

## JOURNAL OF THE HOUSE

## Fifty-sixth Legislative Assembly

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Bismarck, February 17, 1999

The House convened at 9:00 a.m., with Speaker Wald presiding.

The prayer was offered by Pastor Colin LaBorde, Church of God of Prophecy, Bismarck.

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

A quorum was declared by the Speaker.

## MOTION

**REP. DORSO MOVED** that all the amendments on the Sixth order of business, with the exception of HB 1089, be adopted, which motion prevailed.

## MOTION

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

## MOTION

**REP. MONSON MOVED** that the remarks of Dan D'Autremont, Saskatchewan Legislative Assembly, be printed in the Journal, which motion prevailed.

Thank you, Mr. Speaker, members of the House of Representatives, friends. It's indeed a pleasure for my colleagues and me to be here in your House of Assembly. It's a pleasure to meet with and talk with our neighbors and friends from across the border. I only live 25 miles from the United States border. Most of my relatives live in the United States, so as in many cases in my constituency and indeed across Saskatchewan, we are family and friends. That's why it's extremely important for all of us when we do have some reasons to discuss issues that we do sit down in a friendly manner like neighbors across the fence and talk over these issues and see if we can't come to some sort of a mutual understanding and resolution that benefits both of us. I noticed this morning the weather is a little inclement and when I watched the news report this morning it's snowing at home, also. So just like farm prices, when it's low here it's low in Saskatchewan. When oil prices are down here, they are down in Saskatchewan and we get the same weather. So ladies and gentlemen, we need to talk, we need to be friends, we need to work it out to our mutual benefit. Thank you very much.

## SIXTH ORDER OF BUSINESS

**HB 1089, as engrossed: REP. DALRYMPLE (Appropriations Committee) MOVED** that the amendments on HJ pages 572-573 be adopted and then be placed on Tenth order with **DO PASS**, which motion prevailed on a verification vote.

## SECOND READING OF HOUSE BILL

**HB 1089:** A BILL for an Act to amend and reenact section 52-02-18 and subsection 3 of section 52-03-07 of the North Dakota Century Code, relating to an audit of job service North Dakota and the administration of unemployment compensation programs; to provide for an audit of job service North Dakota; to provide an appropriation; 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 76 YEAS, 22 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Belter; Berg; Bernstein; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Froelich; 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; Mahoney; Maragos; Martinson; Meyer; Mickelson; Monson; Nelson; Nicholas; Nichols; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Severson; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

**NAYS:** Aarsvold; Boucher; Ekstrom; Fairfield; Grumbo; Gulleeson; Hanson; Hoffner; Kelsh, S.; Kerzman; Kroeber; Lemieux; Lundgren; Metcalf; Mueller; Niemeier; Rose; Sandvig; Schmidt; Solberg; Stefonowicz; Thorpe

Reengrossed HB 1089 passed and the title was agreed to.

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#### SEVENTH ORDER OF BUSINESS

**REP. HOFFNER MOVED** that the report of the Minority be substituted for the report of the Majority on HB 1017.

#### REQUEST

**REPS. GULLESON AND BOUCHER REQUESTED** a recorded roll call vote on the motion to adopt the Minority Report on HB 1017, which request was granted.

#### ROLL CALL

The question being on the motion to adopt the Minority Report to HB 1017, the roll was called and there were 43 YEAS, 55 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Berg; Boucher; Cleary; Delmore; Disrud; Dorso; Eckre; Ekstrom; Fairfield; Froelich; Glassheim; Grumbo; Gulleeson; Hanson; Hoffner; Huether; Jensen; Johnson, D.; Keiser; Kelsh, S.; Kerzman; Koppang; Kroeber; Lemieux; Lundgren; Mahoney; Martinson; 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; Drovda; Froseth; Galvin; Gorder; Grande; Grosz; Gunter; Haas; Hawken; Henegar; Herbel; Johnson, N.; Kelsch, R.; Kempenich; Klein; Klemin; Kliniske; Koppelman; Lloyd; Maragos; Mickelson; Monson; Nelson; Nottestad; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Severson; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Timm; Tollefson; Weisz; Wentz; WikenheisWentz; Wikenheiser; Speaker Wald

The motion to adopt the Minority Report on HB 1017 failed.

#### SEVENTH ORDER OF BUSINESS

**REP. DELZER MOVED** that the report of the Majority on HB 1017 be adopted, which motion prevailed on a voice vote.

HB 1017, with the proposed adopted Majority report amendments, was placed on the Sixth order of business on the calendar.

#### SIXTH ORDER OF BUSINESS

**REP. DELZER MOVED** that the amendments on the Sixth order of business to HB 1017 be adopted, which motion prevailed.

#### SECOND READING OF HOUSE BILL

**HB 1017:** A BILL for an Act to provide an appropriation for defraying the expenses of job service North Dakota.

#### 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 95 YEAS, 3 NAYS, 0 EXCUSED, 0 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; Gulleeson; Gunter; Haas; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; 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; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

**NAYS:** Hanson; Kelsh, S.; Sandvig

Engrossed HB 1017 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1043:** A BILL for an Act to create and enact chapter 14-02.5 of the North Dakota Century Code, relating to discriminatory housing practices; to amend and reenact section 14-02.4-19 of the North Dakota Century Code, relating to actions for discrimination; to repeal sections 14-02.4-12 and 14-02.4-13, relating to unfair housing; to provide a penalty; to provide an appropriation; and to provide a continuing appropriation.

### MOTION

**REP. BYERLY 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 PASS, the roll was called and there were 87 YEAS, 10 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brandenburg; Brekke; Byerly; Carlisle; Clark; Cleary; Dalrymple; DeKrey; Delmore; Devlin; Disrud; Dorso; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; 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; Lundgren; Mahoney; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nichols; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rose; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

**NAYS:** Brusegaard; Carlson; Delzer; Drovdal; Gorder; Grande; Grosz; Lloyd; Niemeier; Sandvig

**ABSENT AND NOT VOTING:** Rennerfeldt

Reengrossed HB 1043 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1469:** A BILL for an Act to create and enact a new chapter to title 14 of the North Dakota Century Code, relating to a North Dakota human rights commission; to amend and reenact sections 14-02.4-19 and 14-02.4-21 of the North Dakota Century Code, relating to actions, limitations, and mediation for discriminatory practices; to provide a penalty; and to provide an 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 46 YEAS, 49 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Boucher; Cleary; Delmore; Disrud; Ekstrom; Fairfield; Froelich; Glassheim; Grande; Grumbo; Gulleson; Gunter; Hanson; Hawken; Hoffner; Huether; Jensen; Kelsch, R.; Kelsh, S.; Kerzman; Klemin; Kliniske; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Metcalf; Meyer; Mueller; Nichols; Niemeier; Nottestad; Nowatzki; Rose; Sandvig; Schmidt; Solberg; Stefonowicz; Sveen; Thorpe; Warner; Winrich

**NAYS:** Belter; Berg; Bernstein; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Clark; Dalrymple; DeKrey; Delzer; Devlin; Dorso; Drovdal; Eckre; Froseth; Galvin; Gorder; Grosz; Haas; Henegar; Herbel; Johnson, D.; Johnson, N.; Keiser; Kempenich; Klein; Koppang; Koppelman; Mickelson; Monson; Nelson; Pollert; Poolman; Porter; Price; Renner; Severson; Svedjan; Thoreson, B.; Thoreson, L.; Timm; Tollefson; Weisz; Wentz; Wikenheiser; Speaker Wald

**ABSENT AND NOT VOTING:** Carlson; Nicholas; Rennerfeldt

HB 1469 was declared lost.

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**MOTION**

**REP. DORSO MOVED** that the House reconsider its action whereby the committee report was accepted and HB 1015 was placed on the Sixth order of business on the calendar, which motion prevailed.

**MOTION**

**REP. DORSO MOVED** that the House stand in recess until 10:40 a.m., which motion prevailed.

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

**SECOND READING OF HOUSE BILL**

**HB 1091:** A BILL for an Act to amend and reenact subsection 1 of section 52-06-04 of the North Dakota Century Code, relating to determination of weekly benefit amount for unemployment compensation purposes.

**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; Drovda; 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; 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; Rose; Sandvig; Schmidt; Severson; Solberg; Stefanowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

**ABSENT AND NOT VOTING:** Rennerfeldt

Engrossed HB 1091 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1135:** A BILL for an Act to amend and reenact sections 52-04-05, 52-04-06, and 52-04-09 of the North Dakota Century Code, relating to the required level of the unemployment compensation trust fund reserve and employer contribution rates.

**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, 1 NAY, 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; Gulleston; 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; Rose; Sandvig; Schmidt; Severson; Solberg; Stefanowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

**NAYS:** Nicholas

**ABSENT AND NOT VOTING:** Rennerfeldt

Engrossed HB 1135 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1335:** 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 presence of chemicals in agricultural products and livestock; and to provide a penalty.

**MOTION**

**REP. GROSZ MOVED** the previous question.

**REQUEST**

**REP. WINRICH REQUESTED** a roll call vote in accordance with House Rule 318(3)(c) on the motion for the Previous Question, which request was granted.

The question being on Rep. Winrich's request for a recorded roll call vote on HB 1335, the roll was called and there were 58 YEAS, 39 NAYS, 1 ABSENT AND NOT VOTING.

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

**NAYS:** Aarsvold; Boucher; Cleary; Delmore; Eckre; Ekstrom; Fairfield; Froelich; Glassheim; Grumbo; Gulleston; Hanson; Hoffner; Huether; Jensen; Kelsh, S.; Kerzman; Kroeber; Lemieux; Lloyd; Lundgren; Metcalf; Meyer; Mueller; Nelson; Nichols; Niemeier; Nowatzki; Porter; Rose; Sandvig; Schmidt; Solberg; Stefonowicz; Sveen; Thorpe; Timm; Warner; Winrich

**ABSENT AND NOT VOTING:** Rennerfeldt

The request for the Previous Question failed for lack of two-thirds members present, therefore debate continued.

**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 71 YEAS, 26 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Boucher; Brandenburg; Brekke; Brusegaard; Clark; Cleary; Dalrymple; DeKrey; Delmore; Devlin; Disrud; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Galvin; Glassheim; Gorder; Grumbo; Gulleston; Gunter; Haas; Hanson; Hawken; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Kelsh, S.; Kempenich; Kerzman; Klein; Kliniske; Koppang; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Metcalf; Meyer; Monson; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Poolman; Renner; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Warner; Weisz; Wentz; Wikenheiser; Winrich

**NAYS:** Berg; Bernstein; Boehm; Byerly; Carlisle; Carlson; Delzer; Dorso; Froseth; Grande; Grosz; Henegar; Johnson, N.; Keiser; Kelsch, R.; Klemin; Koppelman; Mickelson; Nowatzki; Pollert; Porter; Price; Svedjan; Timm; Tollefson; Speaker Wald

**ABSENT AND NOT VOTING:** Rennerfeldt

Engrossed HB 1335 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1358:** A BILL for an Act to provide fire sprinkler system license; and to provide a penalty.

**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 20 YEAS, 76 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Bernstein; Boucher; Cleary; Delmore; Glassheim; Gorder; Hawken; Hoffner; Lemieux; Lundgren; Maragos; Metcalf; Nichols; Niemeier; Nottestad; Rose; Schmidt; Sveen; Thoreson, L.

**NAYS:** Belter; Berg; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Dalrymple; DeKrey; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Grande; Grosz; Grumbo; Gulleson; Gunter; Haas; Hanson; Henegar; Herbel; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Kroeber; Lloyd; Mahoney; Martinson; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Sandvig; Severson; Solberg; Stefonowicz; Svedjan; Thoreson, B.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

**ABSENT AND NOT VOTING:** Koppelman; Rennerfeldt

Engrossed HB 1358 was declared lost.

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### SECOND READING OF HOUSE BILL

**HB 1389:** A BILL for an Act to amend and reenact section 39-16-03 of the North Dakota Century Code, relating to release of motor vehicle operator records; to provide for retroactive application; 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 69 YEAS, 28 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Berg; Bernstein; Boucher; Brekke; Byerly; Clark; Cleary; Dalrymple; DeKrey; Delmore; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Galvin; Glassheim; Gulleson; Gunter; Haas; Hanson; Herbel; Hoffner; Huether; Johnson, N.; Keiser; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Koppang; Koppelman; Kroeber; Lemieux; Lundgren; Mahoney; Martinson; Metcalf; Meyer; Monson; Mueller; Nicholas; Nichols; Niemeier; Nottestad; Pollert; Price; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

**NAYS:** Boehm; Brandenburg; Brusegaard; Carlisle; Carlson; Delzer; Devlin; Disrud; Froseth; Gorder; Grande; Grosz; Grumbo; Hawken; Henegar; Jensen; Johnson, D.; Kelsch, R.; Kliniske; Lloyd; Maragos; Mickelson; Nelson; Nowatzki; Poolman; Porter; Renner; Svedjan

**ABSENT AND NOT VOTING:** Rennerfeldt

Engrossed HB 1389, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

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### MOTION

**REP. MONSON MOVED** that the House be on the Fifth order of business and at the conclusion of the Fifth order the House stand in recess until 1:00 p.m., which motion prevailed.

