(4,545,428)</u>
General fund	\$0	\$0	\$0	\$0	\$0	\$0

FTE 0.00 0.00 (2.00) 0.00 0.00 (2.00)

House changes narrative:

- 1 In addition to the two percent annual salary increases, funding is included to provide a market equity salary increase of the following monthly amount to each of the listed positions for the final six months of the biennium:

POSITION	MONTHLY INCREASE
Director	\$186.83
Deputy	\$568.08
Deputy	\$506.75

- 2 Removes funding included in the executive budget for a new license plate issue during the 1999-2001 biennium.

- 3 Reduces funding from the highway fund for a teleconference system for the department's central office and its eight district offices. Funding of \$41,725 is provided for a pilot project involving three sites.

- 4 Reduces funding by \$200,000 from the highway fund, from \$1,000,000 to \$800,000, for merit increases for engineering positions.

- 5 Removes funding from the highway fund for capital improvements relating to replacing 12 section buildings. Funding of \$619,000 remains to replace six section buildings during the 1999-2001 biennium.

- 6 Removes federal funding for grants. The department no longer expects to receive federal funds from the Bureau of Indian Affairs to provide as grants to the Indian reservations. The federal funds will be provided directly to the reservations.

- 7 Removes the following vacant positions:

(1 FTE) Transportation management officer from the highways program	(\$78,287)
(1 FTE) Auto service worker II from the highways program (70%) and Fleet Services (30%)	(46,700)
Total	(\$124,987)

- 8 Administration program reductions include:

Information technology hardware	(\$330,000)
Travel	(10,000)
Driver's license site automation - The executive budget included \$100,000 to automate 10 sites	(50,000)
Indirect cost funding which was included in the executive budget but which will not be billed to the department by the Office of Management and Budget for the 1999-2001 biennium	(483,235)
Total	(\$873,235)

- 9 Motor vehicle program reductions include:

Temporary and overtime salaries	(\$50,000)
Repairs	(50,000)
Operating fees and services	(283,792)
Total	(\$383,792)

- 10 Driver's license program reductions include:

Temporary and overtime salaries	(\$30,000)
Travel	(6,000)
Total	(\$36,000)

- 11 Highways program reductions include:

Repairs	(\$200,000)
Office supplies	(100,000)
Maintenance supplies	(250,000)
Office equipment and furniture	(250,000)
Total	(\$800,000)

- 12 Highway fund reductions made to the department's budget are added to the highways program for providing additional funding for highway construction.

The schedule below presents the funding sources for the department for the 1999-2001 biennium.

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Highway fund	\$230,742,666	\$0	\$230,742,666
Federal funds	368,287,450	(4,514,074)	363,773,376
Public transportation fund	1,500,000		1,500,000
Fleet services fund	<u>34,708,905</u>	<u>(31,354)</u>	<u>34,677,551</u>
Total all funds	\$635,239,021	(\$4,545,428)	\$630,693,593

REPORT OF STANDING COMMITTEE

HB 1015, as engrossed: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (19 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed HB 1015 was placed on the Sixth order on the calendar.

Page 1, line 13, replace "5,961,526" with "5,742,657"

Page 1, line 14, replace "1,807,134" with "1,742,594"

Page 1, line 15, replace "198,100" with "132,520"

Page 1, line 19, replace "287,039" with "245,102"

Page 1, line 20, replace "34,604,967" with "34,214,041"

Page 1, line 21, replace "13,814,830" with "13,677,333"

Page 1, line 22, replace "20,790,137" with "20,536,708"

Page 2, line 1, replace "14,527,399" with "14,298,824"

Page 2, line 6, replace "27,467,999" with "27,239,424"

Page 2, line 15, replace "12,355,320" with "12,390,674"

Page 2, line 16, replace "8,034,814" with "7,834,814"

Page 2, line 19, replace "20,690,134" with "20,525,488"

Page 2, line 22, replace "2,972,577" with "2,733,217"

Page 2, line 27, replace "23,931,307" with "23,691,947"

Page 2, line 28, replace "29,890,137" with "29,636,708"

Page 2, line 29, replace "85,904,270" with "85,134,192"

Page 2, line 30, replace "115,794,407" with "114,770,900"

Page 3, line 9, replace "54-17.3" with "54-17.2"

Re-number accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 405 - INDUSTRIAL COMMISSION

HOUSE - This amendment makes the following changes:

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$5,961,526	(\$218,869)	\$5,742,657
Operating expenses	1,807,134	(64,540)	1,742,594
Equipment	198,100	(65,580)	132,520
Grants	10,450,000		10,450,000
Administrative contingency	10,000		10,000
Bond payments	15,891,168		15,891,168
Geophysical exploration	<u>287,039</u>	<u>(41,937)</u>	<u>245,102</u>
Total all funds	\$34,604,967	(\$390,926)	\$34,214,041
Less special funds	<u>13,814,830</u>	<u>(137,497)</u>	<u>13,677,333</u>
General fund	\$20,790,137	(\$253,429)	\$20,536,708
FTE	66.00	(3.00)	63.00

Detail of House changes to the executive budget include:

	REDUCE COMPENSATION PACKAGE TO 2/2	ADJUST HEALTH INSURANCE COST	REMOVE DATA INPUT OPERATOR FTE (OIL AND GAS)	REMOVE GEOGRAPHIC INFORMATION SPECIALIST FTE (40% OIL AND GAS, 60% GEOLOGICAL SURVEY)	REMOVE LOAN OFFICER FTE (MUNICIPAL BOND BANK)	REMOVE INCREASES RELATED TO NEW FTE POSITIONS
Salaries and wages						
Operating expenses	(\$78,119)	\$18,247		(\$63,575)	(\$71,662)	
Equipment						(\$33,540)
Grants						(7,000)
Administrative contingency						
Bond payments						
Geophysical exploration	<u>(2,770)</u>	<u>570</u>	<u>(\$39,737)</u>			
Total all funds	(\$80,889)	\$18,817	(\$39,737)	(\$63,575)	(\$71,662)	(\$40,540)
Less special funds	<u>(9,724)</u>	<u>2,566</u>	<u>(39,737)</u>		<u>(71,662)</u>	<u>(18,940)</u>
General fund	(\$71,165)	\$16,251	\$0	(\$63,575)	\$0	(\$21,600)
FTE	0.00	0.00	(1.00)	(1.00)	(1.00)	0.00

	DECREASE INFORMATION TECHNOLOGY EQUIPMENT FUNDING FOR LAPTOPS, WORKSTATIONS, AND NETWORK SERVER	REMOVE TEMPORARY SALARY FUNDING FOR COAL GEOLOGIST (GEOLOGICAL SURVEY)	DECREASE FUNDING FOR LEASE PAYMENTS DUE TO PROJECTED SAVINGS	DECREASE INFORMATION TECHNOLOGY EQUIPMENT FUNDING BY 30%	TOTAL HOUSE CHANGES
Salaries and wages		(\$23,760)			(\$218,869)
Operating expenses			(\$31,000)		(64,540)
Equipment	(\$44,000)			(\$14,580)	(65,580)
Grants					
Administrative contingency					
Bond payments					
Geophysical exploration					<u>(41,937)</u>
Total all funds	(\$44,000)	(\$23,760)	(\$31,000)	(\$14,580)	(\$390,926)
Less special funds					<u>(137,497)</u>
General fund	(\$44,000)	(\$23,760)	(\$31,000)	(\$14,580)	(\$253,429)
FTE	0.00	0.00	0.00	0.00	(3.00)

DEPARTMENT 471 - BANK OF NORTH DAKOTA

HOUSE - This amendment makes the following changes:

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$14,527,399	(\$228,575)	\$14,298,824
Operating expenses	10,835,600		10,835,600
Equipment	500,000		500,000
Capital improvements	105,000		105,000
Contingency	1,500,000		1,500,000
PACE	6,600,000		6,600,000
Ag PACE	1,500,000		1,500,000
Beginning farmer	<u>1,000,000</u>		<u>1,000,000</u>
Total all funds	\$36,567,999	(\$228,575)	\$36,339,424
Less special funds	<u>27,467,999</u>	<u>(228,575)</u>	<u>27,239,424</u>
General fund	\$9,100,000	\$0	\$9,100,000
FTE	178.50	(1.00)	177.50

Detail of House changes to the executive budget include:

	REDUCE COMPENSATION PACKAGE TO 2/2	ADJUST HEALTH INSURANCE COST	REMOVE VACANT ACCOUNT BUDGET SPECIALIST III FTE	TOTAL HOUSE CHANGES
Salaries and wages	(\$185,708)	\$52,462	(\$95,329)	(\$228,575)
Operating expenses				
Equipment				
Capital improvements				
Contingency				
PACE				
Ag PACE				
Beginning farmer				
Total all funds	(\$185,708)	\$52,462	(\$95,329)	(\$228,575)
Less special funds	<u>(185,708)</u>	<u>52,462</u>	<u>(95,329)</u>	<u>(228,575)</u>
General fund	\$0	\$0	\$0	\$0
FTE	0.00	0.00	(1.00)	(1.00)

DEPARTMENT 473 - HOUSING FINANCE AGENCY

HOUSE - This amendment makes the following changes:

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$2,972,577	(\$239,360)	\$2,733,217
Operating expenses	2,570,690		2,570,690
Equipment	75,000		75,000
Grants	18,213,040		18,213,040
Contingency	<u>100,000</u>		<u>100,000</u>
Total all funds	\$23,931,307	(\$239,360)	\$23,691,947
Less special funds	<u>23,931,307</u>	<u>(239,360)</u>	<u>23,691,947</u>
General fund	\$0	\$0	\$0
FTE	36.00	(3.00)	33.00

Detail of House changes to the executive budget include:

	REDUCE COMPENSATION PACKAGE TO 2/2	ADJUST HEALTH INSURANCE COST	DELAY MARKET SALARY ADJUSTMENT TO JANUARY 1, 2001	REMOVE NEW ACCOUNT BUDGET SPECIALIST FTE	REMOVE NEW UNDESIGNATED FTE	REMOVE NEW HOUSING PROGRAM SPECIALIST I FTE
Salaries and wages	(\$38,400)	\$10,050	(\$6,837)	(\$69,875)	(\$118,129)	(\$16,169)
Operating expenses						
Equipment						
Grants						
Contingency						
Total all funds	(\$38,400)	\$10,050	(\$6,837)	(\$69,875)	(\$118,129)	(\$16,169)
Less special funds	<u>(38,400)</u>	<u>10,050</u>	<u>(6,837)</u>	<u>(69,875)</u>	<u>(118,129)</u>	<u>(16,169)</u>
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	(1.00)	(1.00)	(1.00)

	TOTAL HOUSE CHANGES
Salaries and wages	(\$239,360)
Operating expenses	
Equipment	
Grants	
Contingency	
Total all funds	(\$239,360)
Less special funds	<u>(239,360)</u>
General fund	\$0
FTE	(3.00)

House changes narrative:

In addition to the two percent annual salary increases, funding is included to provide the director with a market equity salary increase of \$312.67 per month for the final six months of the biennium.