### REPORT OF STANDING COMMITTEE

**HB 1003: 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 1003 was placed on the Sixth order on the calendar.

Page 1, line 2, after "system" insert "; and to declare an emergency"

Page 1, line 13, replace "2,261,708" with "2,153,175"

Page 1, line 14, replace "775,630" with "706,382"

Page 1, remove line 16

Page 1, line 19, replace "1,467,303" with "1,317,303"

Page 1, line 22, after "Contingency" insert "and capital improvements emergency" and replace "200,000" with "400,000"

Page 1, remove line 24

Page 2, line 3, replace "1,980,000" with "1,780,000"

Page 2, line 6, replace "Board" with "Critical" and replace "16,930,790" with "2,685,227"

Page 2, line 7, replace "33,790,425" with "18,714,196"

Page 2, line 9, replace "28,856,525" with "13,780,296"

Page 2, line 12, replace "16,052,300" with "16,591,716"

Page 2, line 13, replace "4,996,174" with "4,920,913"

Page 2, line 16, replace "all" with "operating" and replace "22,302,496" with "22,766,651"

Page 2, line 18, replace "14,512,720" with "14,976,875"

Page 2, after line 18, insert:

"Local funds appropriation	\$11,370,000
Total all funds appropriation	\$34,136,651"

Page 2, line 21, replace "4,288,220" with "4,433,797"

Page 2, line 22, replace "1,365,961" with "1,340,483"

Page 2, line 25, replace "all" with "operating" and replace "6,898,837" with "7,018,936"

Page 2, line 27, replace "4,950,031" with "5,070,130"

Page 2, after line 27, insert:

"Local funds appropriation	\$6,403,766
Total all funds appropriation	\$13,422,702"

Page 2, line 30, replace "5,167,426" with "5,340,833"

Page 2, line 31, replace "1,565,615" with "1,540,892"

Page 3, line 3, replace "all" with "operating" and replace "7,071,427" with "7,220,111"

Page 3, line 5, replace "4,771,162" with "4,919,846"

Page 3, after line 5, insert:

"Local funds appropriation	\$1,653,000
Total all funds appropriation	\$8,873,111"

Page 3, line 8, replace "102,475,530" with "104,142,630"

Page 3, line 9, replace "33,155,561" with "32,675,751"

Page 3, line 10, replace "2,527,008" with "2,247,960"

Page 3, line 11, replace "9,006,341" with "4,762,305"

Page 3, after line 12, insert:

"Special initiatives pool	1,462,223"
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Page 3, line 14, replace "all" with "operating" and replace "149,847,873" with "147,974,302"

Page 3, line 15, replace "56,492,071" with "52,492,071"

Page 3, line 16, replace "93,355,802" with "95,482,231"

Page 3, after line 16, insert:

"Local funds appropriation	\$282,733,609
Total all funds appropriation	\$430,707,911"

Page 3, line 19, replace "89,261,432" with "91,656,749"

Page 3, line 20, replace "26,550,541" with "25,930,527"

Page 3, line 21, replace "2,043,800" with "1,998,800"

Page 3, line 22, replace "8,707,362" with "8,557,362"

Page 3, line 23, replace "1,537,500" with "1,287,500"

Page 3, line 24, replace "all" with "operating" and replace "128,100,635" with "129,430,938"

Page 3, line 25, replace "55,698,903" with "55,698,140"

Page 3, line 26, replace "72,401,732" with "73,732,798"

Page 3, after line 26, insert:

"Local funds appropriation	\$111,620,179
Total all funds appropriation	\$241,051,117"

Page 3, line 29, replace "22,795,547" with "23,996,556"

Page 3, line 30, replace "6,749,972" with "6,607,727"

Page 3, line 31, replace "1,519,368" with "1,494,368"

Page 4, line 2, replace "all" with "operating" and replace "31,700,772" with "32,734,536"

Page 4, line 3, replace "9,018,742" with "9,402,742"

Page 4, line 4, replace "22,682,030" with "23,331,794"

Page 4, after line 4, insert:

"Local funds appropriation	\$15,580,000
Total all funds appropriation	\$48,314,536"

Page 4, line 7, replace "13,954,490" with "14,236,142"

Page 4, line 8, replace "4,141,567" with "4,074,962"

Page 4, line 10, replace "2,893,962" with "693,962"

Page 4, line 11, replace "all" with "operating" and replace "21,380,019" with "19,395,066"

Page 4, line 12, replace "8,340,726" with "6,140,726"

Page 4, line 13, replace "13,039,293" with "13,254,340"

Page 4, after line 13, insert:

"Local funds appropriation	\$8,221,397
Total all funds appropriation	\$27,616,463"

Page 4, line 16, replace "7,981,890" with "8,249,062"

Page 4, line 17, replace "2,255,832" with "2,212,188"

Page 4, line 20, replace "all" with "operating" and replace "11,339,893" with "11,563,421"

Page 4, line 22, replace "8,461,666" with "8,685,194"

Page 4, after line 22, insert:

"Local funds appropriation	\$7,400,000
Total all funds appropriation	\$18,963,421"

Page 4, line 25, replace "28,372,441" with "29,085,334"

Page 4, line 26, replace "6,172,175" with "6,043,525"

Page 4, line 27, replace "937,929" with "917,929"

Page 4, line 29, replace "all" with "operating" and replace "36,533,011" with "37,097,254"

Page 4, line 30, replace "11,680,734" with "11,496,001"

Page 4, line 31, replace "24,852,277" with "25,601,253"

Page 4, after line 31, insert:

"Local funds appropriation	\$19,003,936
Total all funds appropriation	\$56,101,190"

Page 5, line 3, replace "10,780,743" with "11,151,577"

Page 5, line 4, replace "2,898,779" with "2,840,317"

Page 5, line 7, replace "353,403" with "303,403"

Page 5, line 9, replace "all" with "operating" and replace "15,238,154" with "15,500,526"

Page 5, line 11, replace "11,371,567" with "11,633,939"

Page 5, after line 11, insert:

"Local funds appropriation	\$8,820,000
Total all funds appropriation	\$24,320,526"

Page 5, line 14, replace "3,841,868" with "4,089,733"

Page 5, line 15, replace "1,084,101" with "1,117,998"

Page 5, line 16, replace "147,500" with "178,350"

Page 5, line 17, replace "218,130" with "253,130"

Page 5, line 18, replace "all" with "operating" and replace "5,291,599" with "5,639,211"

Page 5, line 19, replace "1,418,967" with "1,447,102"

Page 5, line 20, replace "3,872,632" with "4,192,109"

Page 5, after line 20, insert:

"Local funds appropriation	\$2,124,426
Total all funds appropriation	\$7,763,637"

Page 5, line 23, replace "1,708,740" with "1,770,118"

Page 5, line 24, replace "431,776" with "423,601"

Page 5, line 28, replace "all" with "operating" and replace "2,432,554" with "2,485,757"

Page 5, line 30, replace "1,573,548" with "1,626,751"

Page 5, after line 30, insert:

"Local funds appropriation	\$1,336,082
Total all funds appropriation	\$3,821,839"

Page 6, line 2, replace "66,413,168" with "67,126,248"

Page 6, line 3, replace "18,350,591" with "17,984,278"

Page 6, line 5, replace "87,695,874" with "88,042,641"

Page 6, line 6, replace "59,472,012" with "58,926,430"

Page 6, line 7, replace "28,223,862" with "29,116,211"

Page 6, line 8, replace "332,924,847" with "325,403,767"

Page 6, line 9, after "income" insert "appropriation" and replace "226,698,722" with "220,179,779"

Page 6, after line 9, insert:

"Grand total local funds appropriation	\$476,266,395
Grand total all funds appropriation	\$1,021,849,941"

Page 6, line 10, after "contingency" insert "and capital improvements emergency"

Page 6, line 11, replace "system capital pool," with "critical"

Page 6, line 13, replace "North Dakota university system" with "state board of higher education"

Page 6, line 14, replace "university" with "higher education"

Page 6, line 15, remove "system", after "contingency" insert "and capital improvements emergency", and after "fund" insert ", critical salary pool,"

Page 6, line 20, replace "university system" with "state board of higher education"

Page 7, line 12, replace "North Dakota university system" with "state board of higher education"

Page 7, line 21, replace "North Dakota" with "state board of higher education"

Page 7, line 22, remove "university system"

Page 7, line 26, replace "this" with "chapter 32 of the 1997 Session Laws"

Page 7, line 27, remove "Act"

Page 7, line 29, replace "university system" with "state board of higher education"

Page 8, line 2, replace "North Dakota university system" with "state board of higher education"

Page 8, line 3, replace "North Dakota university system" with "board"

Page 8, line 9, after "college" insert " - music addition"

Page 8, line 10, after "Region" insert " - auditorium renovation"

Page 8, line 11, after "may" insert ", after receiving approval from the budget section,"

Page 8, line 12, remove "or" and after "private" insert ", or other"

Page 8, line 13, replace ", for the biennium" with a period

Page 8, remove line 14

Page 8, line 15, after "may" insert ", after receiving approval from the budget section,"

Page 8, line 16, remove "or" and after "private" insert ", or other"

Page 8, line 17, replace ", for the biennium beginning July 1, 1999, and" with a period

Page 8, remove line 18

Page 8, line 24, replace **"PROJECT AUTHORIZATIONS.** The industrial commission, acting as" with **"BOND ISSUANCE - PURPOSES.** The state board of higher education, in accordance with chapter 15-55, may issue and sell self-liquidating, tax-exempt bonds in an amount not exceeding \$4,750,000 for the purpose of financing capital projects at institutions under the control of the board, including an amount not exceeding \$250,000 for student union improvements at Bismarck state college and \$4,500,000 for a health and wellness center at North Dakota state university. Bonds issued under the provisions of this Act may not become a general obligation of the state of North Dakota.

**SECTION 12. USE OF PROCEEDS - APPROPRIATION.** The proceeds resulting from the sale of bonds authorized under section 11, or so much of the sum as may be necessary, in the amount of \$250,000 for the student union improvements at Bismarck state college and \$4,500,000 for a health and wellness center at North Dakota state university and other available funds from other sources are hereby appropriated for these projects. Any unexpended balance from the sale of bonds must be placed in a sinking fund for the retirement of the authorized bonds.

**SECTION 13. LOCAL FUNDS APPROPRIATED.** Any local funds beyond the local funds appropriated in Section 1 of this Act are hereby appropriated for the biennium beginning July 1, 1999, and ending June 30, 2001, and may be spent subject

to approval of the state board of higher education and reported to the budget section of the legislative council.

**SECTION 14. HALLWAY PROJECT - SCHAFFER HALL.** Bismarck state college shall complete the renovation of the hallway project in Schaffer hall out of the funding provided to Bismarck state college in subdivision 2 of section 1 of this Act."

Page 8, remove lines 25 through 30

Page 9, remove lines 1 through 12

Page 9, after line 17, insert:

**"SECTION 16. EMERGENCY.** The capital improvements line item contained in subdivision 9 of section 1 includes \$760,000 for boiler repairs and fuel storage at Mayville state university, that project and the health and wellness center at North Dakota state university in the amount of \$4,500,000 which is authorized in sections 11 and 12 are declared to be emergency measures, and those funds are available immediately upon filing of this Act with the secretary of state."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

DEPARTMENT 215 - NORTH DAKOTA UNIVERSITY SYSTEM

HOUSE - This amendment makes the following changes:

General fund:

	UNIVERSITY SYSTEM OFFICE	BOARD SALARY POOL	BISMARCK STATE COLLEGE	UND-LAKE REGION	UND-WILLISTON	UNIVERSITY OF NORTH DAKOTA
Executive budget	\$11,925,735	\$16,930,790	\$14,512,720	\$4,950,031	\$4,771,162	\$93,355,802
Allocate 5% pooled salaries		(16,930,790)	807,078	214,097	258,239	5,138,540
Pool critical salary funding	(49,376)	2,685,227	(76,895)	(23,760)	(31,160)	(982,347)
Reduce compensation package to 2%/2%	(35,118)		(193,940)	(59,016)	(70,208)	(1,330,237)
Adjust health insurance cost	5,417		44,763	14,256	16,536	303,367
Delay market salary adjustments to 1/1/01	(29,456) <sup>1</sup>					
Remove UND bookstore project (it is included in SB 2030)						
Remove Dickinson State Student Union (it is included in SB 2065)						
Remove capital improvements emergency line item	(400,000) <sup>2</sup>					
Increase contingency line item	200,000 <sup>2</sup>					
Decrease PSEP	(150,000)					
Decrease EPSCoR	(200,000)					
Eliminate Perkins loan match funding	(102,885)					
Reduce salaries and wages due to vacant positions			(41,590) <sup>3</sup>			
Reduce information technology funding						(279,048)
Add funds for information technology initiative						
Reduce operating expenses						
Reduce equipment funding						
Reduce funding for the Skills Center						
Appropriate local funds						
Reduce dual credit course program funding						
Reduce Center for Innovation in Instruction funding						
Reduce capital improvement funding						(244,036)
Reduce on-line training funding						
Add funding to correct medical school pay plan						
Add funds for 1 additional class section in 4 capped programs						
Decrease operating expenses for a .5% general fund reduction	(69,248)		(75,261)	(25,478)	(24,723)	(479,810)
House version	\$11,095,069	\$2,685,227	\$14,976,875	\$5,070,130	\$4,919,846	\$95,482,231

	NORTH DAKOTA STATE UNIVERSITY	STATE COLLEGE OF SCIENCE	DICKINSON STATE UNIVERSITY	MAYVILLE STATE UNIVERSITY	MINOT STATE UNIVERSITY	VALLEY CITY STATE UNIVERSITY
Executive budget	\$72,401,732	\$22,682,030	\$13,039,293	\$8,461,666	\$24,852,277	\$11,371,567
Allocate 5% pooled salaries	4,464,681	1,143,124	697,602	399,279	1,419,892	540,061
Pool critical salary funding	(766,850)	(117,480)	(84,480)	(55,440)	(167,310)	(66,000)
Reduce compensation package to 2%/2%	(1,212,920)	(284,049)	(189,770)	(105,036)	(383,481)	(141,147)
Adjust health insurance cost	261,169	75,414	43,053	28,369	84,395	37,920
Delay market salary adjustments to 1/1/01						
Remove UND bookstore project (it is included in SB 2030)						
Remove Dickinson State Student Union (it is included in SB 2065)						
Remove capital improvements emergency line item						
Increase contingency line item						
Decrease PSEP						
Decrease EPSCoR						
Eliminate Perkins loan match funding						
Reduce salaries and wages due to vacant positions	(350,000)		(131,253)		(35,270)	
Reduce information technology funding		(50,000)			(20,000)	
Add funds for information technology initiative						
Reduce operating expenses	(250,000)					
Reduce equipment funding	(45,000)					
Reduce funding for the Skills Center	(250,000)					
Appropriate local funds						
Reduce dual credit course program funding			(53,500)			
Reduce Center for Innovation in Instruction funding						(50,000)
Reduce capital improvement funding	(150,000)					
Reduce on-line training funding					(20,600)	
Add funding to correct medical school pay plan						
Add funds for 1 additional class section in 4 capped programs						
Decrease operating expenses for a .5% general fund reduction	(370,014)	(117,245)	(66,605)	(43,644)	(128,650)	(58,462)
House version	\$73,732,798	\$23,331,794	\$13,254,340	\$8,685,194	\$25,601,253	\$11,633,939

	MSU- BOTTINEAU	FOREST SERVICE	UND SCHOOL OF MEDICINE AND HEALTH SCIENCES	TOTAL
Executive budget	\$3,872,632	\$1,573,548	\$28,223,862	\$332,924,847
Allocate 5% pooled salaries	192,430	86,088	1,569,679	
Pool critical salary funding	(19,928)	(11,880)	(232,321)	
Reduce compensation package to 2%/2%	(46,785)	(18,532)	(267,443)	(4,337,682)
Adjust health insurance cost	14,826	5,702	46,567	981,754
Delay market salary adjustments to 1/1/01				(29,456)
Remove UND bookstore project (it is included in SB 2030)				
Remove Dickinson State Student Union (it is included in SB 2065)				
Remove capital improvements emergency line item				(400,000)
Increase contingency line item				200,000
Decrease PSEP				(150,000)
Decrease EPSCoR				(200,000)
Eliminate Perkins loan match funding				(102,885)
Reduce salaries and wages due to vacant positions			(230,000) <sup>3</sup>	(788,113)
Reduce information technology funding				(349,048)
Add funds for information technology initiative	200,000			200,000
Reduce operating expenses			(220,000)	(470,000)
Reduce equipment funding				(45,000)
Reduce funding for the Skills Center				(250,000)
Appropriate local funds				
Reduce dual credit course program funding				(53,500)
Reduce Center for				(50,000)

Innovation in Instruction funding				
Reduce capital improvement funding				(394,036)
Reduce on-line training funding				(20,600)
Add funding to correct medical school pay plan			372,180	372,180
Add funds for 1 additional class section in 4 capped programs				
Decrease operating expenses for a .5% general fund reduction	(21,066)	(8,175)	(146,313)	(1,634,694)
House version	\$4,192,109	\$1,626,751	\$29,116,211	\$325,403,767

Other funds:

	UNIVERSITY SYSTEM OFFICE	BOARD SALARY POOL	BISMARCK STATE COLLEGE	UND-LAKE REGION	UND-WILLISTON	UNIVERSITY OF NORTH DAKOTA
Executive budget	\$4,933,900		\$7,789,776	\$1,948,806	\$2,300,265	\$56,492,071
Allocate 5% pooled salaries						
Pool critical salary funding						
Reduce compensation package to 2%/2%						
Adjust health insurance cost						
Delay market salary adjustments to 1/1/01						
Remove UND bookstore project (it is included in SB 2030)						(4,000,000)
Remove Dickinson State Student Union (it is included in SB 2065)						
Remove capital improvements emergency line item						
Increase contingency line item						
Decrease PSEP						
Decrease EPSCoR						
Eliminate Perkins loan match funding						
Reduce salaries and wages due to vacant positions						
Reduce information technology funding						
Add funds for information technology initiative						
Reduce operating expenses						
Reduce equipment funding						
Reduce funding for the Skills Center						
Appropriate local funds			11,370,000	6,403,766	1,653,000	282,733,609
Reduce dual credit course program funding						
Reduce Center for Innovation in Instruction funding						
Reduce capital improvement funding						
Reduce on-line training funding						
Add funding to correct medical school pay plan						
Add funds for 1 additional class section in 4 capped programs						
Decrease operating expenses for a .5% general fund reduction						
House version	\$4,933,900	\$0	\$19,159,776	\$8,352,572	\$3,953,265	\$335,225,680

	NORTH DAKOTA STATE UNIVERSITY	STATE COLLEGE OF SCIENCE	DICKINSON STATE UNIVERSITY	MAYVILLE STATE UNIVERSITY	MINOT STATE UNIVERSITY	VALLEY CITY STATE UNIVERSITY
Executive budget	\$55,698,903	\$9,018,742	\$8,340,726	\$2,878,227	\$11,680,734	\$3,866,587
Allocate 5% pooled salaries						
Pool critical salary funding						
Reduce compensation package to 2%/2%	(763)					
Adjust health insurance cost						
Delay market salary adjustments to 1/1/01						
Remove UND bookstore project (it is included in SB 2030)						
Remove Dickinson State Student Union (it is included in SB 2065)			(2,200,000)			
Remove capital improvements emergency line item						
Increase contingency line item						
Decrease PSEP						

Decrease EPSCoR						
Eliminate Perkins loan match funding					(184,733) <sup>3</sup>	
Reduce salaries and wages due to vacant positions						
Reduce information technology funding						
Add funds for information technology initiative						
Reduce operating expenses						
Reduce equipment funding						
Reduce funding for the Skills Center						
Appropriate local funds	111,620,179	15,580,000	8,221,397	7,400,000	19,003,936	8,820,000
Reduce dual credit course program funding						
Reduce Center for Innovation in Instruction funding						
Reduce capital improvement funding						
Reduce on-line training funding						
Add funding to correct medical school pay plan						
Add funds for 1 additional class section in 4 capped programs		384,000 <sup>4</sup>				
Decrease operating expenses for a .5% general fund reduction						
House version	\$167,318,319	\$24,982,742	\$14,362,123	\$10,278,227	\$30,499,937	\$12,686,587

	MSU- BOTTINEAU	FOREST SERVICE	UND SCHOOL OF MEDICINE AND HEALTH SCIENCES	TOTAL		
Executive budget	\$1,418,967	\$859,006	\$59,472,012	\$226,698,722		
Allocate 5% pooled salaries						
Pool critical salary funding						
Reduce compensation package to 2%/2%			(633,306)	(634,069)		
Adjust health insurance cost			87,724	87,724		
Delay market salary adjustments to 1/1/01						
Remove UND bookstore project (it is included in SB 2030)				(4,000,000)		
Remove Dickinson State Student Union (it is included in SB 2065)				(2,200,000)		
Remove capital improvements emergency line item						
Increase contingency line item						
Decrease PSEP						
Decrease EPSCoR						
Eliminate Perkins loan match funding					(184,733)	
Reduce salaries and wages due to vacant positions						
Reduce information technology funding						
Add funds for information technology initiative	28,135			28,135		
Reduce operating expenses						
Reduce equipment funding						
Reduce funding for the Skills Center						
Appropriate local funds	2,124,426	1,336,082		476,266,395		
Reduce dual credit course program funding						
Reduce Center for Innovation in Instruction funding						
Reduce capital improvement funding						
Reduce on-line training funding						
Add funding to correct medical school pay plan						
Add funds for 1 additional class section in 4 capped programs				384,000		
Decrease operating expenses for a .5% general fund reduction						
House version	\$3,571,528	\$2,195,088	\$58,926,430	\$696,446,174		

Total funds:

	UNIVERSITY SYSTEM OFFICE	BOARD SALARY POOL	BISMARCK STATE COLLEGE	UND-LAKE REGION	UND- WILLISTON	UNIVERSITY OF NORTH DAKOTA
Executive budget	\$16,859,635	\$16,930,790	\$22,302,496	\$6,898,837	\$7,071,427	\$149,847,873
Allocate 5% pooled salaries		(16,930,790)	807,078	214,097	258,239	5,138,540
Pool critical salary	(49,376)	2,685,227	(76,895)	(23,760)	(31,160)	(982,347)

funding						
Reduce compensation package to 2%/2%	(35,118)		(193,940)	(59,016)	(70,208)	(1,330,237)
Adjust health insurance cost	5,417		44,763	14,256	16,536	303,367
Delay market salary adjustments to 1/1/01	(29,456)					
Remove UND bookstore project (it is included in SB 2030)						(4,000,000)
Remove Dickinson State Student Union (it is included in SB 2065)						
Remove capital improvements emergency line item	(400,000)					
Increase contingency line item	200,000					
Decrease PSEP	(150,000)					
Decrease EPSCoR	(200,000)					
Eliminate Perkins loan match funding	(102,885)					
Reduce salaries and wages due to vacant positions			(41,590)			
Reduce information technology funding						(279,048)
Add funds for information technology initiative						
Reduce operating expenses						
Reduce equipment funding						
Reduce funding for the Skills Center						
Appropriate local funds			11,370,000	6,403,766	1,653,000	282,733,609
Reduce dual credit course program funding						
Reduce Center for Innovation in Instruction funding						
Reduce capital improvement funding						(244,036)
Reduce on-line training funding						
Add funding to correct medical school pay plan						
Add funds for 1 additional class section in 4 capped programs						
Decrease operating expenses for a .5% general fund reduction	(69,248)		(75,261)	(25,478)	(24,723)	(479,810)
House version	\$16,028,969	\$2,685,227	\$34,136,651	\$13,422,702	\$8,873,111	\$430,707,911
	NORTH DAKOTA STATE UNIVERSITY	STATE COLLEGE OF SCIENCE	DICKINSON STATE UNIVERSITY	MAYVILLE STATE UNIVERSITY	MINOT STATE UNIVERSITY	VALLEY CITY STATE UNIVERSITY
Executive budget	\$128,100,635	\$31,700,772	\$21,380,019	\$11,339,893	\$36,533,011	\$15,238,154
Allocate 5% pooled salaries	4,464,681	1,143,124	697,602	399,279	1,419,892	540,061
Pool critical salary funding	(766,850)	(117,480)	(84,480)	(55,440)	(167,310)	(66,000)
Reduce compensation package to 2%/2%	(1,213,683)	(284,049)	(189,770)	(105,036)	(383,481)	(141,147)
Adjust health insurance cost	261,169	75,414	43,053	28,369	84,395	37,920
Delay market salary adjustments to 1/1/01						
Remove UND bookstore project (it is included in SB 2030)						
Remove Dickinson State Student Union (it is included in SB 2065)			(2,200,000)			
Remove capital improvements emergency line item						
Increase contingency line item						
Decrease PSEP						
Decrease EPSCoR						
Eliminate Perkins loan match funding						
Reduce salaries and wages due to vacant positions	(350,000)		(131,253)		(220,003)	
Reduce information technology funding		(50,000)			(20,000)	
Add funds for information technology initiative						
Reduce operating expenses	(250,000)					
Reduce equipment funding	(45,000)					
Reduce funding for the Skills Center	(250,000)					
Appropriate local funds	111,620,179	15,580,000	8,221,397	7,400,000	19,003,936	8,820,000
Reduce dual credit course program funding			(53,500)			
Reduce Center for Innovation in Instruction funding						(50,000)
Reduce capital improvement funding	(150,000)					
Reduce on-line training funding					(20,600)	
Add funding to correct medical school pay plan						
Add funds for 1 additional class section in		384,000				

4 capped programs						
Decrease operating expenses for a .5% general fund reduction	(370,014)	(117,245)	(66,605)	(43,644)	(128,650)	(58,462)
House version	\$241,051,117	\$48,314,536	\$27,616,463	\$18,963,421	\$56,101,190	\$24,320,526
			UND SCHOOL OF MEDICINE AND HEALTH SCIENCES			
	MSU- BOTTINEAU	FOREST SERVICE		TOTAL		
Executive budget	\$5,291,599	\$2,432,554	\$87,695,874	\$559,623,569		
Allocate 5% pooled salaries	192,430	86,088	1,569,679			
Pool critical salary funding	(19,928)	(11,880)	(232,321)			
Reduce compensation package to 2%/2%	(46,785)	(18,532)	(900,749)	(4,971,751)		
Adjust health insurance cost	14,826	5,702	134,291	1,069,478		
Delay market salary adjustments to 1/1/01				(29,456)		
Remove UND bookstore project (it is included in SB 2030)				(4,000,000)		
Remove Dickinson State Student Union (it is included in SB 2065)				(2,200,000)		
Remove capital improvements emergency line item				(400,000)		
Increase contingency line item				200,000		
Decrease PSEP				(150,000)		
Decrease EPSCoR				(200,000)		
Eliminate Perkins loan match funding				(102,885)		
Reduce salaries and wages due to vacant positions			(230,000)	(972,846)		
Reduce information technology funding				(349,048)		
Add funds for information technology initiative	228,135			228,135		
Reduce operating expenses			(220,000)	(470,000)		
Reduce equipment funding				(45,000)		
Reduce funding for the Skills Center				(250,000)		
Appropriate local funds	2,124,426	1,336,082		476,266,395		
Reduce dual credit course program funding				(53,500)		
Reduce Center for Innovation in Instruction funding				(50,000)		
Reduce capital improvement funding				(394,036)		
Reduce on-line training funding				(20,600)		
Add funding to correct medical school pay plan			372,180	372,180		
Add funds for 1 additional class section in 4 capped programs				384,000		
Decrease operating expenses for a .5% general fund reduction	(21,066)	(8,175)	(146,313)	(1,634,694)		
House version	\$7,763,637	\$3,821,839	\$88,042,641	\$1,021,849,941		

<sup>1</sup> In addition to the two percent annual salary increases, funding is included to provide the finance director a market equity salary increase of \$135 per month, the legal counsel a market equity salary increase of \$692.17 per month, and the human resources director a market equity salary increase of \$520 per month. These increases are effective January 1, 2001, for the last six months of the biennium.