DEPARTMENT 475 - MILL AND ELEVATOR ASSOCIATION

HOUSE - This amendment makes the following changes:

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$12,355,320	\$35,354	\$12,390,674
Operating expenses	8,034,814	(200,000)	7,834,814
Contingency	250,000		250,000
Agriculture promotion	<u>50,000</u>		<u>50,000</u>
Total all funds	\$20,690,134	(\$164,646)	\$20,525,488
Less special funds	<u>20,690,134</u>	<u>(164,646)</u>	<u>20,525,488</u>
General fund	\$0	\$0	\$0
FTE	124.00	0.00	124.00

Detail of House changes to the executive budget include:

	REDUCE MAINTENANCE AND REPAIR	ADJUST HEALTH INSURANCE COST	TOTAL HOUSE CHANGES
Salaries and wages		\$35,354	\$35,354
Operating expenses	(\$200,000)		(200,000)
Contingency			
Agriculture promotion			
Total all funds	(\$200,000)	\$35,354	(\$164,646)
Less special funds	<u>(200,000)</u>	<u>35,354</u>	<u>(164,646)</u>
General fund	\$0	\$0	\$0
FTE	0.00	0.00	0.00

REPORT OF STANDING COMMITTEE

HB 1017: Appropriations Committee (Rep. Dalrymple, Chairman) A MAJORITY of your committee (Reps. Byerly, Carlisle, Wentz, Delzer, Poolman, Tollefson, Boehm, Bernstein, Svedjan, Lloyd, Carlson, Monson, Dalrymple, Timm) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS**.

Page 1, line 9, replace "31,727,196" with "31,186,659"

Page 1, line 10, replace "15,268,989" with "10,318,989"

Page 1, line 14, replace "2,000,676" with "1,000,676"

Page 1, line 15, replace "58,354,767" with "51,864,230"

Page 1, line 16, replace "56,354,767" with "50,864,230"

Page 1, line 17, replace "2,000,000" with "1,000,000"

Page 1, line 22, replace "\$150,000" with "\$100,000" and replace "\$2,000,676" with "\$1,000,676"

Page 2, after line 2, insert:

"SECTION 4. WORK FORCE 2000. The work force 2000 funding contained in section 1 of this Act is only to be used by job service North Dakota for expanding businesses, newly created jobs, assisting in the recruitment of new businesses or jobs, training related to significant changes in technology or equipment, or training related to significant changes in business operations or production methods.

SECTION 5. ASBESTOS SETTLEMENT FUNDS. Job service North Dakota is to deposit all asbestos settlement proceeds in a special asbestos abatement fund. The asbestos abatement fund shall only be used for job service North Dakota asbestos abatement projects. Funds in the asbestos abatement fund may only be spent pursuant to legislative appropriation.

SECTION 6. DEPARTMENT OF LABOR WAIVER. Job service North Dakota shall seek a waiver from the federal department of labor for the authority to use excess administrative funding, created through administrative efficiencies, for program costs.

SECTION 7. PUBLIC TRANSPORTATION PROVIDER PAYMENTS. Job service North Dakota shall reimburse, upon receipt of a detailed billing, public transportation providers for transportation services provided to welfare-to-work recipients. The rate of reimbursement must be at the same rate the public transportation provider charges to non-welfare-to-work recipients using the public transportation services. Total reimbursements to public transportation providers may not exceed \$225,000 per biennium."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 380 - JOB SERVICE NORTH DAKOTA

HOUSE - This amendment makes the following changes:

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$31,727,196	(\$540,537)	\$31,186,659
Operating expenses	15,268,989	(4,950,000)	10,318,989
Equipment	887,100		887,100
Capital improvements	493,553		493,553
Grants	7,977,253		7,977,253
Work Force 2000	<u>2,000,676</u>	<u>(1,000,000)</u>	<u>1,000,676</u>
Total all funds	\$58,354,767	(\$6,490,537)	\$51,864,230
Less special funds	<u>56,354,767</u>	<u>(5,490,537)</u>	<u>50,864,230</u>
General fund	\$2,000,000	(\$1,000,000)	\$1,000,000
FTE	390.40	(3.00)	387.40

Detail of House changes to the executive budget includes:

	REDUCE COMPENSATION PACKAGE TO 2/2	ADJUST HEALTH INSURANCE COST	REALLOCATE SALARY FUNDING TO OPERATING FOR CONTRACTING	REDUCE WORK FORCE 2000 FUNDING	REMOVE ANTICIPATED ASBESTOS SETTLEMENT PROCEEDS	TOTAL HOUSE CHANGES
Salaries and wages	(\$406,010)	\$115,473	(\$250,000)			(\$540,537)
Operating expenses			250,000		(\$5,200,000)	(4,950,000)
Equipment						
Capital improvements						
Grants						
Work Force 2000				(\$1,000,000)		(1,000,000)
Total all funds	(\$406,010)	\$115,473	\$0	(\$1,000,000)	(\$5,200,000)	(\$6,490,537)
Less special funds	<u>(406,010)</u>	<u>115,473</u>			<u>(5,200,000)</u>	<u>(5,490,537)</u>
General fund	\$0	\$0	\$0	(\$1,000,000)	\$0	(\$1,000,000)
FTE	0.00	0.00	(3.00)	0.00	0.00	(3.00)

House changes narrative:

This amendment provides for a general reduction of \$1,000,000 from the general fund for the Work Force 2000 program.

This amendment removes three information technology positions and then transfers \$250,000 of other funds from the salaries and wages line item to the operating expenses line item. The \$250,000 is to be used to contract for information technology services related to increasing the fund balance, technology business planning, claims processing efficiencies, and Work Force 2000.

The amendment also adds sections relating to:

Defining the uses of Work Force 2000 funding.

Prescribing the uses of asbestos settlement proceeds.

Seeking a waiver to allow for the use of administrative funds for program costs.

Payments to public transportation providers for services provided to welfare-to-work recipients.

REPORT OF STANDING COMMITTEE

HB 1017: Appropriations Committee (Rep. Dalrymple, Chairman) A **MINORITY** of your committee (Reps. Hoffner, Kerzman, Gulleason, Aarsvold) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS**.

Page 1, line 9, replace "31,727,196" with "31,186,659"

Page 1, line 10, replace "15,268,989" with "10,318,989"

Page 1, line 15, replace "58,354,767" with "52,864,230"

Page 1, line 16, replace "56,354,767" with "50,864,230"

Page 2, after line 2, insert:

"SECTION 4. WORK FORCE 2000. The work force 2000 funding contained in section 1 of this Act is only to be used by job service North Dakota for expanding businesses, newly created jobs, assisting in the recruitment of new businesses or jobs, training related to significant changes in technology or equipment, or training related to significant changes in business operations or production methods.

SECTION 5. ASBESTOS SETTLEMENT FUNDS. Job service North Dakota is to deposit all asbestos settlement proceeds in a special asbestos abatement fund. The asbestos abatement fund shall only be used for job service North Dakota asbestos abatement projects. Funds in the asbestos abatement fund may only be spent pursuant to legislative appropriation.

SECTION 6. DEPARTMENT OF LABOR WAIVER. Job service North Dakota shall seek a waiver from the federal department of labor for the authority to use excess administrative funding, created through administrative efficiencies, for program costs.

SECTION 7. PUBLIC TRANSPORTATION PROVIDER PAYMENTS. Job service North Dakota shall reimburse, upon receipt of a detailed billing, public transportation providers for transportation services provided to welfare-to-work recipients. The rate of reimbursement must be at the same rate the public transportation provider charges to non-welfare-to-work recipients using the public transportation services. Total reimbursements to public transportation providers may not exceed \$225,000 per biennium."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 380 - JOB SERVICE NORTH DAKOTA

HOUSE - This amendment makes the following changes:

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$31,727,196	(\$540,537)	\$31,186,659
Operating expenses	15,268,989	(4,950,000)	10,318,989
Equipment	887,100		887,100
Capital improvements	493,553		493,553
Grants	7,977,253		7,977,253
Work Force 2000	<u>2,000,676</u>		<u>2,000,676</u>
Total all funds	\$58,354,767	(\$5,490,537)	\$52,864,230
Less special funds	<u>56,354,767</u>	<u>(5,490,537)</u>	<u>50,864,230</u>
General fund	\$2,000,000	\$0	\$2,000,000
FTE	390.40	(3.00)	387.40

Detail of House changes to the executive budget includes:

	REDUCE COMPENSATION PACKAGE TO 2/2	ADJUST HEALTH INSURANCE COST	REALLOCATE SALARY FUNDING TO OPERATING FOR CONTRACTING	REMOVE ANTICIPATED ASBESTOS SETTLEMENT PROCEEDS	TOTAL HOUSE CHANGES
Salaries and wages	(\$406,010)	\$115,473	(\$250,000)		(\$540,537)
Operating expenses			250,000	(\$5,200,000)	(4,950,000)
Equipment					
Capital improvements					
Grants					
Work Force 2000					
Total all funds	(\$406,010)	\$115,473	\$0	(\$5,200,000)	(\$5,490,537)
Less special funds	<u>(406,010)</u>	<u>115,473</u>		<u>(5,200,000)</u>	<u>(5,490,537)</u>
General fund	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	(3.00)	0.00	(3.00)

House changes narrative:

This amendment removes three information technology positions and then transfers \$250,000 of other funds from the salaries and wages line item to the operating expenses line item. The \$250,000 is to be used to contract for information technology services related to increasing the fund balance, technology business planning, claims processing efficiencies, and Work Force 2000.