<sup>2</sup> The \$400,000 for capital improvement emergencies line item was removed, and then the contingency line item was increased by \$200,000, from \$200,000 to \$400,000. The contingency line was also renamed contingency and capital improvements emergency fund.

<sup>3</sup> The reductions to the salaries and wages line items, relating to vacant positions does not include a reduction in the number of FTE because the board has the authority to adjust FTE levels as needed.

<sup>4</sup> The additional \$384,000 of estimated income at the State College of Science is for the addition of 8 FTE and 1 additional class section in each of the diesel technology, computer information systems, architectural drafting, and electrical technology programs.

This amendment also:

Adds in the appropriation of local funds at the campuses. The total local funds appropriation is \$476,266,395.

Replaces the sections providing for the North Dakota building authority to issue evidences of indebtedness for the student union renovations (\$250,000) at Bismarck State College and the Health and Wellness Center (\$4,500,000) at North Dakota State University with sections providing for these two projects to be funded through revenue bonds issued through the State Board of Higher Education.

Removes the section of intent providing that the Office of Management and Budget was to prepare the 2001-03 budget to only include a general fund appropriation.

Adds a section declaring the \$760,000 for boiler repairs and fuel storage at Mayville State University and the \$4,500,000 for the Health and Wellness Center at North Dakota State University to be emergencies.

Adds language providing that Bismarck State College is to complete the hallway renovation project at Schafer Hall from within the funding provided for the 1999-2001 biennium.

#### REPORT OF STANDING COMMITTEE

**HB 1015: 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 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 9, replace "6,600,000" with "6,000,000"

Page 2, line 12, replace "9,100,000" with "8,500,000"

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 "29,036,708"

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

Page 2, line 30, replace "115,794,407" with "114,170,900"

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

Renumber 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 includes:

	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	(\$78,119)	\$18,247		(\$63,575)	(\$71,662)	
Operating expenses						(\$33,540)
Equipment						(7,000)
Grants						
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	(600,000)	6,000,000
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	(\$828,575)	\$35,739,424
Less special funds	<u>27,467,999</u>	<u>(228,575)</u>	<u>27,239,424</u>
General fund	\$9,100,000	(\$600,000)	\$8,500,000
FTE	178.50	(1.00)	177.50

Detail of House changes to the executive budget includes:

	REDUCE COMPENSATION PACKAGE TO 2/2	ADJUST HEALTH INSURANCE COST	REMOVE VACANT ACCOUNT BUDGET SPECIALIST III FTE	REDUCE PACE FUNDING	TOTAL HOUSE CHANGES
Salaries and wages	(\$185,708)	\$52,462	(\$95,329)		(\$228,575)
Operating expenses					
Equipment					
Capital improvements					
Contingency					
PACE				(\$600,000)	(600,000)
Ag PACE					
Beginning farmer					
<b>Total all funds</b>	<b>(\$185,708)</b>	<b>\$52,462</b>	<b>(\$95,329)</b>	<b>(\$600,000)</b>	<b>(\$828,575)</b>
Less special funds	<u>(185,708)</u>	<u>52,462</u>	<u>(95,329)</u>		<u>(228,575)</u>
General fund	\$0	\$0	\$0	(\$600,000)	(\$600,000)
FTE	0.00	0.00	(1.00)	0.00	(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>
<b>Total all funds</b>	<b>\$23,931,307</b>	<b>(\$239,360)</b>	<b>\$23,691,947</b>
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 includes:

	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						
<b>Total all funds</b>	<b>(\$38,400)</b>	<b>\$10,050</b>	<b>(\$6,837)</b>	<b>(\$69,875)</b>	<b>(\$118,129)</b>	<b>(\$16,169)</b>
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	
<b>Total all funds</b>	<b>(\$239,360)</b>
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 includes:

	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 1016: Appropriations Committee (Rep. Dalrymple, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (20 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1016 was placed on the Sixth order on the calendar.

Page 1, line 2, after "rehabilitation" insert "; and to amend and reenact subsection 2 of section 12.1-32-07 of the North Dakota Century Code, relating to the supervision of probationers"

Page 1, line 12, replace "878,152" with "865,070"

Page 1, line 13, replace "118,682" with "115,000"

Page 1, line 14, replace "26,950" with "20,200"

Page 1, line 15, replace "1,023,784" with "1,000,270"

Page 1, line 18, replace "9,764,955" with "9,552,045"

Page 1, line 19, replace "4,344,374" with "4,229,174"

Page 1, line 20, replace "141,771" with "104,321"

Page 1, line 21, replace "371,900" with "35,000"

Page 1, line 24, replace "17,693,900" with "16,991,440"

Page 2, line 1, replace "5,688,979" with "5,674,504"

Page 2, line 2, replace "12,004,921" with "11,316,936"

Page 2, line 5, replace "2,610,550" with "2,609,036"

Page 2, line 6, replace "828,335" with "821,649"

Page 2, line 7, replace "10,029,660" with "9,635,277"

Page 2, line 8, replace "20,234,931" with "16,699,252"

Page 2, line 9, replace "3,853,788" with "3,833,361"

Page 2, line 10, replace "23,625,750" with "20,341,166"

Page 2, line 11, replace "9,243,724" with "7,521,794"

Page 2, line 12, replace "70,426,738" with "61,461,535"

Page 2, line 13, replace "16,335,431" with "12,660,179"

Page 2, line 14, replace "54,091,307" with "48,801,356"

Page 2, line 15, replace "67,120,012" with "61,118,562"

Page 2, line 16, replace "22,024,410" with "18,334,683"

Page 2, line 17, replace "89,144,422" with "79,453,245"

Page 2, line 24, replace "victims services," with "various"

Page 2, line 25, remove "institutional offender services, and community offender services"

Page 2, line 26, after "Act" insert a comma

Page 2, after line 28, insert:

**"SECTION 4. LEGISLATIVE INTENT - RENOVATION OF THE JAMES RIVER CORRECTIONAL CENTER FIFTH AND SIXTH FLOORS - REPORT TO LEGISLATIVE COUNCIL.** It is the intent of the fifty-sixth legislative assembly that during the 1999-2001 biennium, the department of corrections and rehabilitation monitor changes in the inmate population and the number of correctional cells at public and private correctional institutions available to house state inmates through contractual agreements. Prior to the 2001 legislative session, the director of the department of corrections and rehabilitation shall present a report to the legislative council, or a committee determined by the legislative council, on actual and projected changes in the inmate population, the number of correctional cells at public and private correctional institutions available to house state inmates through contractual agreements, and proposals for the renovation of the fifth and sixth floors of the residential building of the James River correctional center.

**SECTION 5. LEGISLATIVE INTENT - PROGRAMS PROVIDING ALTERNATIVES TO INCARCERATION - REPORT TO BUDGET SECTION.** It is the intent of the fifty-sixth legislative assembly that during the 1999-2001 biennium, the department of corrections and rehabilitation implement and operate programs to provide alternatives to the incarceration of inmates, including a revocation center and other intermediate measure intervention programs, community placement programs, jail placement for parole violators, house arrest and home detention, halfway house confinement, day reporting, and other programs as determined by the department. The purpose of such programs shall be to remove inmates from incarceration and prevent the return to incarceration of parole and probation violators. The director of the department of corrections and rehabilitation, periodically during the 1999-2001 biennium, shall provide reports to the budget section of the legislative council on the effectiveness of these programs and the actual and projected impact on the state inmate population.

**SECTION 6. AMENDMENT.** Subsection 2 of section 12.1-32-07 of the North Dakota Century Code is amended and reenacted as follows:

2. The conditions of probation must be such as the court in its discretion deems reasonably necessary to ensure that the defendant will lead a law-abiding life or to assist the defendant to do so. The court shall provide as an explicit condition of every probation that the defendant not commit another offense during the period for which the probation remains subject to revocation. The court shall order supervision costs and fees of not less than ~~thirty~~ thirty-five dollars per month unless the court makes a specific finding on record that the imposition of fees will result in an undue hardship."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

DEPARTMENT 530 - DEPARTMENT OF CORRECTIONS AND REHABILITATION

House - This amendment makes the following changes:

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Central Office:			
Salaries and wages	\$878,152	(\$13,082)	\$865,070
Operating expenses	118,682	(3,682)	115,000
Equipment	<u>26,950</u>	<u>(6,750)</u>	<u>20,200</u>



	REDUCE OPERATING EXPENSES FOR CONTRACT INMATE HOUSING	REMOVE FTE AND OPERATING EXPENSES FOR 5TH AND 6TH FLOOR RENOVATION AT JRCC	REMOVE SPENDING AUTHORITY RELATING TO LICENSE PLATE ISSUE	INCREASE SUPERVISION FEES	REMOVE POSITIONS AND RELATED OPERATING EXPENSES	TOTAL HOUSE CHANGES
Central Office:						
Salaries and wages						(\$13,082)
Operating expenses						(3,682)
Equipment						(6,750)
Total all funds	\$0	\$0	\$0	\$0	\$0	(\$23,514)
Less estimated income						
Total general fund	\$0	\$0	\$0	\$0	\$0	(\$23,514)
Juvenile Services:						
Salaries and wages					(\$128,135) <sup>15</sup>	(\$212,910)
Operating expenses						(115,200)
Equipment						(37,450)
Capital improvements						(336,900)
Grants						
Delinquency prevention consortium						
Total all funds	\$0	\$0	\$0	\$0	(\$128,135)	(\$702,460)
Less estimated income					(12,094)	(14,475)
Total general fund	\$0	\$0	\$0	\$0	(\$116,041)	(\$687,985)
Adult Services:						
Victim services						(\$1,514)
Institutional offender services						(6,686)
Community offender services					(\$201,482) <sup>16</sup>	(394,383)
Support services						(3,535,679)
Program services						(20,427)
Security and safety	(\$1,424,260) <sup>11</sup>	(\$1,463,679) <sup>12</sup>			(253,475) <sup>17</sup>	(3,284,584)
Roughrider Industries			(\$1,700,000) <sup>13</sup>			(1,721,930)
Total all funds	(\$1,424,260)	(\$1,463,679)	(\$1,700,000)	\$0	(\$454,957)	(\$8,965,203)
Less estimated income			(1,700,000)	144,000 <sup>14</sup>		(3,675,252)
Total general fund	(\$1,424,260)	(\$1,463,679)	\$0	(\$144,000) <sup>14</sup>	(\$454,957)	(\$5,289,951)
Grand total all funds	(\$1,424,260)	(\$1,463,679)	(\$1,700,000)	\$0	(\$583,092)	(\$9,691,177)
Less grand total special funds			(1,700,000)	144,000	(12,094)	(3,689,727)
Grand total general fund	(\$1,424,260)	(\$1,463,679)	\$0	(\$144,000)	(\$570,998)	(\$6,001,450)
FTE	0.00	(20.00)	0.00	0.00	(10.53)	(30.53)

House changes narrative:

- <sup>1</sup> This amendment delays until January 1, 2001, implementation of a market salary increase for the director of the Department of Corrections and Rehabilitation. This adjustment will provide an increase of approximately \$163 per month for the last six months of the biennium.
- <sup>2</sup> This amendment reduces salaries increases to two percent in July 1999 and two percent in July 2000.
- <sup>3</sup> This amendment increases salaries and wages and program line items to reflect increased health insurance costs.
- <sup>4</sup> This amendment reduces the equipment line item for the Central Office by approximately 25 percent, from \$26,950 to \$20,200.
- <sup>5</sup> This amendment reduces the equipment line item for the Juvenile Services Division by \$37,450 for the following:

	GENERAL FUND	OTHER FUNDS	TOTAL ALL FUNDS
Youth Correctional Center:			
Reduces from \$50,000 to \$37,500 the amount provided for computer purchases	(\$12,500)		(\$12,500)
Reduces from \$15,000 to \$10,000 the amount provided for the purchase of a replacement tractor	(5,000)		(5,000)
Eliminates funding for vocational equipment purchased during 1997-99	(18,200)		(18,200)
Juvenile Community Services:			
Reduces equipment line item from \$7,000 to \$5,250	(1,750)		(1,750)
Total Juvenile Services Division equipment reduction	(\$37,450)		(\$37,450)

<sup>6</sup> This amendment reduces the operating expenses line item for the Central Office from \$118,682 to \$115,000 for reductions to be determined by the department.