The amendment also adds sections relating to:

Defining the uses of Work Force 2000 funding.

Prescribing the uses of asbestos settlement proceeds.

Seeking a waiver to allow for the use of administrative funds for program costs.

Payments to public transportation providers for services provided to welfare-to-work recipients.

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

REPORT OF STANDING COMMITTEE

HB 1020: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 7 NAYS, 0 ABSENT AND NOT VOTING). HB 1020 was placed on the Sixth order on the calendar.

Page 1, line 10, replace "2,718,940" with "2,688,484"

Page 1, line 13, replace "25,188,522" with "23,788,522"

Page 1, line 16, replace "29,337,866" with "27,907,410"

Page 1, line 17, replace "15,745,712" with "15,733,019"

Page 1, line 18, replace "13,592,154" with "12,174,391"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 270 - STATE BOARD FOR VOCATIONAL AND TECHNICAL EDUCATION

HOUSE - This amendment makes the following changes:

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$2,718,940	(\$30,456)	\$2,688,484
Operating expenses	567,192		567,192
Equipment	60,000		60,000
Grants	25,188,522	(1,400,000)	23,788,522
Adult farm management	445,760		445,760
Postsecondary education grants	357,452		357,452
Total all funds	\$29,337,866	(\$1,430,456)	\$27,907,410
Less special funds	<u>15,745,712</u>	<u>(12,693)</u>	<u>15,733,019</u>
General fund	\$13,592,154	(\$1,417,763)	\$12,174,391
FTE	28.50	0.00	28.50

Detail of House changes to the executive budget includes:

	REDUCE COMPENSATION PACKAGE TO 2/2	INCREASE HEALTH INSURANCE COST	DELAY MARKET SALARY INCREASE TO JANUARY 1, 2001	REMOVE FUNDING FOR WORK FORCE TRAINING GRANTS	REDUCE FUNDING FOR VOCATIONAL EQUIPMENT AND TRAINING GRANTS	TOTAL HOUSE CHANGES
Salaries and wages	(\$35,175)	\$8,268	(\$3,549)			(\$30,456)
Operating expenses						
Equipment						
Grants				(\$1,000,000)	(\$400,000)	(1,400,000)
Adult farm management						
Postsecondary education grants						
Total all funds	(\$35,175)	\$8,268	(\$3,549)	(\$1,000,000)	(\$400,000)	(\$1,430,456)
Less special funds	<u>(15,352)</u>	<u>3,631</u>	<u>(972)</u>			<u>(12,693)</u>
General fund	(\$19,823)	\$4,637	(\$2,577)	(\$1,000,000)	(\$400,000)	(\$1,417,763)

House changes narrative:

This amendment makes the following changes:

Reduces salary increases to two percent in July 1999 and two percent in July 2000.

Increases salaries and wages to reflect increased health insurance costs.

Delays until January 1, 2001, implementation of a market salary increase for the director. This salary adjustment will provide an increase of approximately \$162 per month for the last six months of the biennium.

Removes the recommended \$1 million general fund appropriation for customized work force training grants.

Reduces from \$1,575,000 to \$1,175,000 the recommended general fund appropriation for grants for the purchase of vocational education equipment, training of vocational educators, or the operation of small business management programs.

REPORT OF STANDING COMMITTEE

HB 1021: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (17 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1021 was placed on the Sixth order on the calendar.

Page 1, line 3, after "centers" insert "; to provide for dairy diagnostic teams; to provide statements of legislative intent; and to amend and reenact sections 4-05.1-02, 4-05.1-04, 4-05.1-16, 4-05.1-17, 4-05.1-18, 4-05.1-19, 4-05.1-21, and 4-08-10 of the North Dakota Century Code, relating to the state board of agricultural research"

Page 1, line 14, replace "25,121,626" with "24,744,286"

Page 1, line 15, replace "3,564,436" with "3,546,836"

Page 1, line 16, replace "625,640" with "432,850"

Page 1, line 17, replace "560,000" with "580,000"

Page 1, line 18, replace "29,871,702" with "29,303,972"

Page 1, line 19, replace "16,772,588" with "16,596,765"

Page 1, line 20, replace "13,099,114" with "12,707,207"

Page 1, line 23, replace "887,945" with "878,518"

Page 2, line 2, replace "1,079,475" with "1,070,048"

Page 2, line 3, replace "411,441" with "407,957"

Page 2, line 4, replace "668,034" with "662,091"

Page 2, line 7, replace "2,876,922" with "2,850,752"

Page 2, line 11, replace "6,488,830" with "6,462,660"

Page 2, line 12, replace "6,001,444" with "5,980,240"

Page 2, line 13, replace "487,386" with "482,420"

Page 2, line 16, replace "38,630,612" with "38,080,539"

Page 2, line 17, replace "4,227,580" with "4,163,330"

Page 2, line 22, replace "47,349,738" with "46,735,415"

Page 2, line 23, replace "20,556,378" with "20,463,068"

Page 2, line 24, replace "26,793,360" with "26,272,347"

Page 2, line 27, replace "2,232,735" with "2,268,116"

Page 2, line 28, replace "1,363,529" with "1,297,963"

Page 2, line 29, replace "1,227,445" with "1,220,740"

Page 2, line 30, replace "1,141,330" with "1,075,049"

Page 2, line 31, replace "1,251,892" with "1,301,950"

Page 3, line 1, replace "1,130,090" with "1,123,230"

Page 3, line 2, replace "2,450,704" with "2,425,452"

Page 3, line 3, replace "10,797,725" with "10,712,500"

Page 3, line 4, replace "3,928,339" with "3,921,409"

Page 3, line 5, replace "6,869,386" with "6,791,091"

Page 3, line 8, replace "346,452" with "342,839"

Page 3, line 12, replace "1,205,952" with "1,202,339"

Page 3, line 13, replace "47,917,280" with "46,915,156"

Page 3, line 14, replace "48,876,142" with "48,571,778"

Page 3, line 15, replace "96,793,422" with "95,486,934"

Page 3, replace lines 16 through 19 with:

"SECTION 2. ADDITIONAL INCOME - APPROPRIATION. Any additional income including funds from the federal government and gifts and donations from private sources received by the North Dakota agricultural experiment station, northern crops institute, upper great plains transportation institute, and the North Dakota state university extension service, except as otherwise provided by law, is hereby appropriated for the purpose designated in the gift, grant, or donation for the biennium beginning July 1, 1999, and ending June 30, 2001.

SECTION 3. UNEXPENDED GENERAL FUND - EXCESS INCOME. Any unexpended general fund appropriation authority to and any excess income received by entities listed in section 1 of this Act are not subject to the provisions of section 54-44.1-11 and any unexpended funds from these appropriations or revenues are available during the biennium beginning July 1, 2001, and ending June 30, 2003, and may be expended, as directed by the state board of higher education, for capital repairs and improvements, equipment, and other one-time expenditures."

Page 4, after line 7, insert:

"SECTION 8. Dairy diagnostic teams. The North Dakota state university extension service shall appoint regional dairy diagnostic teams consisting of agricultural business management professionals, dairy extension specialists, and dairy industry partners such as nutrition specialists, reproductive specialists, and animal health specialists. At the request of a dairy producer, a dairy diagnostic team shall conduct a site visit, offer the dairy producer educational and technological assistance, and develop a strategic plan to enhance the producer's productivity and profitability.

SECTION 9. LEGISLATIVE INTENT - FUNDING FOR DAIRY DIAGNOSTIC TEAMS. It is the intent of the fifty-sixth legislative assembly that the North Dakota state university extension service use up to the sum of \$100,000 of its 1999-2001 biennium appropriation to develop and operate the dairy diagnostic teams for the biennium beginning July 1, 1999, and ending June 30, 2001.

SECTION 10. AMENDMENT. Section 4-05.1-02 of the 1997 Supplement to the North Dakota Century Code is amended and reenacted as follows:

4-05.1-02. Agricultural experiment station. The state board of agricultural research and education and the president of North Dakota state university shall control and administer the North Dakota agricultural experiment station subject to the supervision of the state board of higher education. Funds appropriated to the agricultural experiment station may not be commingled with funds appropriated to North Dakota state university. Appropriation requests to defray expenses of the agricultural experiment station must be separate from appropriation requests to defray expenses of North Dakota state university.

SECTION 11. AMENDMENT. Section 4-05.1-04 of the 1997 Supplement to the North Dakota Century Code is amended and reenacted as follows:

4-05.1-04. Reports. Each center director shall submit an annual report to the station director as directed by the state board of agricultural research and education. Each report must set forth in detail the investigations and experiments made during the preceding year, 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 station director shall submit these reports, with a report of the North Dakota state university main research center, to the state board of agricultural research and education and the state board of higher education on or before the first day of September of each year. If the state board of higher education submits a biennial report to the governor and the secretary of state in accordance with section 54-06-04, the report must include a composite of the reports from the main research center and each research extension center.

SECTION 12. AMENDMENT. Section 4-05.1-16 of the 1997 Supplement to the North Dakota Century Code is amended and reenacted as follows:

4-05.1-16. State board of agricultural research and education - Membership - Terms.

1. The state board of agricultural research and education consists of:
 - a. The president of North Dakota state university;
 - b. The vice president of agricultural affairs at North Dakota state university;
 - c. The administrator of the agricultural experiment station;
 - d. The five persons appointed to the agricultural consultation board by the ag coalition and serving in that capacity on July 1, 1997;

- e. The five persons appointed to the agricultural consultation board by the extension service's multicounty program units and serving in that capacity on July 1, 1997;
 - f. The two persons appointed to the agricultural consultation board by the president of North Dakota state university as representatives of the state's research extension centers and serving in that capacity on July 1, 1997;
 - g. The commissioner of agriculture, who serves in an ex officio nonvoting capacity; and
 - h. The director of the North Dakota state university extension service; ~~who serves in an ex officio capacity.~~
2. a. The initial five members appointed by the ag coalition shall select their terms by lot so that one member serves for one year, one member serves for two years, one member serves for three years, one member serves for four years, and one member serves for five years.
b. The initial five members appointed by the extension service's multicounty program units shall select their terms by lot so that one member serves for one year, one member serves for two years, one member serves for three years, one member serves for four years, and one member serves for five years.
c. The two persons appointed as representatives of the state's research extension centers shall serve only through June 30, 1998.
3. At the completion of each initial term, the term of office for each member is five years, beginning on July first. No person may be appointed to a second five-year term.
 4. a. At least ninety days before the conclusion of the initial term of each member appointed by the ag coalition, the ag coalition shall provide to the state board of higher education a list of two or more names from which the state board of higher education shall appoint a successor. Future appointments to these five positions must be made in the same manner. The state board of higher education shall ensure that four out of the five seats are held by agricultural producers.
b. At least ninety days before the conclusion of the initial term of each member appointed by the extension service's multicounty program units, the units through their advisory groups shall provide to the state board of higher education a list of two or more names from which the state board of higher education shall appoint a successor. Future appointments to these five positions must be made in the same manner. The state board of higher education shall ensure that four out of the five seats are held by agricultural producers.

SECTION 13. AMENDMENT. Section 4-05.1-17 of the 1997 Supplement to the North Dakota Century Code is amended and reenacted as follows:

4-05.1-17. Compensation of board members - Expenses. Each appointed member of the state board of agricultural research and education is entitled to receive sixty-two dollars and fifty cents per day as compensation for the time actually spent devoted to the duties of office and is entitled to receive necessary expenses in the same manner and amounts as state officials for attending meetings and performing other functions of office.

SECTION 14. AMENDMENT. Section 4-05.1-18 of the 1997 Supplement to the North Dakota Century Code is amended and reenacted as follows:

4-05.1-18. State board of agricultural research and education - Chairman - Meetings. The state board of agricultural research and education annually shall elect one of its members to serve as chairman. The board shall meet at the times and locations designated by the chairman in consultation with the vice president of agricultural affairs at North Dakota state university.

SECTION 15. AMENDMENT. Section 4-05.1-19 of the 1997 Supplement to the North Dakota Century Code is amended and reenacted as follows:

4-05.1-19. State board of agricultural research and education - Duties. Within the policies of the state board of higher education, the state board of agricultural research and education is responsible for the budgeting, supervision, and policymaking responsibilities associated with the supervision of the agricultural experiment station and the North Dakota state university extension services. The agricultural research and education board shall:

1. Determine the causes of any adverse economic impacts on crops and livestock produced in this state;
2. Develop ongoing strategies for the provision of research solutions to negate adverse economic impacts on crops and livestock produced in this state;
3. Make available financial resources, including grants and salaries, and make available equipment and facilities to implement the strategies developed under subsection 2, subject to approval by the state board of higher education;
4. Develop an annual budget for the operation of the agricultural experiment station and the North Dakota state university extension service;
5. Develop a biennial budget request and submit that request to the state board of higher education on or before March first of each even-numbered year;
6. Maximize the use of existing financial resources, equipment, and facilities to generate the greatest economic benefit from research and extension efforts and to promote efficiency;
7. Annually evaluate the results of research and extension activities and expenditures and report the findings to the legislative council and the state board of higher education;
8. Advise the administration of North Dakota state university regarding the recruitment and selection of the vice president of agricultural affairs, the extension service director, and the station director; and
9. ~~Advise the director of the extension service regarding~~ Develop ongoing strategies for the dissemination of research information and the best practices for management of the extension service.

SECTION 16. AMENDMENT. Section 4-05.1-21 of the 1997 Supplement to the North Dakota Century Code is amended and reenacted as follows:

4-05.1-21. State board of agricultural research and education - Apportionment of research funds.

1. The state board of agricultural research and education annually shall apportion the proceeds of the agricultural research fund as follows:
 - a. Seventy percent to research activities affecting North Dakota agricultural commodities that account for at least two percent of the gross sales of all agricultural commodities grown or produced in the state. The percentage of the dollars available for each agricultural commodity under this section may not exceed the percentage that the gross sales of the agricultural commodity bear to the North Dakota gross sales of all agricultural commodities grown or produced during the previous year, as determined by the agricultural statistics service;
 - b. Eighteen percent to research activities affecting North Dakota animal agriculture; and
 - c. Twelve percent to research activities affecting new and emerging crops in North Dakota.

2. The state board of agricultural research and education shall solicit proposals for research from the public and private sectors and shall appoint committees to review the proposals and award the agricultural research grants on a competitive basis. Each committee must consist of a majority of agricultural producers selected in consultation with the agricultural commodity groups representing commodities that are the subjects of the proposed research and may include researchers and other individuals knowledgeable about the proposed area of research. Whenever possible, the committees shall require that a grant recipient commit matching funds.

3. The state board of agricultural research and education shall develop policies regarding the award of research grants, including requirements for matching funds, cooperation with other in-state and out-of-state researchers, and coordination with other in-state and out-of-state proposed or ongoing research projects.

SECTION 17. AMENDMENT. Section 4-08-10 of the 1997 Supplement to the North Dakota Century Code is amended and reenacted as follows:

4-08-10. Extension agent to submit monthly account of expenditures. The extension agent shall submit monthly an accurate itemized account of all expenditures incurred by the agent in the regular conduct of duties to the North Dakota state university extension service for examination and audit. When charges are made by an extension agent for money expended in the performance of official duties, all items of one dollar or more expended and charged for must be covered by a subvoucher or receipt that must be signed by the person to whom the money was paid. The subvoucher or receipt must show at what place, on what date, and for what the money expended was paid. The extension agent shall forward the subvouchers or receipts with the bill, claim, account, or demand against the county. When charges are made for transportation expenses, they may not exceed the amounts provided by section 11-10-15, and must be in itemized form showing the mileage traveled, the days when and how traveled, and the purpose thereof, verified by affidavit. The account must be transmitted and recommended for payment by the North Dakota state university extension service which shall audit the same and which may approve or disallow any expense item therein. The state board of agricultural research and education and the president of North Dakota state university shall control and administer the North Dakota state university extension service ~~is under the control, and~~ subject to the supervision, of the state board of higher education. Funds appropriated to the North Dakota state university extension service may not be commingled with funds appropriated to North Dakota state university. An appropriation request to defray expenses of the North Dakota state university extension service must be separate from an appropriation request to defray expenses of North Dakota state university."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 627 - UPPER GREAT PLAINS TRANSPORTATION INSTITUTE

HOUSE - This amendment makes the following changes:

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$2,876,922	(\$26,170)	\$2,850,752
Operating expenses	2,211,908		2,211,908
Equipment	250,000		250,000
Grants	<u>1,150,000</u>		<u>1,150,000</u>
Total all funds	\$6,488,830	(\$26,170)	\$6,462,660
Less special funds	<u>6,001,444</u>	<u>(21,204)</u>	<u>5,980,240</u>
General fund	\$487,386	(\$4,966)	\$482,420
FTE	23.00	0.00	23.00

Detail of House changes to the executive budget includes:

	REDUCE COMPENSATION PACKAGE TO 2/2	ADJUST HEALTH INSURANCE COST	TOTAL HOUSE CHANGES
Salaries and wages	(\$32,727)	\$6,557	(\$26,170)
Operating expenses			
Equipment			
Grants			
Total all funds	<u>(\$32,727)</u>	<u>\$6,557</u>	<u>(\$26,170)</u>

Less special funds	<u>(26,911)</u>	<u>5,707</u>	<u>(21,204)</u>
General fund	(\$5,816)	\$850	(\$4,966)
FTE	0.00	0.00	0.00

House changes narrative:

The bill is changed to allow the Upper Great Plains Transportation Institute to retain, beyond the close of the 1999-2001 biennium, any unspent general fund moneys appropriated to or excess income received by the agency during the 1999-2001 biennium. These funds may be used for capital repairs and improvements, equipment, and other one-time expenditures.

DEPARTMENT 630 - NDSU EXTENSION SERVICE

HOUSE - This amendment makes the following changes:

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$25,121,626	(\$377,340)	\$24,744,286
Operating expenses	3,564,436	(17,600)	3,546,836
Equipment	625,640	(192,790)	432,850
Grants	<u>560,000</u>	<u>20,000</u>	<u>580,000</u>
Total all funds	\$29,871,702	(\$567,730)	\$29,303,972
Less special funds	<u>16,772,588</u>	<u>(175,823)</u>	<u>16,596,765</u>
General fund	\$13,099,114	(\$391,907)	\$12,707,207
FTE	267.50	(0.70)	266.80

Detail of House changes to the executive budget includes:

	REDUCE COMPENSATION PACKAGE TO 2/2	ADJUST HEALTH INSURANCE COST	ADD SHEEP EDUCATION POSITION	REMOVE MIDSIZED FARMS INITIATIVE ¹	REMOVE FUNDING FOR VALUE-ADDED CENTER ²	REMOVE FACULTY POSITION
Salaries and wages	(\$329,995)	\$80,546	\$131,646	(\$70,309)	(\$31,636)	(\$157,592)
Operating expenses				(10,100)	(7,500)	
Equipment				(5,290)	(2,500)	(10,000)
Grants						
Total all funds	(\$329,995)	\$80,546	\$131,646	(\$85,699)	(\$41,636)	(\$167,592)
Less special funds	<u>(118,986)</u>	<u>33,292</u>				<u>(90,129)</u>
General fund	(\$211,009)	\$47,254	\$131,646	(\$85,699)	(\$41,636)	(\$77,463)
FTE	0.00	0.00	1.00	(0.50)	(0.20)	(1.00)

	ADD FUNDING FOR SOIL CONSERVATION TECHNICIAN GRANTS	REDUCE EQUIPMENT	TOTAL HOUSE CHANGES
Salaries and wages			(\$377,340)
Operating expenses			(17,600)
Equipment		(\$175,000)	(192,790)
Grants	<u>\$20,000</u> ³		<u>20,000</u>
Total all funds	\$20,000	(\$175,000)	(\$567,730)
Less special funds			<u>(175,823)</u>
General fund	\$20,000	(\$175,000)	(\$391,907)
FTE	0.00	0.00	(0.70)

House changes narrative:

¹ Removes funding for the midsized farms initiative included in the executive budget.