7 This amendment reduces the operating expenses line item for the Juvenile Services Division from \$4,344,374 to \$4,229,174 to reflect a \$32,200 reduction to the Youth Correctional Center for medical-related expenses and a \$83,000 reduction to Juvenile Community Services for reductions to be determined by the department.

8 This amendment reduces the community offender services line item to reflect a reduction from \$2,149,800 to \$2,000,000 in the amount provided for various programs that provide alternatives to the incarceration of inmates. This amendment also adds Section 5 which provides legislative intent that the department monitor the effectiveness of these programs and present a report to the Budget Section.

9 This amendment reduces capital improvements for the Youth Correctional Center as follows:

	GENERAL FUND	OTHER FUNDS	TOTAL ALL FUNDS
Eliminates funding for Divine Hall improvements	(\$120,000)		(\$120,000)
Eliminates funding for fire suppression systems in Brown and Maple cottages	(101,000)		(101,000)
Reduces from \$150,900 to \$35,000 funding for extraordinary repairs	(115,900)		(115,900)
Total Youth Correctional Center capital improvements reductions	(\$336,900)		(\$336,900)

10 This amendment reduces capital improvements for the Adult Services Division as follows:

	GENERAL FUND	OTHER FUNDS	TOTAL ALL FUNDS
Reduces from \$1,003,700 to \$650,000 funding for extraordinary repairs	(\$353,700)		(\$353,700)
Reduces from \$121,000 to \$100,000 funding for security improvements at the James River Correctional Center (JRCC)	(21,000)		(21,000)
Reduces from \$325,000 to \$200,000 funding for forensic building lobby, front entrance, and other JRCC improvements	(125,000)		(125,000)
Reduces from \$71,000 to \$40,000 funding for parking lot construction at the JRCC	(31,000)		(31,000)
Eliminates funding for a security fence around the RRI building	(198,000)		(198,000)
Reduces from \$433,000 to \$245,000 funding for administrative segregation unit improvements at the Penitentiary	(188,000)		(188,000)
Reduces from \$325,000 to \$100,000 funding for parking lot improvements at the Penitentiary	(225,000)		(225,000)
Reduces the support services line item for the 5th and 6th floors renovation of the JRCC	(259,469)	(\$2,093,531)	(2,353,000)
Total adult services capital improvements reductions	(\$1,401,169)	(\$2,093,531)	(\$3,494,700)

This amendment adds Section 4 of the bill, which provides legislative intent that during the 1997-99 biennium the department monitor the growth of the inmate population and the number of correctional institution beds available to the department to contract for inmate housing, and prior to the 2001 legislative session, present a report to the Legislative Council or an interim committee on the department's plans to renovate the 5th and 6th floors of the JRCC.

11 This amendment reduces funding for contracting for inmate housing from \$4,085,300 to \$2,661,040 to reflect an anticipated growth in the inmate population of 10 percent for fiscal year 2000 and 15 percent for fiscal year 2001 and legislative intent that the department contract with in-state county facilities for housing as many inmates as possible before contracting with out-of-state facilities.

12 This amendment eliminates the following FTE positions and operating expenses for the 5th and 6th floors of the JRCC:

	FTE POSITIONS	GENERAL FUND	OTHER FUNDS	TOTAL ALL FUNDS
Removes correctional unit case managers	(2.00)	(\$87,906)		(\$87,906)
Removes correctional caseworkers	(6.00)	(234,048)		(234,048)
Removes correctional officer II positions	(12.00)	(411,540)		(411,540)
Operating expenses		(730,185)		(730,185)
Total reduction for operation of the 5th and 6th floors of the JRCC	(20.00)	(\$1,463,679)		(\$1,463,679)

13 This amendment reduces the Roughrider Industries line item by \$1.7 million for operating expenses relating to the issuance of license plates.

14 This amendment increases by \$144,000 anticipated revenue from parole supervision fees based on increasing fees from \$30 to \$35 per month, as provided in Section 6 of the bill. This amendment also reduces general fund spending authority by the same amount.

15 This amendment reduces funding for the expansion of the Youth Correctional Center education program to increase the number of months of instruction from 10 to 12 months. The amendment is based on legislative intent that the Youth Correctional Center expand the educational program by offering only core curriculum during the summer months rather than a full education program as proposed in the executive budget. The costs are estimated as follows:

	FTE POSITIONS	GENERAL FUND	OTHER FUNDS	TOTAL ALL FUNDS
Executive budget	3.57	\$269,895	\$43,858	\$313,753
House version	<u>2.04</u>	<u>153,854</u>	<u>31,764</u>	<u>185,618</u>
Change from executive budget	(1.53)	(\$116,041)	(\$12,094)	(\$128,135)

<sup>16</sup>This amendment eliminates the following FTE positions and related operating expenses included in the community offender services line item:

	FTE POSITIONS	GENERAL FUND	OTHER FUNDS	TOTAL ALL FUNDS
a. Removes administrative secretary III positions	(2.00)	(\$95,436)		(\$95,436)
Adds funding for temporary salaries		38,436		38,436
Removes related operating expenses		(41,848)		(41,848)
b. Removes community corrections agent	(1.00)	(53,024)		(53,024)
Removes related operating expenses		(2,531)		(2,531)
c. Removes parole and probation officer II	(1.00)	(36,657)		(36,657)
Removes related operating expenses		<u>(10,422)</u>		<u>(10,422)</u>
Total FTE and related changes for community offender services	(4.00)	(\$201,482)		(\$201,482)

<sup>17</sup>This amendment eliminates the following FTE positions and related operating expenses included in the security and safety line item:

	FTE POSITIONS	GENERAL FUND	OTHER FUNDS	TOTAL ALL FUNDS
a. Removes correctional officer II positions relating to the JRCC	(2.00)	(\$110,910)		(\$110,910)
Removes related operating expenses		(4,480)		(4,480)
b. Removes correctional officer II positions relating to transporting Missouri River Correctional Center inmates	(2.00)	(110,910)		(110,910)
Removes related operating expenses		(4,480)		(4,480)
c. Removes correctional officer II position relating to Penitentiary front lobby security	(1.00)	(55,455)		(55,455)
Removes related operating expenses		(2,240)		(2,240)
d. Increases funding for temporary salaries		35,000		35,000
	(5.00)	(\$253,475)		(\$253,475)

### REPORT OF STANDING COMMITTEE

**HB 1183, as engrossed: Appropriations Committee (Rep. Dalrymple, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (16 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1183 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new section to chapter 57-43.1 and a new section to chapter 57-43.2 of the North Dakota Century Code, relating to additional motor vehicle fuel taxes and special fuel taxes; to amend and reenact sections 39-04-19, 57-43.1-02, and 57-43.2-02 of the North Dakota Century Code, relating to motor vehicle registration fees, motor vehicle fuel taxes, and special fuel taxes; to provide an effective date; and to provide an expiration date.

### BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

**SECTION 1. AMENDMENT.** Section 39-04-19 of the North Dakota Century Code is amended and reenacted as follows:

**39-04-19. (~~Effective until June 30, 2000~~) Motor vehicle registration fees and mile tax.** Motor vehicles required to pay registration fees or a mile tax shall pay the following fees:

1. Nonresidents electing to pay mile tax in lieu of registration, when authorized to do so by the department, shall pay a fee of twenty dollars for a trip permit which is valid for a period of seventy-two hours. All fees collected under the provisions of this subsection must be credited to the highway construction fund.

2. Motor vehicles required to be registered in this state must be furnished license plates upon the payment of the following annual fees; however, if a motor vehicle first becomes subject to registration other than at the beginning of the registration period, such fees must be prorated on a monthly basis. The minimum fee charged hereunder must be five dollars:

a. Passenger motor vehicles:

Gross Weights	YEARS REGISTERED			
	1st, 2nd, 3rd, 4th, 5th, and 6th Years	7th, 8th, and 9th Years	10th, 11th, and 12th Years	13th and Subsequent Years
Less than 3,200	\$49.00	\$41.00	\$33.00	\$25.00
3,200-4,499	69.00	57.00	45.00	33.00
4,500-4,999	87.00	70.00	55.00	39.00
5,000-5,999	118.00	96.00	74.00	52.00
6,000-6,999	151.00	122.00	93.00	65.00
7,000-7,999	184.00	148.00	113.00	78.00
8,000-8,999	217.00	175.00	133.00	91.00
9,000 and over	250.00	201.00	153.00	104.00

A house car is subject to registration at the rates prescribed for other vehicles under this subdivision modified by using the weight applicable to a vehicle whose weight is forty percent of that of the house car, but not using a weight of less than four thousand pounds [1814.35 kilograms].

- b. Schoolbuses, buses for hire, buses owned and operated by religious, charitable, or nonprofit organizations and used exclusively for religious, charitable, or other public nonprofit purposes, and trucks or combination trucks and trailers, including commercial and noncommercial trucks, except those trucks or combinations of trucks and trailers which qualify for registration under subsection 5:

Gross Weights	YEARS REGISTERED			
	1st, 2nd, 3rd, 4th, 5th, and 6th Years	7th and 8th Years	9th and 10th Years	11th and Subsequent Years
Not over 4,000	\$47.00	\$34.00	\$29.00	\$26.00
4,001- 6,000	52.00	39.00	33.00	27.00
6,001- 8,000	57.00	44.00	37.00	28.00
8,001-10,000	62.00	49.00	41.00	30.00
10,001-12,000	67.00	54.00	45.00	32.00
12,001-14,000	72.00	59.00	49.00	35.00
14,001-16,000	77.00	64.00	53.00	38.00
16,001-18,000	82.00	69.00	57.00	40.00
18,001-20,000	85.00	72.00	59.00	41.00

Gross Weights	YEARS REGISTERED		
	1st, 2nd, 3rd, 4th, 5th, 6th, and 7th Years	8th, 9th, 10th, 11th, and 12th Years	13th and Subsequent Years
20,001- 22,000	\$115.00	\$89.00	\$76.00
22,001- 26,000	167.00	137.00	121.00
26,001- 30,000	228.00	186.00	164.00
30,001- 34,000	294.00	239.00	211.00
34,001- 38,000	355.00	288.00	254.00
38,001- 42,000	416.00	337.00	296.00
42,001- 46,000	477.00	385.00	339.00
46,001- 50,000	538.00	434.00	382.00
50,001- 54,000	608.00	492.00	433.00
54,001- 58,000	669.00	541.00	476.00
58,001- 62,000	730.00	590.00	519.00
62,001- 66,000	791.00	638.00	562.00
66,001- 70,000	852.00	687.00	604.00
70,001- 74,000	913.00	736.00	647.00
74,001- 78,000	974.00	785.00	690.00
78,001- 82,000	1,035.00	834.00	733.00
82,001- 86,000	1,158.00	939.00	820.00
86,001- 90,000	1,280.00	1,043.00	907.00
90,001- 94,000	1,402.00	1,148.00	994.00
94,001- 98,000	1,524.00	1,253.00	1,082.00

98,001-102,000	1,646.00	1,357.00	1,169.00
102,001-105,500	1,768.00	1,462.00	1,256.00

c. Motorcycles, fifteen dollars.

3. Motor vehicles acquired by disabled veterans under the provisions of Public Law 79-663 [38 U.S.C. 3901] are exempt from the payment of state sales or use tax and, if paid, such veterans are entitled to a refund. This exemption also applies to any passenger motor vehicle or pickup truck not exceeding ten thousand pounds [4535.92 kilograms] gross weight but shall apply to no more than two such motor vehicles owned by a disabled veteran at any one time.
4. Every trailer, semitrailer, and farm trailer required to be registered under this chapter must be furnished registration plates upon the payment of a twenty dollar annual fee. Every trailer, semitrailer, or farm trailer not required to be registered under this chapter must be furnished an identification plate upon the payment of a fee of five dollars.
5. Trucks or combinations of trucks and trailers weighing more than twenty thousand but not more than one hundred five thousand five hundred pounds [more than 9071.84 but not more than 47854.00 kilograms] which are used as farm vehicles only, are entitled to registration under the following fee schedule and the provisions of this subsection. Farm vehicles are considered, for the purpose of this subsection, as trucks or combinations of trucks and trailers weighing more than twenty thousand but not more than one hundred five thousand five hundred pounds [more than 9071.84 but not more than 47854.00 kilograms] owned, or leased for at least one year by a bona fide resident farmer who uses the vehicles exclusively for transporting the farmer's own property or other property on a farm work exchange basis with other farmers between farms and the usual local trading places but not in connection with any commercial retail or wholesale business being conducted from those farms, nor otherwise for hire. In addition to the penalty provided in section 39-04-41, any person violating this subsection shall license for the entire license period the farm vehicle at the higher commercial vehicle rate in accordance with the weight carried by the farm vehicle at the time of the violation.