² Removes funding for the value-added center which was proposed in the executive budget to be established at North Dakota State University.

³ Adds funding for soil conservation technician grants to provide the same funding level as the 1997-99 biennium.

The bill is changed to allow the NDSU Extension Service to retain, beyond the close of the 1999-2001 biennium, any unspent general fund moneys appropriated to or excess income received by the agency during the 1999-2001 biennium. These funds may be used for capital repairs and improvements, equipment, and other one-time expenditures.

Sections are added changing the name of the State Board of Agricultural Research to the State Board of Agricultural Research and Education, providing that the board control and administer the NDSU Extension Service in addition to the Agricultural Experiment Station, and providing that the extension service director is a voting member of the board and that the Agriculture Commissioner is a nonvoting member of the board.

Sections are added providing that the NDSU Extension Service appoint regional dairy diagnostic teams to assist dairy producers in the state. The NDSU Extension Service is to use up to \$100,000 of its 1999-2001 appropriation to develop and operate this program for the 1999-2001 biennium.

DEPARTMENT 638 - NORTHERN CROPS INSTITUTE

HOUSE - This amendment makes the following changes:

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$887,945	(\$9,427)	\$878,518
Operating expenses	118,650		118,650
Equipment	<u>72,880</u>		<u>72,880</u>
Total all funds	\$1,079,475	(\$9,427)	\$1,070,048
Less special funds	<u>411,441</u>	<u>(3,484)</u>	<u>407,957</u>
General fund	\$668,034	(\$5,943)	\$662,091
FTE	8.00	0.00	8.00

Detail of House changes to the executive budget includes:

	REDUCE COMPENSATION PACKAGE TO 2/2	ADJUST HEALTH INSURANCE COST	TOTAL HOUSE CHANGES
Salaries and wages	(\$11,707)	\$2,280	(\$9,427)
Operating expenses			
Equipment			
Total all funds	(\$11,707)	\$2,280	(\$9,427)
Less special funds	<u>(4,554)</u>	<u>1,070</u>	<u>(3,484)</u>
General fund	(\$7,153)	\$1,210	(\$5,943)
FTE	0.00	0.00	0.00

House changes narrative:

The bill is changed to allow the Northern Crops Institute to retain, beyond the close of the 1999-2001 biennium, any unspent general fund moneys appropriated to or excess income received by the agency during the 1999-2001 biennium. These funds may be used for capital repairs and improvements, equipment, and other one-time expenditures.

DEPARTMENT 640 - AGRICULTURAL EXPERIMENT STATION

HOUSE - This amendment makes the following all funds changes:

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Main Research Center	\$47,349,738	(\$614,323)	\$46,735,415
Dickinson Research Extension Center	2,232,735	35,381	2,268,116
Central Grasslands Research Extension Center	1,363,529	(65,566)	1,297,963
Hettinger Research Extension Center	1,227,445	(6,705)	1,220,740
Langdon Research Extension Center	1,141,330	(66,281)	1,075,049
North Central Research Extension Center	1,251,892	50,058	1,301,950
Williston Research Extension Center	1,130,090	(6,860)	1,123,230
Carrington Research Extension Center	2,450,704	(25,252)	2,425,452
Agronomy Seed Farm	<u>1,205,952</u>	<u>(3,613)</u>	<u>1,202,339</u>
Total all funds	\$59,353,415	(\$703,161)	\$58,650,254
FTE	418.10	(1.75)	416.35

Detail of House all funds changes to the executive budget includes:

	REDUCE COMPENSATION PACKAGE TO 2/2	ADJUST HEALTH INSURANCE COST	REMOVE MIDSIZED FARMS INITIATIVE	REMOVE FUNDING FOR VALUE-ADDED CENTER	REALLOCATE EQUIPMENT FUNDING ³	REDUCE OPERATING FUNDS ⁴
Main Research Center	(\$493,551)	\$107,205	(\$125,163) ¹	(\$102,814) ²		
Dickinson Research Extension Center	(17,108)	4,989			57,500	(10,000)
Central Grasslands Research Extension Center	(7,561)	1,995			(55,000)	(5,000)
Hettinger Research Extension Center	(9,556)	2,851				
Langdon Research Extension Center	(8,561)	2,280			(60,000)	
North Central Research Extension Center	(9,865)	2,423			57,500	
Williston Research Extension Center	(9,140)	2,280				
Carrington Research Extension Center	(19,813)	4,561				(10,000)
Agronomy Seed Farm	<u>(4,468)</u>	<u>855</u>				
Total all funds	(\$579,623)	\$129,439	(\$125,163)	(\$102,814)	\$0	(\$25,000)
FTE	0.00	0.00	(1.00)	(0.75)	0.00	0.00

	TOTAL HOUSE CHANGES
Main Research Center	(\$614,323)
Dickinson Research Extension Center	35,381
Central Grasslands Research Extension Center	(65,566)
Hettinger Research Extension Center	(6,705)
Langdon Research Extension Center	(66,281)
North Central Research Extension Center	50,058
Williston Research Extension Center	(6,860)
Carrington Research Extension Center	(25,252)
Agronomy Seed Farm	<u>(3,613)</u>
Total all funds	(\$703,161)
FTE	(1.75)

This amendment makes the following general fund changes:

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Main Research Center	\$26,793,360	(\$521,013)	\$26,272,347
Dickinson Research Extension Center	1,468,109	35,483	1,503,592
Central Grasslands Research Extension Center	841,086	(65,566)	775,520
Hettinger Research Extension Center	732,281	(5,489)	726,792
Langdon Research Extension Center	919,578	(65,593)	853,985
North Central Research Extension Center	731,532	51,184	782,716
Williston Research Extension Center	847,928	(6,702)	841,226
Carrington Research Extension Center	1,328,872	(21,612)	1,307,260
Agronomy Seed Farm	<u> </u>	<u> </u>	<u> </u>
Total general fund	\$33,662,746	(\$599,308)	\$33,063,438

Detail of House general fund changes to the executive budget includes:

	REDUCE COMPENSATION PACKAGE TO 2/2	ADJUST HEALTH INSURANCE COST	REMOVE MIDSIZED FARMS INITIATIVE	REMOVE FUNDING FOR VALUE-ADDED CENTER	REALLOCATE EQUIPMENT FUNDING ³	REDUCE OPERATING FUNDS ⁴
Main Research Center	(\$375,408)	\$82,372	(\$125,163) ¹	(\$102,814) ²		
Dickinson Research Extension Center	(17,006)	4,989			57,500	(10,000)
Central Grasslands Research Extension Center	(7,561)	1,995			(55,000)	(5,000)
Hettinger Research Extension Center	(7,485)	1,996				
Langdon Research Extension Center	(7,631)	2,038			(60,000)	
North Central Research Extension Center	(8,739)	2,423			57,500	
Williston Research Extension Center	(8,697)	1,995				
Carrington Research Extension Center	(15,176)	3,564				(10,000)
Agronomy Seed Farm	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Total general fund	(\$447,703)	\$101,372	(\$125,163)	(\$102,814)	\$0	(\$25,000)

	TOTAL HOUSE CHANGES
Main Research Center	(\$521,013)
Dickinson Research Extension Center	35,483
Central Grasslands Research Extension Center	(65,566)
Hettinger Research Extension Center	(5,489)
Langdon Research Extension Center	(65,593)
North Central Research Extension Center	51,184
Williston Research Extension Center	(6,702)
Carrington Research Extension Center	(21,612)
Agronomy Seed Farm	<u> </u>
Total general fund	(\$599,308)

House changes narrative:

1 Removes funding included in the executive budget for the midsized farms initiative as follows:

.5 FTE faculty position	(\$67,360)
.5 FTE technician	(43,751)
Operating expenses	<u>(14,052)</u>
Total	(\$125,163)

2 Removes funding included in the executive budget for establishing a value-added center at North Dakota State University as follows:

.75 FTE faculty position	(\$52,616)
Operating expenses	<u>(50,198)</u>
Total	(\$102,814)

3 Reallocates equipment funding added in the executive budget as follows:

Removes funding provided to Central Grasslands for a swather	(\$55,000)
Removes funding provided to Langdon for a field combine	(60,000)
Adds funding to Dickinson for a tractor	57,500
Adds funding to North Central for a tractor and/or a chemical storage building	57,500
Total	\$0

4 Reduces operating expenses funding from the general fund at Dickinson, Central Grasslands, and Carrington.

The bill is changed to allow the entities of the Agricultural Experiment Station to retain, beyond the close of the 1999-2001 biennium, any unspent general fund moneys appropriated to or excess income received by the entities during the 1999-2001 biennium. These funds may be used for capital repairs and improvements, equipment, and other one-time expenditures.

Sections are added changing the name of the State Board of Agricultural Research to the State Board of Agricultural Research and Education, providing that the board control and administer the NDSU Extension Service in addition to the Agricultural Experiment Station, and providing that the extension service director is a voting member of the board and that the Agriculture Commissioner is a nonvoting member of the board.

REPORT OF STANDING COMMITTEE

HB 1022: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). HB 1022 was placed on the Sixth order on the calendar.

Page 1, remove lines 12 and 13

Page 1, line 14, replace "4,500,000" with "\$4,500,000"

Page 1, line 16, replace "2,554,540" with "2,207,500"

Page 1, line 18, replace "3,770,325" with "2,000,000"

Page 1, remove lines 20 through 23

Page 2, remove lines 6 through 10

Page 2, line 13, replace "\$1,860,460" with "\$2,207,500"

Page 2, line 20, replace "19,260,325" with "10,915,000"

Page 2, line 23, replace "\$4,347,040" with "\$3,000,000"

Page 2, remove line 26

Page 2, line 27, replace "3,000,000" with "\$3,000,000"

Page 2, remove line 28

Page 2, after line 28, insert:

"The university of North Dakota-Williston shall provide \$1,500,000 of funding towards the health and wellness center addition before construction may begin. The

remaining \$1,500,000 of local responsibility is to be paid in ten annual payments of \$150,000.

If the project is reduced in size and funding, the local responsibility is to be reduced proportionately."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 405 - INDUSTRIAL COMMISSION

HOUSE - This amendment removes the following projects:

State Department of Health	Medical examiner and laboratory facility	\$3,000,000
Department of Corrections and Rehabilitation	Food service building - Missouri River Correctional Center Pine Cottage - Youth Correctional Center	1,600,000 1,975,000 <hr/>
Total projects removed		\$6,575,000

The amendment also decreases the North Dakota State College of Science electrical distribution, steamline distribution, and roof replacement project by \$1,770,325, from \$3,770,325 to \$2,000,000.

The amendment also changes the funding of the North Dakota State University animal research facility from being \$2,554,540 of bonding and \$1,860,460 of federal or other funds to \$2,207,500 of bonding and \$2,207,500 of federal or other funds. The total project cost of \$4,415,000 was not changed.

REPORT OF STANDING COMMITTEE

HB 1089, as engrossed: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1089 was placed on the Sixth order on the calendar.

Page 1, line 1, after "reenact" insert "section 52-02-18 and"

Page 1, line 2, after the first "to" insert "an audit of job service North Dakota and the" and replace "and" with "to provide for an audit of job service North Dakota;"

Page 1, line 3, replace "a continuing" with "an" and after "appropriation" insert "; and to provide an expiration date"

Page 1, after line 4, insert:

"SECTION 1. AMENDMENT. Section 52-02-18 of the 1997 Supplement to the North Dakota Century Code is amended and reenacted as follows:

52-02-18. Independent audit. The state auditor shall cause a performance audit of job service North Dakota to be conducted. The state auditor ~~shall~~ may appoint on a biennial basis an independent audit firm, with extensive expertise in job service practices and standards, to complete a performance audit ~~of the divisions of job service North Dakota~~ or the state auditor may conduct the performance audit. If the state auditor completes the audit, the state auditor may contract with a consulting firm to aid in the state audit or to complete the audit and shall charge job service North Dakota for the audit, including the services of the consulting firm. The audit must evaluate divisions of job service North Dakota, as determined necessary by the state auditor, to determine whether the divisions are providing quality service in an efficient and cost-effective manner. The audit report must contain recommendations for divisional improvement or an explanation of why no recommendations are being made. The executive director of job service North Dakota and the auditor shall present the audit report and any action taken as a result of the audit to the legislative council's legislative audit and fiscal review committee and to the house and senate industry, business and labor standing committees during the next regular session of the legislative assembly following the audit. The executive director shall also provide a copy of the audit report to the state auditor."

Page 1, line 12, replace the first underscored comma with "and" and remove ", and 2002,"

Page 1, line 15, replace "Moneys are hereby appropriated for the" with:

"SECTION 3. INDEPENDENT AUDIT DURING 1999-2001 BIENNIUM. The 1999-2001 biennium independent audit of job service North Dakota required under section 52-02-18 must include:

1. An audit of the unemployment insurance trust fund;
2. A review of the strategic business plan for job service North Dakota;
3. A review of the information technology plan of job service North Dakota which includes:
 - a. Evaluating the telephone registration system, including claimant profiling and claimant consultation;
 - b. Evaluating financial reporting; and
 - c. Evaluating the effect technology may have on future staffing needs;
4. An audit of the average duration of benefits which includes:
 - a. Considering the effect of job service North Dakota policies, procedures, and services on duration of benefits; and
 - b. Evaluating claimant profiling, repeat claimants, job attachment status, and the job bank;
5. An audit of the work force 2000 program; and
6. An audit of the staffing needs of job service North Dakota.

SECTION 4. APPROPRIATION. The unemployment compensation incentive fund is established from all moneys credited to this state under section 2 of this Act for federal fiscal years 2000 and 2001. The amount of \$300,000 from this unemployment compensation incentive fund, to the extent funds are available in this fund, is hereby appropriated to job service North Dakota every year in which job service North Dakota achieves an average duration of benefits that is at least one week less than the average duration of benefits for the preceding year, for the biennium beginning July 1, 1999, and ending June 30, 2001.

SECTION 5. EXPIRATION DATE. Section 3 of this Act is effective through April 30, 2001, and after that date is ineffective."

Page 1, remove lines 16 and 17

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1093: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (19 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1093 was placed on the Sixth order on the calendar.

Page 1, line 6, remove "to the city of Bismarck,"

Page 1, line 9, after "used" insert ", subject to appropriation by the legislative assembly, for the purchase of a building to be used as an office facility by job service North Dakota in Bismarck, North Dakota,"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 380 - JOB SERVICE NORTH DAKOTA

HOUSE - This amendment provides that if Job Service North Dakota sells its local office building in Bismarck, the proceeds must be used to purchase a new building.

REPORT OF STANDING COMMITTEE

HB 1185, as engrossed: Agriculture Committee (Rep. Nicholas, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1185 was placed on the Sixth order on the calendar.

Page 4, line 11, replace "the department of agriculture," with "or"

Page 4, line 12, remove ", any county sheriff's"

Page 4, line 13, remove "office, or any city police department"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1230: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 9 NAYS, 1 ABSENT AND NOT VOTING). HB 1230 was placed on the Sixth order on the calendar.

Page 1, line 9, remove "not" and after "spend" insert "no more than twenty percent of its total biennial budget as approved by the legislative assembly from"

Page 1, line 11, after "patrol" insert "to an extent greater than provided in this section"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

HOUSE - This amendment provides that, beginning with the 2003-05 biennium, up to 20 percent of the Highway Patrol's budget may be provided from the highway tax distribution fund or highway fund. The 20 percent level relates to the portion of the Highway Patrol's budget used for its motor carrier program. Previously, the bill provided that, beginning with the 2003-05 biennium, no funding could be spent for Highway Patrol operations from the highway tax distribution fund or the highway fund.

REPORT OF STANDING COMMITTEE

HB 1290, as engrossed: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (18 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1290 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "and" and after "penalty" insert "; and to provide an appropriation"

Page 10, after line 23, insert:

"5. Adopt rules to implement this chapter, including establishing inspection fees for providing inspection services under this chapter."

Page 10, after line 30, insert:

"SECTION 2. APPROPRIATION. There is hereby appropriated from special funds derived from federal funds and other income, the sum of \$239,000, or so much of the sum as may be necessary, to the agriculture commissioner for the purpose of implementing and operating the state meat inspection program for the biennium beginning July 1, 1999, and ending June 30, 2001."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 602 - AGRICULTURE DEPARTMENT

HOUSE - This amendment authorizes the Agriculture Commissioner to charge fees for providing meat inspection services and provides \$239,000 from the fees collected and from federal funds to implement and operate the program for the 1999-2001 biennium.

REPORT OF STANDING COMMITTEE

HB 1335, as engrossed: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **DO PASS** (11 YEAS, 9 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1335 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1341: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **DO NOT PASS** (17 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1341 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1383, as engrossed: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). Engrossed HB 1383 was placed on the Sixth order on the calendar.

Page 1, line 2, after the first semicolon insert "; to amend and reenact sections 57-35.3-09 and 57-35.3-10 of the North Dakota Century Code, relating to allocation of financial institutions' tax revenues;"

Page 1, line 3, remove "to provide for a transfer;"

Page 1, line 5, underscore "**Definitions**. As used in this Act:"

Page 1, underscore lines 6 through 12

Page 1, line 13, underscore " **Establishment - Organization**. Any financial institution or group of"

Page 1, underscore lines 14 through 22

Page 1, line 23, underscore "**Housing development fund use**. The housing development fund"

Page 1, underscore line 24

Page 2, underscore lines 1 through 9

Page 2, line 10, underscore "**Loan administration**. An application for a loan from the fund must"

Page 2, underscore lines 11 through 20

Page 2, line 21, underscore "**Audited financial statement - Report of fund operations**. The"

Page 2, underscore lines 22 through 30

Page 3, line 1, underscore "**Financial institutions tax credit - Penalty**. If the requirements of this"

Page 3, underscore lines 2 through 21

Page 3, after line 21, insert:

"5. A financial institution claiming a credit under this section shall attach to its return a schedule identifying each county within this state within which are located housing development projects funded by loans for which credits are claimed by that financial institution. The schedule must identify the location of, and the dollar amount of credit attributable to, each project within each county."