YEARS REGISTERED

Gross Weights	1st, 2nd, 3rd, 4th, 5th, and 6th Years	7th and 8th Years	9th and 10th Years	11th and Subsequent Years
20,001- 22,000	\$88.00	\$74.00	\$60.00	\$42.00
22,001- 24,000	93.00	78.00	63.00	44.00
24,001- 26,000	101.00	84.00	67.00	46.00
26,001- 28,000	111.00	92.00	73.00	50.00
28,001- 30,000	121.00	100.00	79.00	54.00
30,001- 32,000	136.00	113.00	90.00	63.00
32,001- 34,000	146.00	121.00	96.00	67.00
34,001- 36,000	156.00	129.00	102.00	71.00
36,001- 38,000	166.00	137.00	108.00	75.00
38,001- 40,000	176.00	145.00	114.00	79.00
40,001- 42,000	186.00	153.00	120.00	83.00
42,001- 44,000	196.00	161.00	126.00	87.00
44,001- 46,000	206.00	169.00	132.00	91.00
46,001- 48,000	216.00	177.00	138.00	95.00
48,001- 50,000	226.00	185.00	144.00	99.00
50,001- 52,000	246.00	203.00	160.00	113.00
52,001- 54,000	256.00	211.00	166.00	117.00
54,001- 56,000	266.00	219.00	172.00	121.00
56,001- 58,000	276.00	227.00	178.00	125.00
58,001- 60,000	286.00	235.00	184.00	129.00
60,001- 62,000	296.00	243.00	190.00	133.00
62,001- 64,000	306.00	251.00	196.00	137.00
64,001- 66,000	316.00	259.00	202.00	141.00
66,001- 68,000	326.00	267.00	208.00	145.00
68,001- 70,000	336.00	275.00	214.00	149.00
70,001- 72,000	346.00	283.00	220.00	153.00
72,001- 74,000	356.00	291.00	226.00	157.00
74,001- 76,000	366.00	299.00	232.00	161.00
76,001- 78,000	376.00	307.00	238.00	165.00

78,001- 80,000	386.00	315.00	244.00	169.00
80,001- 82,000	396.00	323.00	250.00	173.00
82,001- 84,000	406.00	345.00	293.00	249.00
84,001- 86,000	426.00	362.00	307.00	261.00
86,001- 88,000	446.00	379.00	321.00	273.00
88,001- 90,000	466.00	396.00	335.00	285.00
90,001- 92,000	486.00	413.00	349.00	297.00
92,001- 94,000	506.00	430.00	363.00	309.00
94,001- 96,000	526.00	447.00	377.00	321.00
96,001- 98,000	546.00	464.00	391.00	333.00
98,001-100,000	566.00	481.00	405.00	345.00
100,001-102,000	586.00	498.00	419.00	357.00
102,001-104,000	606.00	515.00	433.00	369.00
104,001-105,500	626.00	532.00	447.00	381.00

6. A motor vehicle registered in subsection 5 may be used for custom combining operations by displaying identification issued by the department and upon payment of a fee of twenty-five dollars.

~~(Effective June 30, 2000) Motor vehicle registration fees and mile tax.~~

~~Motor vehicles required to pay registration fees or a mile tax shall pay the following fees:~~

- ~~1. Nonresidents electing to pay mile tax in lieu of registration, when authorized to do so by the department, shall pay a fee of twenty dollars for a trip permit which is valid for a period of seventy two hours. All fees collected under the provisions of this subsection must be credited to the highway construction fund.~~
- ~~2. Motor vehicles required to be registered in this state must be furnished license plates upon the payment of the following annual fees; however, if a motor vehicle first becomes subject to registration other than at the beginning of the registration period, such fees must be prorated on a monthly basis. The minimum fee charged hereunder must be five dollars:~~

~~a. Passenger motor vehicles:~~

Gross Weights	YEARS REGISTERED				
	1st, 2nd, 3rd, 4th, and 5th Years	6th, 7th, and 8th Years	9th, 10th, and 11th Years	12th and Subsequent Years	
Less than 3,200	\$49.00	\$41.00	\$33.00	\$25.00	
3,200-4,499	69.00	57.00	45.00	33.00	
4,500-4,999	87.00	70.00	55.00	39.00	
5,000-5,999	118.00	96.00	74.00	52.00	
6,000-6,999	151.00	122.00	93.00	65.00	
7,000-7,999	184.00	148.00	113.00	78.00	
8,000-8,999	217.00	175.00	133.00	91.00	
9,000 and over	250.00	201.00	153.00	104.00	

~~A house car is subject to registration at the rates prescribed for other vehicles under this subdivision modified by using the weight applicable to a vehicle whose weight is forty percent of that of the house car, but not using a weight of less than four thousand pounds [1814.35 kilograms].~~

- ~~b. Schoolbuses, buses for hire, buses owned and operated by religious, charitable, or nonprofit organizations and used exclusively for religious, charitable, or other public nonprofit purposes, and trucks or combination trucks and trailers, including commercial and noncommercial trucks, except those trucks or combinations of trucks and trailers which qualify for registration under subsection 5:~~

Gross Weights	YEARS REGISTERED			
	1st, 2nd, 3rd, 4th, and 5th Years	6th and 7th Years	8th and 9th Years	10th and Subsequent Years
Not over 4,000	\$47.00	\$34.00	\$29.00	\$26.00
4,001-6,000	52.00	39.00	33.00	27.00
6,001-8,000	57.00	44.00	37.00	28.00

8,001-10,000	62.00	49.00	41.00	30.00
10,001-12,000	67.00	54.00	45.00	32.00
12,001-14,000	72.00	59.00	49.00	35.00
14,001-16,000	77.00	64.00	53.00	38.00
16,001-18,000	82.00	69.00	57.00	40.00
18,001-20,000	85.00	72.00	59.00	41.00

YEARS REGISTERED

Gross Weights	1st, 2nd, 3rd, 4th, 5th, and 6th Years	7th, 8th, 9th, 10th, and 11th Years	12th and Subsequent Years
20,001-22,000	\$115.00	\$89.00	\$76.00
22,001-26,000	167.00	137.00	121.00
26,001-30,000	228.00	186.00	164.00
30,001-34,000	294.00	239.00	211.00
34,001-38,000	355.00	288.00	254.00
38,001-42,000	416.00	337.00	296.00
42,001-46,000	477.00	385.00	339.00
46,001-50,000	538.00	434.00	382.00
50,001-54,000	609.00	492.00	433.00
54,001-58,000	669.00	541.00	476.00
58,001-62,000	730.00	590.00	519.00
62,001-66,000	791.00	638.00	562.00
66,001-70,000	852.00	687.00	604.00
70,001-74,000	913.00	736.00	647.00
74,001-78,000	974.00	785.00	690.00
78,001-82,000	1,035.00	834.00	733.00
82,001-86,000	1,158.00	939.00	820.00
86,001-90,000	1,280.00	1,043.00	907.00
90,001-94,000	1,402.00	1,148.00	994.00
94,001-98,000	1,524.00	1,253.00	1,082.00
98,001-102,000	1,646.00	1,357.00	1,169.00
102,001-105,500	1,768.00	1,462.00	1,256.00

e. Motorcycles, fifteen dollars.

3. ~~Motor vehicles acquired by disabled veterans under the provisions of Public Law 79-663 [38 U.S.C. 3901] are exempt from the payment of state sales or use tax and, if paid, such veterans are entitled to a refund. This exemption also applies to any passenger motor vehicle or pickup truck not exceeding ten thousand pounds [4535.92 kilograms] gross weight but shall apply to no more than two such motor vehicles owned by a disabled veteran at any one time.~~
4. ~~Every trailer, semitrailer, and farm trailer required to be registered under this chapter must be furnished registration plates upon the payment of a twenty dollar annual fee. Every trailer, semitrailer, or farm trailer not required to be registered under this chapter must be furnished an identification plate upon the payment of a fee of five dollars.~~
5. ~~Trucks or combinations of trucks and trailers weighing more than twenty thousand but not more than one hundred five thousand five hundred pounds [more than 9071.84 but not more than 47854.00 kilograms] which are used as farm vehicles only, are entitled to registration under the following fee schedule and the provisions of this subsection. Farm vehicles are considered, for the purpose of this subsection, as trucks or combinations of trucks and trailers weighing more than twenty thousand but not more than one hundred five thousand five hundred pounds [more than 9071.84 but not more than 47854.00 kilograms] owned, or leased for at least one year by a bona fide resident farmer who uses the vehicles exclusively for transporting the farmer's own property or other property on a farm work exchange basis with other farmers between farms and the usual local trading places but not in connection with any commercial retail or wholesale business being conducted from those farms, nor otherwise for hire. In addition to the penalty provided in section 39-04-41, any person violating this subsection shall license for the entire license period the farm vehicle at the higher commercial vehicle rate in accordance with the weight carried by the farm vehicle at the time of the violation.~~

YEARS REGISTERED

1st, 2nd,  
3rd, 4th,

10th and

Gross Weights	and 5th Years	6th and 7th Years	8th and 9th Years	Subsequent Years
20,001-22,000	\$88.00	\$74.00	\$60.00	\$42.00
22,001-24,000	93.00	78.00	63.00	44.00
24,001-26,000	101.00	84.00	67.00	46.00
26,001-28,000	111.00	92.00	73.00	50.00
28,001-30,000	121.00	100.00	79.00	54.00
30,001-32,000	136.00	113.00	90.00	63.00
32,001-34,000	146.00	121.00	96.00	67.00
34,001-36,000	156.00	129.00	102.00	71.00
36,001-38,000	166.00	137.00	108.00	75.00
38,001-40,000	176.00	145.00	114.00	79.00
40,001-42,000	186.00	153.00	120.00	83.00
42,001-44,000	196.00	161.00	126.00	87.00
44,001-46,000	206.00	169.00	132.00	91.00
46,001-48,000	216.00	177.00	138.00	95.00
48,001-50,000	226.00	185.00	144.00	99.00
50,001-52,000	246.00	203.00	160.00	113.00
52,001-54,000	256.00	211.00	166.00	117.00
54,001-56,000	266.00	219.00	172.00	121.00
56,001-58,000	276.00	227.00	178.00	125.00
58,001-60,000	286.00	235.00	184.00	129.00
60,001-62,000	296.00	243.00	190.00	133.00
62,001-64,000	306.00	251.00	196.00	137.00
64,001-66,000	316.00	259.00	202.00	141.00
66,001-68,000	326.00	267.00	208.00	145.00
68,001-70,000	336.00	275.00	214.00	149.00
70,001-72,000	346.00	283.00	220.00	153.00
72,001-74,000	356.00	291.00	226.00	157.00
74,001-76,000	366.00	299.00	232.00	161.00
76,001-78,000	376.00	307.00	238.00	165.00
78,001-80,000	386.00	315.00	244.00	169.00
80,001-82,000	396.00	323.00	250.00	173.00
82,001-84,000	406.00	345.00	293.00	249.00
84,001-86,000	426.00	362.00	307.00	261.00
86,001-88,000	446.00	379.00	321.00	273.00
88,001-90,000	466.00	396.00	335.00	285.00
90,001-92,000	486.00	413.00	349.00	297.00
92,001-94,000	506.00	430.00	363.00	309.00
94,001-96,000	526.00	447.00	377.00	321.00
96,001-98,000	546.00	464.00	391.00	333.00
98,001-100,000	566.00	481.00	405.00	345.00
100,001-102,000	586.00	498.00	419.00	357.00
102,001-104,000	606.00	515.00	433.00	369.00
104,001-105,500	626.00	532.00	447.00	381.00

6. ~~A motor vehicle registered in subsection 5 may be used for custom combining operations by displaying identification issued by the department and upon payment of a fee of twenty five dollars.~~

**SECTION 2. AMENDMENT.** Section 57-43.1-02 of the 1997 Supplement to the North Dakota Century Code is amended and reenacted as follows:

**57-43.1-02. ~~(Effective through December 31, 1999)~~ Tax imposed on motor vehicle fuels.**

1. Except as otherwise provided in this section, a tax of twenty cents per gallon [3.79 liters] is imposed on all motor vehicle fuel sold or used in this state.
2. The dealer shall collect the tax imposed by this section from the consumer on all sales.
3. Sales of fuel in the original package may be made to a licensed dealer, and the dealer may collect the tax imposed by this chapter, but on sales in the original package to persons other than licensed dealers, the dealer is liable for the tax.

**~~(Effective after December 31, 1999) Tax imposed on motor vehicle fuels.~~**

1. ~~Except as otherwise provided in this section, a tax of seventeen cents per gallon [3.79 liters] is imposed on all motor vehicle fuel sold or used in this state.~~
2. ~~The dealer shall collect the tax imposed by this section from the consumer on all sales.~~
3. ~~Sales of fuel in the original package may be made to a licensed dealer, and the dealer may collect the tax imposed by this chapter, but on sales in the original package to persons other than licensed dealers, the dealer is liable for the tax.~~

**SECTION 3.** A new section to chapter 57-43.1 of the North Dakota Century Code is created and enacted as follows:

**Separate and additional tax on motor vehicle fuels.** In addition to the tax imposed under section 57-43.1-02, a tax of one cent per gallon [3.79 liters] is imposed on all motor vehicle fuel sold or used in this state. All of the provisions of this chapter relating to the tax imposed by section 57-43.1-02 apply to the tax imposed by this section.

**SECTION 4. AMENDMENT.** Section 57-43.2-02 of the 1997 Supplement to the North Dakota Century Code is amended and reenacted as follows:

**57-43.2-02. (Effective through December 31, 1999) Tax imposed.**

1. Except as otherwise provided in this chapter, an excise tax of twenty cents per gallon [3.79 liters] is imposed on the sale or delivery of special fuel to any consumer. For the purpose of determining the tax upon compressed natural gas under this section, one hundred twenty cubic feet [3.40 cubic meters] of compressed natural gas is equal to one gallon [3.79 liters] of other special fuel.
2. The dealer shall remit the tax imposed by this section on all sales to consumers.
3. The dealer may make sales of special fuel to another dealer free of the tax imposed by this chapter.