Page 3, line 22, underscore "**Loans limited by assets of financial institutions**. The aggregate"

Page 3, underscore lines 23 through 27

Page 3, replace lines 28 through 31 with:

"**SECTION 8. AMENDMENT.** Section 57-35.3-09 of the 1997 Supplement to the North Dakota Century Code is amended and reenacted as follows:

57-35.3-09. Financial institution tax distribution fund - Continuing appropriation. The balance in the financial institution tax distribution fund on February first of 1999 and each subsequent year must be distributed in the following manner:

1. On or before February 1, 1999, the commissioner shall determine and certify to all county auditors:
 - a. The total amount of tax certified to each county under chapters 57-35 and 57-35.1 in the years 1993 through 1997; and
 - b. The amount determined under subdivision a for each county as a percentage of the amount determined under subdivision a for all counties.
2. On or before February fifteenth of 1999 and each subsequent year, the commissioner shall determine and certify to the state treasurer an amount for payment by the state treasurer to each county treasurer equal to:
 - a. The percentage for that county determined under subdivision b of subsection 1; multiplied by
 - ~~b. The the balance in the financial institution tax distribution fund on February first of that year plus five-sevenths of the total amount of credits claimed and allowed in the state under section 6 of this Act for the taxable year for which the distribution is being made; minus~~
 - b. Five-sevenths of the total amount of credits claimed and allowed in that county under section 6 of this Act for the taxable year for which the distribution is being made. If the amount subtracted under this subdivision exceeds the county's share of fund distributions for the taxable year, any excess amount may be carried forward and deducted from distributions to the county for up to two taxable years.
3. On or before March first of 1999 and each subsequent year, the state treasurer shall pay to the treasurer of each county the amount determined for that county under subsection 2. The amounts necessary to make these payments are appropriated to the state treasurer as a standing and continuing appropriation for distribution under this subdivision.
4. On or before February 1, 1999, the treasurer of each county shall determine and certify to the state treasurer and to all affected political subdivisions of the county:
 - a. The total amount of tax apportioned and distributed to the state, the county, and each political subdivision of the county under sections 57-35-13 and 57-35.1-06 in the years 1994 through 1998; and
 - b. The amount determined under subdivision a for each distributee as a percentage of the amount determined under subdivision a for all distributees.
5. On or before the tenth working day of March in 1999 and each subsequent year, the treasurer of each county shall determine and distribute to each distributee described in subsection 4 an amount equal to:
 - a. The percentage for that distributee determined under subdivision b of subsection 4; multiplied by
 - b. The amount of the payment by the state to the county in that year under subsection 3.

SECTION 9. AMENDMENT. Section 57-35.3-10 of the 1997 Supplement to the North Dakota Century Code is amended and reenacted as follows:

57-35.3-10. Certification of estimated tax. On or before August 1, 1998, and each subsequent year, the commissioner shall provide a preliminary estimate of the distribution to be made to each county in the following year. The preliminary estimate must show the total amount of credits claimed and allowed in each county under section 6 of this Act for the taxable year and how those credits affect distributions. The

preliminary estimate must identify the location of, and the dollar amount of credit attributable to, each project within each county. On or before November fifteenth of 1998 and each subsequent year, the commissioner shall determine the estimated amount of the distribution to be made to each county in the following year under section 57-35.3-09 and shall certify that amount to the county auditor."

Page 4, remove lines 1 through 7

Page 4, line 8, replace "Sections 1 through 7 of this Act are" with "This Act is"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1469: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **DO NOT PASS** (14 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1469 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2049, as engrossed: Judiciary Committee (Rep. DeKrey, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). Engrossed SB 2049 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2109: Human Services Committee (Rep. Price, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2109 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2169, as engrossed: Judiciary Committee (Rep. DeKrey, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). Engrossed SB 2169 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2174, as engrossed: Judiciary Committee (Rep. DeKrey, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). Engrossed SB 2174 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2176: Human Services Committee (Rep. Price, Chairman) recommends **DO PASS** (10 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING). SB 2176 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2192: Judiciary Committee (Rep. DeKrey, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). SB 2192 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2211: Judiciary Committee (Rep. DeKrey, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). SB 2211 was placed on the Fourteenth order on the calendar.

MESSAGE TO THE SENATE FROM THE HOUSE (LANCE HAGEN, CHIEF CLERK)

MADAM PRESIDENT: The House has passed and your favorable consideration is requested on: HB 1001, HB 1019, HB 1233, HB 1256, HB 1266, HB 1274, HB 1370, HB 1405, HB 1422, HB 1439, HB 1441, HB 1451, HB 1454, HB 1462, HB 1465, HB 1468, HB 1490, HB 1492, HCR 3026.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2008, SB 2031, SB 2068, SB 2081, SB 2082, SB 2132, SB 2195, SB 2213, SB 2217, SB 2233, SB 2236, SB 2242, SB 2246, SB 2247, SB 2255, SB 2271, SB 2287, SB 2289, SB 2310, SB 2348, SB 2358, SB 2375, SB 2393, SB 2408.

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

Reps. Aarsvold, Maragos, Poolman and Sens. DeMers, Schobinger introduced:

HCR 3073: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of adjustments to income tax deductions for military and other federal retirees.

Was read the first time and referred to the **Finance and Taxation Committee**.

Reps. DeKrey, Grosz, Gulleson, Weisz introduced:

HCR 3074: A concurrent resolution directing the Legislative Council to study the amount and value of property owned by nonprofit organizations in this state and the impact of that ownership on local communities and the economy of this state.

Was read the first time and referred to the **Political Subdivisions Committee**.

Reps. Sandvig, Delmore, Ekstrom and Sens. Heitkamp, Thane, Watne introduced:

HCR 3075: A concurrent resolution directing the Legislative Council to study insurance discrimination against victims of domestic violence.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

Reps. Hawken, Delmore, Maragos and Sen. W. Stenehjem introduced:

HCR 3076: A concurrent resolution directing the Legislative Council to study the procedures and proceedings that apply in a case of driving while under the influence.

Was read the first time and referred to the **Transportation Committee**.

Rep. Nottestad introduced:

HCR 3077: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of establishing and funding alternative high schools in rural areas.

Was read the first time and referred to the **Education Committee**.

Reps. Monson, Brandenburg, D. Johnson, R. Kelsch introduced:

HCR 3078: A concurrent resolution directing the Legislative Council to study the equitable delivery of education services to students in this state and methods of accurately calculating and disbursing state funding for education.

Was read the first time and referred to the **Education Committee**.

Reps. Stefanowicz, Fairfield, Meyer, Solberg, Thorpe introduced:

HCR 3079: A concurrent resolution directing the Legislative Council to study the relationship of rural subdivisions and townships.

Was read the first time and referred to the **Political Subdivisions Committee**.

Rep. Maragos introduced:

HCR 3080: A concurrent resolution directing the Legislative Council to study the provision of air service in this state.

Was read the first time and referred to the **Transportation Committee**.

Reps. Sandvig, Rose introduced:

HCR 3081: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of requiring insurance coverage of periodic physical examinations.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

FIRST READING OF SENATE BILLS

SB 2008: A BILL for an Act to provide an appropriation for defraying the expenses of the public service commission; and to amend and reenact section 49-01-05 of the North Dakota Century Code, relating to the salary of public service commissioners.

Was read the first time and referred to the **Appropriations Committee**.

SB 2031: A BILL for an Act to create and enact two new sections to chapter 54-35 of the North Dakota Century Code, relating to a legislative agency review committee; and to amend and reenact sections 54-03.1-03 and 54-35-14 of the North Dakota Century Code, relating to the organizational session and the legislative budget analyst and auditor.

Was read the first time and referred to the **Appropriations Committee**.

SB 2068: A BILL for an Act to create and enact a new section to chapter 15-29 of the North Dakota Century Code, and in the alternative to create and enact a new section to chapter 15.1 of the North Dakota Century Code, relating to the borrowing of money by school district technology consortia; to provide for a contingent expiration date; and to declare an emergency.

Was read the first time and referred to the **Education Committee**.

SB 2081: A BILL for an Act to provide for the continuation of an agricultural pesticide and pesticide container disposal program; and to provide an expiration date.

Was read the first time and referred to the **Agriculture Committee**.

SB 2082: A BILL for an Act to amend and reenact section 55-08-06 of the North Dakota Century Code, relating to fees for annual and daily state park permits and senior citizen discounts; and to repeal section 55-08-06.2 of the North Dakota Century Code, relating to state park entrance permits for senior citizens.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

SB 2132: A BILL for an Act to amend and reenact sections 53-06.1-01, 53-06.1-01.1, 53-06.1-03, 53-06.1-06, 53-06.1-07.2, 53-06.1-07.3, 53-06.1-07.4, 53-06.1-10, 53-06.1-11, 53-06.1-11.1, 53-06.1-12.3, 53-06.1-14, 53-06.1-15.1, and 53-06.1-16 of the North Dakota Century Code, relating to games of chance.

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

SB 2195: A BILL for an Act to provide for the advance purchase of tuition credits and to establish a tuition account program; and to provide a continuing appropriation.

Was read the first time and referred to the **Education Committee**.

SB 2213: A BILL for an Act to amend and reenact paragraph 1 of subdivision e of subsection 2 of section 26.1-36-09 of the North Dakota Century Code, relating to group insurance coverage for licensed professional clinical counselors providing outpatient mental health treatment.

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

SB 2217: A BILL for an Act to create and enact a new subsection to section 57-39.2-04 of the North Dakota Century Code, relating to a sales and use tax exemption for used farm machinery, farm machinery repair parts, and used irrigation equipment used exclusively for agricultural purposes; to amend and reenact subsection 3 of section 57-39.2-01, sections 57-39.2-02.1, 57-39.2-08.2, and 57-40.2-02.1 of the North Dakota Century Code, relating to the rate of sales and use tax for new farm machinery and new irrigation equipment used exclusively for agricultural purposes; to repeal subsection 12 of section 57-39.2-04 and section 57-39.2-28 of the North Dakota Century Code, relating to a sales tax exemption for residents of Montana and a sales tax rebate for residents of Canada; and to provide an effective date.

Was read the first time and referred to the **Finance and Taxation Committee**.

SB 2233: A BILL for an Act to amend and reenact sections 39-06-03.1, 39-06-14, and 39-06-19 of the North Dakota Century Code, relating to the photograph background for operator's licenses and identification cards.