**(Effective after December 31, 1999) Tax imposed.**

1. ~~Except as otherwise provided in this chapter, an excise tax of seventeen cents per gallon [3.79 liters] is imposed on the sale or delivery of special fuel to any consumer. For the purpose of determining the tax upon compressed natural gas under this section, one hundred twenty cubic feet [3.40 cubic meters] of compressed natural gas is equal to one gallon [3.79 liters] of other special fuel.~~
2. ~~The dealer shall remit the tax imposed by this section on all sales to consumers.~~
3. ~~The dealer may make sales of special fuel to another dealer free of the tax imposed by this chapter.~~

**SECTION 5.** A new section to chapter 57-43.2 of the North Dakota Century Code is created and enacted as follows:

**Separate and additional special fuel tax.** In addition to the tax imposed under section 57-43.2-02, a tax of one cent per gallon [3.79 liters] is imposed on the sale or delivery of special fuel to any consumer. All of the provisions of this chapter relating to the tax imposed under section 57-43.2-02 apply to the tax imposed under this section.

**SECTION 6. EFFECTIVE DATE - EXPIRATION DATE.** Sections 2 through 5 of this Act are effective for sale, use, or delivery of motor vehicle fuel and special fuel after June 30, 1999. Sections 3 and 5 of this Act become ineffective for sale, use, or delivery of motor vehicle fuel and special fuel after June 30, 2001, or on the first day of the month following the month in which the state treasurer certifies to the tax commissioner that transfers from the highway tax distribution fund to the state highway fund for the 1999-2001 biennium exceed \$181,755,000, whichever is earlier."

Renumber accordingly

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

**SIXTH ORDER OF BUSINESS**

**REP. DORSO MOVED** that the amendments on the Sixth order of business to HB 1003, HB 1015, HB 1016, and HB 1183 be adopted, which motion prevailed.

**MOTION**

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

**THE HOUSE RECOGNIZED THE PRESENCE OF:**

Former Representative Richard Kouba

**SECOND READING OF HOUSE BILL**

**HB 1185:** A BILL for an Act to create and enact chapter 23-36 of the North Dakota Century Code, relating to rabies control; to repeal sections 23-01-18 and 23-01-19 of the North Dakota Century Code, relating to rabies control; to provide a penalty; 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 90 YEAS, 0 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Berg; Bernstein; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleeson; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; 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; 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; Wikenheiser; Winrich; Speaker Wald

**ABSENT AND NOT VOTING:** Boehm; Boucher; Froelich; Johnson, D.; Mickelson; Nelson; Nicholas; Wentz

Engrossed HB 1185 passed, the title was agreed to, and the emergency clause was declared carried.

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**SECOND READING OF HOUSE BILL**

**HB 1290:** A BILL for an Act to create and enact a new chapter to title 36 of the North Dakota Century Code, relating to a state meat inspection program; to provide a penalty; and to provide an appropriation.

**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 90 YEAS, 0 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Berg; Bernstein; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Froseth; Galvin; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleeson; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; 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; 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; Wikenheiser; Winrich; Speaker Wald

**ABSENT AND NOT VOTING:** Boehm; Boucher; Fairfield; Froelich; Johnson, D.; Nelson; Nicholas; Wentz

Engrossed HB 1290 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1383:** A BILL for an Act to provide for establishment and operation of the housing development fund and to provide a financial institutions tax credit for participation in the fund; 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; to provide a penalty; and to provide an effective date.

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 86 YEAS, 10 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Berg; Bernstein; Brekke; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Grumbo; Gullerson; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; 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; Price; Renner; Rennerfeldt; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

**NAYS:** Brandenburg; Brusegaard; Byerly; Cleary; Dalrymple; Gorder; Hoffner; Kelsch, R.; Porter; Rose

**ABSENT AND NOT VOTING:** Boehm; Boucher

Engrossed HB 1383 passed and the title was agreed to.

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### THE HOUSE RECOGNIZED THE PRESENCE OF:

Former Representative Charles Mertens

### SECOND READING OF HOUSE BILL

**HB 1002:** A BILL for an Act to provide an appropriation for defraying the expenses of the judicial branch; and to amend and reenact sections 27-02-02 and 27-05-03 of the North Dakota Century Code, relating to salaries of supreme and district court judges.

### 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 75 YEAS, 22 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Belter; Berg; Bernstein; Boehm; Brekke; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Devlin; Disrud; Dorso; Eckre; Ekstrom; Froseth; Galvin; Glassheim; Grande; Gunter; Haas; Hawken; Henegar; Herbel; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Klein; Klemin; Kliniske; Koppang; Koppelman; Lloyd; Mahoney; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nicholas; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

**NAYS:** Aarsvold; Brandenburg; Brusegaard; Delzer; Drovdal; Fairfield; Froelich; Gorder; Grosz; Grumbo; Gullerson; Hanson; Hoffner; Kerzman; Kroeber; Lemieux; Lundgren; Nelson; Nichols; Renner; Solberg; Warner

**ABSENT AND NOT VOTING:** Boucher

Engrossed HB 1002 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1004:** A BILL for an Act to provide an appropriation for defraying the expenses of the state department of health.

**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; Gulleon; 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; 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 1004 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1009:** A BILL for an Act to provide an appropriation for defraying expenses of the state fair association.

**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 91 YEAS, 5 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Berg; Bernstein; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; Delmore; Delzer; Devlin; Disrud; Dorso; Drovda; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Gorder; Grosz; Grumbo; Gulleon; 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; Lloyd; 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; Eckre; Grande; Lundgren; Weisz

**ABSENT AND NOT VOTING:** Boucher; Fairfield

Engrossed HB 1009 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1011:** A BILL for an Act to provide an appropriation for defraying the expenses of the highway patrol; 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.

**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 61 YEAS, 34 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Belter; Berg; Bernstein; Boehm; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Froseth; Galvin; Grande; Grosz; Gunter; Haas; Hawken; Henegar; Huether; Jensen; Johnson, D.; Johnson, N.;

Keiser; Kelsch, R.; Kempenich; Klein; Klemin; Kliniske; Koppang; Koppelman; Lloyd; Martinson; Mickelson; Monson; Nelson; Nicholas; Nichols; Nottestad; Poolman; Porter; Price; Renner; Rennerfeldt; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Speaker Wald

**NAYS:** Aarsvold; Brandenburg; Cleary; Eckre; Ekstrom; Froelich; Glassheim; Gorder; Grumbo; Gulleson; Hanson; Herbel; Hoffner; Kelsh, S.; Kerzman; Kroeber; Lemieux; Lundgren; Mahoney; Maragos; Metcalf; Meyer; Mueller; Niemeier; Nowatzki; Pollert; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Thorpe; Winrich

**ABSENT AND NOT VOTING:** Boucher; Drovdal; Fairfield

Engrossed HB 1011 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1012:** A BILL for an Act to provide an appropriation for defraying the expenses of the various divisions under the supervision of the director of the department of transportation.

### 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, 1 NAY, 0 EXCUSED, 3 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; 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; 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; Winrich; Speaker Wald

**NAYS:** Lemieux

**ABSENT AND NOT VOTING:** Boucher; Fairfield; Metcalf

Engrossed HB 1012 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1020:** A BILL for an Act to provide an appropriation for defraying the expenses of the state board for vocational and technical education.

### 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, 30 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

**NAYS:** Aarsvold; Carlson; Cleary; Delmore; Delzer; Ekstrom; Froelich; Grande; Grumbo; Gulleson; Hanson; Hoffner; Huether; Johnson, N.; Kelsh, S.; Kerzman; Kroeber; Lemieux; Lundgren; Mahoney; Metcalf; Meyer; Mueller; Niemeier; Rose; Sandvig; Solberg; Stefonowicz; Thorpe; Winrich

**ABSENT AND NOT VOTING:** Boucher; Brusegaard; Fairfield; Grosz

Engrossed HB 1020 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1021:** A BILL for an Act to provide an appropriation for defraying the expenses of the extension service, northern crops institute, upper great plains transportation institute, and the experiment centers; 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.

### 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 92 YEAS, 4 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Berg; Bernstein; Boehm; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Clark; Cleary; Dalrymple; DeKrey; Delmore; Devlin; Disrud; Dorso; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Gorder; Grosz; Grumbo; Gulleston; 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

**NAYS:** Carlson; Delzer; Drovdal; Grande

**ABSENT AND NOT VOTING:** Boucher; Fairfield

Engrossed HB 1021 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1022:** A BILL for an Act to provide an appropriation for capital projects of various state departments and institutions; to authorize the industrial commission to issue and sell bonds for capital projects; to provide an appropriation; 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 72 YEAS, 25 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Berg; Bernstein; Brekke; Byerly; Carlisle; Clark; Cleary; Dalrymple; Delmore; Devlin; Disrud; Drovdal; Eckre; Ekstrom; Froelich; Froseth; Glassheim; Grumbo; Gulleston; Gunter; Hawken; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Meyer; Mickelson; Monson; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Poolman; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Timm; Tollefson; Wentz; Wikenheiser; Winrich; Speaker Wald

**NAYS:** Boehm; Boucher; Brandenburg; Brusegaard; Carlson; DeKrey; Delzer; Dorso; Galvin; Gorder; Grande; Grosz; Haas; Hanson; Henegar; Kempenich; Metcalf; Mueller; Pollert; Porter; Price; Renner; Thorpe; Warner; Weisz

**ABSENT AND NOT VOTING:** Fairfield

Engrossed HB 1022 passed, the title was agreed to, and the emergency clause was declared carried.

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**SECOND READING OF HOUSE BILL**

**HB 1093:** A BILL for an Act authorizing the state of North Dakota acting through job service North Dakota to sell or transfer certain property.

**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; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovda; Eckre; Ekstrom; Froelich; Froseth; Galvin; Glasheim; 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; 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; 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:** Fairfield; Price

Engrossed HB 1093 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1230:** A BILL for an Act relating to the spending authority from the highway tax distribution fund or highway fund by the highway patrol.

**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 26 YEAS, 72 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Belter; Berg; Bernstein; Boehm; Brekke; Carlisle; Carlson; Dalrymple; DeKrey; Delzer; Grande; Grosz; Gunter; Haas; Hawken; Henegar; Herbel; Jensen; Koppang; Martinson; Nelson; Nicholas; Sveen; Timm; Wentz; Wikenheiser

**NAYS:** Aarsvold; Boucher; Brandenburg; Brusegaard; Byerly; Clark; Cleary; Delmore; Devlin; Disrud; Dorso; Drovda; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glasheim; Gorder; Grumbo; Gulleston; Hanson; Hoffner; Huether; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; Mahoney; Maragos; Metcalf; Meyer; Mickelson; Monson; Mueller; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Thoreson, B.; Thoreson, L.; Thorpe; Tollefson; Warner; Weisz; Winrich; Speaker Wald

Engrossed HB 1230 was declared lost.

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**SECOND READING OF HOUSE BILL**

**HB 1403:** A BILL for an Act to create and enact a new subsection to section 43-12.1-04 of the North Dakota Century Code, relating to persons exempt from nurse licensure.

**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 78 YEAS, 19 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Berg; Bernstein; Boucher; Brandenburg; Brusegaard; Byerly; Carlisle; Carlson; Clark; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovda; Eckre; Froelich; Froseth; Galvin; Glasheim; Gorder; Grande; Grosz; Grumbo; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nichols; Nottestad; Pollert; Poolman; Porter; Price;

Rennerfeldt; Schmidt; Severson; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Timm; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

**NAYS:** Boehm; Brekke; Cleary; Ekstrom; Fairfield; Gulleson; Hoffner; Kelsh, S.; Kroeber; Lundgren; Niemeier; Nowatzki; Renner; Rose; Sandvig; Solberg; Stefonowicz; Tollefson; Warner

**ABSENT AND NOT VOTING:** Thorpe

Engrossed HB 1403 passed and the title was agreed to.

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#### MOTION

**REP. DORSO MOVED** that the House stand in recess for fifteen minutes, which motion prevailed.

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

#### SECOND READING OF HOUSE BILL

**HB 1404:** A BILL for an Act to create and enact a new subdivision to subsection 13 of section 2 of chapter 299 of the 1991 Session Laws as amended by section 1 of chapter 286 of the 1993 Session Laws and a new subsection to section 27 of chapter 299 of the 1991 Session Laws, relating to the definition of tank and third-party judgments under the petroleum release compensation fund; to amend and reenact sections 17, 19, and 33 of chapter 299 of the 1991 Session Laws, relating to the petroleum release compensation fund; to repeal section 29 of chapter 299 of the 1991 Session Laws, relating to petroleum spill reports; 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 91 YEAS, 3 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Delzer; Devlin; Disrud; Dorso; Drovdal; Eckre; 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.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Schmidt; Severson; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

**NAYS:** Ekstrom; Kelsh, S.; Sandvig

**ABSENT AND NOT VOTING:** Brandenburg; Lemieux; Nichols; Thoreson, B.

Engrossed HB 1404 passed, the title was agreed to, and the emergency clause was declared carried.

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#### SECOND READING OF HOUSE BILL

**HB 1423:** A BILL for an Act to amend and reenact subsection 1 of section 4-09-10 of the North Dakota Century Code, relating to canola seed standards.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 93 YEAS, 0 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; 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.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lloyd; Lundgren; Mahoney; 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, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

**ABSENT AND NOT VOTING:** Brandenburg; Brekke; Lemieux; Maragos; Thoreson, B.

Engrossed HB 1423 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1434:** A BILL for an Act to amend and reenact section 15-20.1-03 of the North Dakota Century Code, relating to the powers and duties of the state board for vocational and technical education.

### 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, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; 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; 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; Lloyd; Lundgren; Mahoney; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nelson; Nicholas; Nichols; Niemeier; Nottestad; Nowatzki; Pollert; Poolman; Porter; Price; Renner; Rennerfeldt; Rose; Sandvig; Severson; Solberg; Stefonowicz; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

**ABSENT AND NOT VOTING:** Brandenburg; Lemieux; Schmidt; Svedjan

Engrossed HB 1434 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1341:** A BILL for an Act to amend and reenact subsection 2 of section 44-08-04 of the North Dakota Century Code, relating to state officer and employee expense reimbursement.

### 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 59 YEAS, 37 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Bernstein; Boucher; Brekke; Carlisle; Clark; Cleary; DeKrey; Delmore; Eckre; Ekstrom; Fairfield; Galvin; Glassheim; Gorder; Grande; Grumbo; Gunter; Haas; Hanson; Hawken; Henegar; Hoffner; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Klein; Klemin; Kliniske; Kroeber; Lemieux; Maragos; Martinson; Metcalf; Meyer; Mueller; Nelson; Niemeier; Nottestad; Porter; Renner; Rose; Sandvig; Schmidt; Solberg; Stefonowicz; Svedjan; Sveen; Thoreson, B.; Thoreson, L.; Thorpe; Tollefson; Warner; Weisz; Wikenheiser; Winrich

**NAYS:** Belter; Berg; Boehm; Byerly; Carlson; Dalrymple; Delzer; Devlin; Disrud; Dorso; Drovda; Froelich; Froseth; Grosz; Gullerson; Herbel; Huether; Kempenich; Kerzman; Koppang; Koppelman; Lloyd; Lundgren; Mahoney; Mickelson; Monson; Nicholas; Nichols; Nowatzki; Pollert; Poolman; Price; Rennerfeldt; Severson; Timm; Wentz; Speaker Wald

**ABSENT AND NOT VOTING:** Brandenburg; Brusegaard

HB 1341 passed and the title was agreed to.

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**MOTION**

**REP. DORSO MOVED** that HB 1015, HB 1003, HB 1016, and Engrossed HB 1183 be placed at the top of the calendar, which motion prevailed.

**SECOND READING OF HOUSE BILL**

**HB 1015:** A BILL for an Act to provide an appropriation for defraying the expenses of the state industrial commission and the agencies under the management of the state industrial commission; to provide a continuing appropriation; to authorize transfers; 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 95 YEAS, 1 NAY, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; 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; 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:** Delzer

**ABSENT AND NOT VOTING:** Brandenburg; Niemeier

Engrossed HB 1015 passed, the title was agreed to, and the emergency clause was declared carried.

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**SECOND READING OF HOUSE BILL**

**HB 1003:** A BILL for an Act to provide an appropriation for defraying the expenses of the North Dakota university system; 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 56 YEAS, 40 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Byerly; Carlisle; Cleary; Dalrymple; Dorso; Eckre; Froelich; Froseth; Galvin; Gorder; Grumbo; Gullerson; Gunter; Hanson; Hawken; Henegar; Herbel; Hoffner; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kerzman; Klein; Klemin; Koppang; Kroeber; Mahoney; Maragos; Martinson; Metcalf; Meyer; Mickelson; Monson; Mueller; Nicholas; Niemeier; Nowatzki; Pollert; Price; Rennerfeldt; Rose; Schmidt; Severson; Stefonowicz; Svedjan; Sveen; Thorpe; Timm; Tollefson; Warner; Wentz; Speaker Wald

**NAYS:** Belter; Berg; Bernstein; Boehm; Boucher; Brekke; Brusegaard; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Drovdal; Ekstrom; Fairfield; Glassheim; Grande; Grosz; Haas; Kelsh, S.; Kempenich; Kliniske; Koppelman; Lemieux; Lloyd; Lundgren; Nelson; Nichols; Nottestad; Poolman; Porter; Renner; Sandvig; Solberg; Thoreson, B.; Thoreson, L.; Weisz; Wikenheiser; Winrich

**ABSENT AND NOT VOTING:** Brandenburg; Disrud

Engrossed HB 1003 passed, the title was agreed to, but the emergency clause lost.

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**SECOND READING OF HOUSE BILL**

**HB 1016:** A BILL for an Act to provide an appropriation for defraying the expenses of the department of corrections and rehabilitation; and to amend and reenact subsection 2 of section 12.1-32-07 of the North Dakota Century Code, relating to the supervision of probationers.

**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, 8 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

**NAYS:** Cleary; Delmore; Ekstrom; Froelich; Kelsh, S.; Kroeber; Lundgren; Sandvig

**ABSENT AND NOT VOTING:** Brandenburg; Mickelson

Engrossed HB 1016 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1183:** A BILL for an Act to create and enact a new section to chapter 57-43.1 and a new section to chapter 57-43.2 of the North Dakota Century Code, relating to additional motor vehicle fuel taxes and special fuel taxes; to amend and reenact sections 39-04-19, 57-43.1-02, and 57-43.2-02 of the North Dakota Century Code, relating to motor vehicle registration fees, motor vehicle fuel taxes, and special fuel taxes; 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 74 YEAS, 21 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

**NAYS:** Aarsvold; Cleary; Delzer; Fairfield; Froelich; Glassheim; Gullerson; Hoffner; Kerzman; Koppelman; Lemieux; Lundgren; Mahoney; Meyer; Niemeier; Rose; Sandvig; Solberg; Stefonowicz; Thorpe; Winrich

**ABSENT AND NOT VOTING:** Brandenburg; Carlson; Kelsh, S.

Reengrossed HB 1183 passed and the title was agreed to.

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**SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 3038:** A concurrent resolution urging Congress to acknowledge the difference between the marijuana plant and the agricultural crop known as industrial hemp; to acknowledge that allowing and encouraging farmers to produce industrial hemp will improve the balance of trade by promoting domestic sources of industrial hemp; and to assist United States producers by clearly authorizing the commercial production of industrial hemp and by being the leading advocate for the industrial hemp industry.

**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 89 YEAS, 8 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brekke; Brusegaard; Cleary; Dalrymple; DeKrey; Delmore; Devlin; Disrud; Dorso; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Gorder; Grosz; Grumbo; Gulleston; 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, L.; Thorpe; Timm; Tollefson; Warner; Weisz; Wentz; Wikenheiser; Winrich; Speaker Wald

**NAYS:** Byerly; Carlisle; Carlson; Clark; Delzer; Grande; Gunter; Thoreson, B.

**ABSENT AND NOT VOTING:** Brandenburg

Reengrossed HCR 3038 was declared adopted.

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### SECOND READING OF HOUSE CONCURRENT RESOLUTION

**HCR 3020:** A concurrent resolution for the amendment of section 2 of article V of the Constitution of North Dakota, relating to removing the insurance commissioner as a constitutional officer; and to provide an effective date.

### ROLL CALL

The question being on the adoption of the resolution, which has been read, and is PLACED ON THE CALENDAR WITHOUT RECOMMENDATION, the roll was called and there were 7 YEAS, 88 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Brusegaard; Carlson; Clark; Klein; Thoreson, B.; Tollefson; Speaker Wald

**NAYS:** Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; Brekke; Byerly; Carlisle; Cleary; Dalrymple; DeKrey; Delmore; Delzer; 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; Kelsh, S.; Kempenich; Kerzman; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; 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, L.; Thorpe; Timm; Warner; Weisz; Wentz; Wikenheiser; Winrich

**ABSENT AND NOT VOTING:** Brandenburg; Kelsch, R.; Mahoney

HCR 3020 was declared lost.

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### SECOND READING OF HOUSE CONCURRENT RESOLUTION

**HCR 3042:** A concurrent resolution to create and enact a new section to article X of the Constitution of North Dakota, relating to the allocation of funds from settlements with tobacco product manufacturers.

### 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 1 YEA, 90 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

**YEAS:** Gunter

**NAYS:** Aarsvold; Belter; Berg; Boehm; Boucher; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; Dalrymple; DeKrey; Delmore; Devlin; Disrud; Dorso; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Glassheim; Gorder; Grande; Grosz; Grumbo; Gulleston; 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; 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:** Bernstein; Brandenburg; Delzer; Drovdal; Galvin; Lundgren;  
Mahoney

HCR 3042 was declared lost.

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#### SECOND READING OF HOUSE CONCURRENT RESOLUTION

**HCR 3043:** A concurrent resolution directing the Legislative Council to study the Uniform Rights of the Terminally Ill Act, the durable power of attorney for health care laws for this state, and the durable power of attorney for health care laws of other states and the feasibility of creating one comprehensive advanced directive law addressing all aspects of health care advance planning.

#### 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 95 YEAS, 1 NAY, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Berg; Bernstein; Boehm; Boucher; 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; Guleson; Gunter; Haas; Hanson; Hawken; Henegar; Herbel; Huether; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Klein; Klemin; Kliniske; Koppang; Koppelman; Kroeber; Lemieux; Lloyd; Lundgren; 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

**NAYS:** Hoffner

**ABSENT AND NOT VOTING:** Brandenburg; Mahoney

HCR 3043 was declared adopted.

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#### SECOND READING OF HOUSE CONCURRENT RESOLUTION

**HCR 3048:** A concurrent resolution directing the Legislative Council to study the first amendment as it is applied to political speech.

#### ROLL CALL

The question being on the adoption of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 34 YEAS, 62 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Boucher; Cleary; Delmore; Eckre; Ekstrom; Fairfield; Froelich; Glassheim; Grumbo; Guleson; Hanson; Hoffner; Huether; Kelsh, S.; Kerzman; Kroeber; Lemieux; Lundgren; Maragos; Metcalf; Meyer; Mueller; Nichols; Niemeier; Nowatzki; Rose; Sandvig; Schmidt; Solberg; Stefonowicz; Thorpe; Warner; Winrich

**NAYS:** Belter; Berg; Bernstein; Boehm; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Dalrymple; DeKrey; Delzer; Devlin; Disrud; Dorso; Drovdal; Froseth; Galvin; Gorder; Grande; Grosz; Gunter; Haas; Hawken; Henegar; Herbel; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kempenich; Klein; Klemin; Kliniske; Koppang; Koppelman; Lloyd; Martinson; Mickelson; Monson; Nelson; Nicholas; 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:** Brandenburg; Mahoney

HCR 3048 was declared lost.

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**REQUEST**

**REP. DORSO REQUESTED** that the following remarks be printed in the Journal, which request was granted.

Monday, January 18, 1999, was Martin Luther King Day and Monday, February 15, 1999, was George Washington's birthday, both official state holidays. Although both days were paid holidays for most state employees, Legislative Assembly employees were required to work on both days. The Legislative Assembly will be in recess on Monday and Tuesday, February 22 and 23, 1999. Legislative Assembly employees will be paid for those two days in lieu of the two holidays.

Employees of the House of Representatives have worked many hours of uncompensated overtime since the session began. In recognition of the uncompensated overtime, employees of the House will be paid for Thursday, February 18, 1999, and Friday, February 19, 1999, even though the House will be in recess on those days.

**MOTION**

**REP. DORSO MOVED** that the employees of the House be paid for the days as stated above, which motion prevailed.

**MOTION**

**REP. DORSO MOVED** that all action taken be messaged to the Senate immediately, which motion prevailed.

**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 1002, HB 1004, HB 1009, HB 1011, HB 1012, HB 1017, HB 1020, HB 1021, HB 1022, HB 1043, HB 1089, HB 1091, HB 1093, HB 1135, HB 1185, HB 1290, HB 1335, HB 1341, HB 1383, HB 1389, HB 1403, HB 1404, HB 1423, HB 1434, HCR 3038, HCR 3043.

**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 1003, HB 1015, HB 1016, HB 1183.

**MOTION**

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

**MOTION**

**REP. MONSON MOVED** that the House be on the Fifth, Twelfth, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Wednesday, February 24, 1999, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

**SB 2028: Political Subdivisions Committee (Rep. Froseth, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2028 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2062: Political Subdivisions Committee (Rep. Froseth, Chairman)** recommends **DO PASS** (12 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). SB 2062 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2118: Political Subdivisions Committee (Rep. Froseth, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2118 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2265: Political Subdivisions Committee (Rep. Froseth, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2265 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2364: Human Services Committee (Rep. Price, Chairman)** recommends **DO NOT PASS** (13 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2364 was placed on the Fourteenth order on the calendar.

**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 2016, SB 2038, SB 2040, SB 2045, SB 2073, SB 2080, SB 2147, SB 2170, SB 2171,

SB 2182, SB 2189, SB 2208, SB 2212, SB 2237, SB 2248, SB 2267, SB 2276, SB 2294, SB 2295, SB 2309, SB 2312, SB 2316, SB 2321, SB 2327, SB 2335, SB 2344, SB 2353, SB 2362, SB 2365, SB 2368, SB 2371, SB 2374, SB 2376, SB 2379, SB 2389, SB 2390, SB 2391, SB 2396, SB 2398, SB 2403.

**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 2404, SB 2407, SB 2409, SB 2410, SB 2414, SB 2421, SB 2438.

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

**LANCE HAGEN, Chief Clerk**