Was read the first time and referred to the **Transportation Committee**.

SB 2236: A BILL for an Act to create and enact a new section to chapter 57-39.2 of the North Dakota Century Code, relating to a sales and use tax exemption for office furniture and computer and telecommunications equipment in a new or expanding primary sector business; and to provide an effective date.

Was read the first time and referred to the **Finance and Taxation Committee**.

SB 2242: A BILL for an Act to provide for a beginning entrepreneur loan guarantee program; and to provide an appropriation.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

SB 2246: A BILL for an Act to amend and reenact sections 40-24-16, 57-20-07.1, 57-20-08, and subsection 2 of section 57-22-21 of the North Dakota Century Code, relating to property tax receipts; and to provide an effective date.

Was read the first time and referred to the **Finance and Taxation Committee**.

SB 2247: A BILL for an Act to amend and reenact section 20.1-05-06 of the North Dakota Century Code, relating to orange garment requirements for hunting deer with muzzle-loading firearms.

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

SB 2255: A BILL for an Act to create and enact a new section to chapter 12.1-23 of the North Dakota Century Code, relating to theft by nonresidents.

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

SB 2271: A BILL for an Act to create and enact a new subsection to section 10-19.1-10, a new subsection to section 10-19.1-65, a new subsection to section 10-19.1-87, a new subsection to section 10-32-13, a new subsection to section 10-33-06, a new subsection to section 10-33-17, a new subsection to section 45-10.1-04, sections 45-10.1-04.1, 45-10.1-51.1, 45-10.1-54.1, 45-10.1-58.1, 45-13-04.1, 45-13-04.2, 45-15-03.1, 45-15-03.2, 45-22-08.1, 45-22-21.1, and chapter 45-23 of the North Dakota Century Code, relating to business corporations, nonprofit corporations, limited partnerships, general partnerships, limited liability partnerships, and limited liability limited partnerships; to amend and reenact sections 10-06.1-12, 10-06.1-13, 10-06.1-17, 10-06.1-27, 10-19.1-01, subsection 2 of section 10-19.1-05, section 10-19.1-11, subsection 1 of section 10-19.1-13, section 10-19.1-23, subsection 2 of

section 10-19.1-30, section 10-19.1-61, subsection 5 of section 10-19.1-61.1, subsection 1 of section 10-19.1-63, subsection 4 of section 10-19.1-64, section 10-19.1-66, subsection 2 of section 10-19.1-68, subsection 2 of section 10-19.1-70, subsection 1 of section 10-19.1-73.2, subsection 1 of section 10-19.1-76.2, subsection 3 of section 10-19.1-83, subsection 1 of section 10-19.1-84, subsection 3 of section 10-19.1-88, sections 10-19.1-91, 10-19.1-96, 10-19.1-97, 10-19.1-98, 10-19.1-99, 10-19.1-100, 10-19.1-101, 10-19.1-102, 10-19.1-103, subsection 2 of section 10-19.1-106, subsection 1 of section 10-19.1-108, subsection 3 of section 10-19.1-112, subsection 1 of section 10-19.1-113.1, sections 10-19.1-129, 10-19.1-137, 10-19.1-139, subsection 1 of section 10-19.1-146, sections 10-19.1-147, 10-30-05, 10-30.1-04, subsection 1 of section 10-31-02.1, subsection 2 of section 10-31-11, sections 10-31-13, 10-32-02, 10-32-06, 10-32-07, subsection 1 of section 10-32-10, subsection 5 of section 10-32-11, sections 10-32-17, 10-32-22, 10-32-23, 10-32-28, 10-32-30, 10-32-31, 10-32-32, subsection 2 of section 10-32-35, sections 10-32-36, 10-32-37, 10-32-38, 10-32-39, subsection 3 of section 10-32-40, sections 10-32-40.1, 10-32-42, subsection 1 of section 10-32-43, section 10-32-43.1, subsection 1 of section 10-32-44, section 10-32-48, subsection 2 of section 10-32-48.1, sections 10-32-49, 10-32-50, subdivision d of subsection 1 of section 10-32-51, sections 10-32-54, 10-32-55, 10-32-56, 10-32-57, subsection 7 of section 10-32-58, sections 10-32-59, 10-32-60, 10-32-61, 10-32-62, subdivision c of subsection 1 of section 10-32-64, subsection 1 of section 10-32-66, subsection 2 of section 10-32-67, sections 10-32-68, 10-32-70, 10-32-71, 10-32-72, 10-32-74, 10-32-75, 10-32-76, subsection 1 of section 10-32-78, subdivision a of subsection 1 of section 10-32-78.1, subsection 1 of section 10-32-79, sections 10-32-80, 10-32-81, 10-32-82, 10-32-83, subsection 1 of section 10-32-84, subsection 2 of section 10-32-85, section 10-32-86, subdivision b of subsection 2 of section 10-32-87, sections 10-32-88, 10-32-89, 10-32-94, 10-32-95, 10-32-99, 10-32-100, subdivision b of subsection 1 of section 10-32-101, section 10-32-102, subsection 1 of section 10-32-103, sections 10-32-104, 10-32-105, subdivision a of subsection 2 of section 10-32-106, sections 10-32-107, 10-32-109, paragraph 1 of subdivision b of subsection 1 of section 10-32-112, subdivision b of subsection 3 of section 10-32-113, sections 10-32-114, 10-32-119, subsection 2 of section 10-32-122, sections 10-32-131, 10-32-140, 10-32-142, subsection 2 of section 10-32-149, subsection 1 of section 10-32-150, section 10-33-01, subsection 1 of section 10-33-10, subsection 4 of section 10-33-13, section 10-33-49, subsection 3 of section 10-33-50, subsection 3 of section 10-33-54, section 10-33-84, subsection 2 of section 10-33-87, sections 10-33-95, 10-33-130, 34-09-06, 45-10.1-01, subsection 1 of section 45-10.1-02, sections 45-10.1-08, 45-10.1-09, 45-10.1-10, 45-10.1-11, 45-10.1-14, 45-10.1-15, 45-10.1-36, 45-10.1-51, 45-10.1-52, 45-10.1-53, 45-10.1-55, 45-10.1-58, 45-11-08.2, 45-13-01, subsection 2 of section 45-13-03, sections 45-13-05, 45-13-06, 45-14-01, subsection 1 of section 45-15-03, subsection 1 of section 45-15-06, sections 45-22-01, 45-22-03, 45-22-04, 45-22-05, 45-22-06, 45-22-07, 45-22-10, 45-22-11, 45-22-12, 45-22-13, 45-22-14, 45-22-15, 45-22-16, 45-22-17, 45-22-18, 45-22-20, subsection 1 of section 45-22-21, sections 45-22-22, 45-22-23, subsection 2 of section 45-22-24, sections 45-22-25, 45-22-26, subdivision b of subsection 1 of section 45-22-27, subsection 6 of section 47-22-02, sections 47-25-03, and 61-13-03.1 of the North Dakota Century Code, relating to farm corporations, business corporations, development corporations, venture capital corporations, professional associations, limited liability companies, nonprofit corporations, labor unions, limited partnerships, fictitious partnership names, general partnerships, limited liability partnerships, trademarks, trade names, and the organization of corporations for irrigation purposes; and to repeal sections 45-10.1-54 and 45-22-08 of the North Dakota Century Code, relating to the names of foreign limited partnership and piercing the limited liability shield of limited liability partnerships.

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

SB 2287: A BILL for an Act to create and enact a new section to chapter 28-20 of the North Dakota Century Code, relating to application of a partial payment on a judgment; to amend and reenact subsection 6 of section 14-09-25 of the North Dakota Century Code, relating to partial payments on child support arrears; and to provide for retroactive application.

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

SB 2289: A BILL for an Act to amend and reenact section 6-09.10-03 of the North Dakota Century Code, relating to an expiration date for the agricultural mediation service; and to declare an emergency.

Was read the first time and referred to the **Agriculture Committee**.

SB 2310: A BILL for an Act to amend and reenact subsection 2 of section 52-06-04 and section 52-06-05 of the North Dakota Century Code, relating to unemployment compensation benefit amounts and maximum potential benefits.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

SB 2348: A BILL for an Act to amend and reenact section 57-39.2-04.3 of the North Dakota Century Code, relating to a sales and use tax exemption for purchases of computer and telecommunications equipment by a new primary sector business; and to provide an effective date.

Was read the first time and referred to the **Finance and Taxation Committee**.

SB 2358: A BILL for an Act to create and enact a new section to chapter 57-15 and a new subsection to section 57-15-06.7 of the North Dakota Century Code, relating to creating county levy authority for automation and telecommunications, within the levy authority for old-age and survivors' insurance; and to amend and reenact subsection 3 of section 52-09-08 and subsection 5 of section 57-15-28.1 of the North Dakota Century Code, relating to the levy limitation for old-age and survivors' insurance.

Was read the first time and referred to the **Finance and Taxation Committee**.

SB 2375: A BILL for an Act to amend and reenact section 23-16-14 of the North Dakota Century Code, relating to participation in abortions and other procedures.

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

SB 2393: A BILL for an Act to amend and reenact section 28-32-12.1 of the North Dakota Century Code, relating to ex parte communications between an agency head and the agency head's litigation attorney.

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

SB 2408: A BILL for an Act to create and enact a new section to chapter 57-38 and a new subsection to section 57-38-30.3 of the North Dakota Century Code, relating to an income tax credit for employers who make a contribution to support child care or provide a child care program for children of employees; and to provide an effective date.

Was read the first time and referred to the **Finance and Taxation Committee**.

SIGNING OF BILLS AND RESOLUTIONS

The Speaker signed the following enrolled bill: SB 2105.

MESSAGE TO THE SENATE FROM THE HOUSE (LANCE HAGEN, CHIEF CLERK)

MADAM PRESIDENT: The Speaker has signed: SB 2105.

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

LANCE HAGEN, Chief Clerk