

## JOURNAL OF THE SENATE

## Fifty-ninth Legislative Assembly

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Bismarck, February 15, 2005

The Senate convened at 12:30 p.m., with President Dalrymple presiding.

The prayer was offered by Senator Robinson.

The roll was called and all members were present except Senators Bercier and Traynor.

A quorum was declared by the President.

## CORRECTION AND REVISION OF THE JOURNAL

**MR. PRESIDENT:** Your **Committee on Correction and Revision of the Journal (Sen. Espeward, Chairman)** has carefully examined the Journal of the Twenty-fifth Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 357, line 27, replace "rereferred to the **Appropriations Committee**" with "placed on the Sixth order on the calendar"

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

## CONSIDERATION OF AMENDMENTS

**SB 2190, as engrossed: SEN. ESPEGARD (Industry, Business and Labor Committee) MOVED** that the amendments on SJ page 453 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

## MOTION

**SEN. CHRISTMANN MOVED** that SB 2396, which is on the Sixth order, be laid over one legislative day, which motion prevailed.

## MOTION

**SEN. CHRISTMANN MOVED** that Engrossed SB 2019, which is on the Eleventh order, be laid over one legislative day, which motion prevailed.

## MOTION

**SEN. CHRISTMANN MOVED** that SB 2352, which is on the Eleventh order, be laid over one legislative day, which motion prevailed.

## CONSIDERATION OF AMENDMENTS

**SB 2037: SEN. KREBSBACH (Government and Veterans Affairs Committee) MOVED** that the amendments on SJ page 450 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

## CONSIDERATION OF AMENDMENTS

**SB 2047: SEN. NETHING (Transportation Committee) MOVED** that the amendments on SJ pages 451-452 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

## CONSIDERATION OF AMENDMENTS

**SB 2186: SEN. ESPEGARD (Industry, Business and Labor Committee) MOVED** that the amendments on SJ pages 452-453 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

## CONSIDERATION OF AMENDMENTS

**SB 2188: SEN. COOK (Finance and Taxation Committee) MOVED** that the amendments on SJ page 453 be adopted and then be placed on the Eleventh order with **DO PASS**.

## REQUEST

**SEN. EVERY REQUESTED** a recorded roll call vote on the motion to adopt the proposed amendments to SB 2188, which request was granted.

**ROLL CALL**

The question being the motion to adopt the amendments to SB 2188, the roll was called and there were 38 YEAS, 7 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bowman; Brown; Christmann; Cook; Dever; Erbele; Espgaard; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mutch; Nelson; Nething; Robinson; Schobinger; Stenehjerm; Syverson; Tallackson; Thane; Tollefson; Trenbeath; Triplett; Urlacher; Wardner

**NAYS:** Every; Fairfield; Mathern; O'Connell; Seymour; Taylor; Warner

**ABSENT AND NOT VOTING:** Bercier; Traynor

The motion to adopt the amendments to SB 2188 passed.

Engrossed SB 2188 was placed on the Eleventh order on the calendar.

**CONSIDERATION OF AMENDMENTS**

**SB 2242: SEN. COOK (Finance and Taxation Committee) MOVED** that the amendments on SJ pages 453-454 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

**CONSIDERATION OF AMENDMENTS**

**SB 2303: SEN. J. LEE (Government and Veterans Affairs Committee) MOVED** that the amendments on SJ pages 454-456 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

**CONSIDERATION OF AMENDMENTS**

**SB 2355: SEN. KLEIN (Agriculture Committee) MOVED** that the amendments on SJ page 456 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

**CONSIDERATION OF AMENDMENTS**

**SB 2356: SEN. SYVERSON (Government and Veterans Affairs Committee) MOVED** that the amendments on SJ pages 456-457 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

**CONSIDERATION OF AMENDMENTS**

**SB 2407: SEN. G. LEE (Political Subdivisions Committee) MOVED** that the amendments on SJ page 457 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

**SECOND READING OF SENATE BILL**

**SB 2025: A BILL** for an Act to amend and reenact section 54-58-03 of the North Dakota Century Code, relating to the approval of tribal-state gaming compacts.

**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 21 YEAS, 24 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bowman; Brown; Christmann; Cook; Fischer; Flakoll; Freborg; Grindberg; Kilzer; Klein; Kringstad; Lee, G.; Lee, J.; Nething; O'Connell; Schobinger; Stenehjerm; Syverson; Tollefson; Urlacher

**NAYS:** Dever; Erbele; Espgaard; Every; Fairfield; Hacker; Heitkamp; Holmberg; Krauter; Krebsbach; Lindaas; Lyson; Mathern; Mutch; Nelson; Robinson; Seymour; Tallackson; Taylor; Thane; Trenbeath; Triplett; Wardner; Warner

**ABSENT AND NOT VOTING:** Bercier; Traynor

SB 2025 lost.

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**REMARKS OF MAJORITY LEADER STENEHJEM  
(Recorded under Senate Rule 344 and 345)**

Mr. President, I just want to explain my vote on this measure because I think it is important. I think our Indian gaming compacts are working just fine. However, I voted for the bill because I

believe that we in the legislative branch of the government have the duty that's been given to us by the people of the state of North Dakota to be involved in these compacts. I don't think that should rest solely with the Governor. I realize, and I understand that at this time the parties involved in the negotiations certainly don't want to change that way things are, but I'm glad this bill was brought before us because maybe we just planted the seed that this is a much more stable body to deal with than just one person who is in the Governor's office, and that's no reflection on the current Governor, but it could be any Governor - it could be any one. This would be a much more stable situation to deal with and I just want those facts to be known. Thank you, Mr. President.

#### **SECOND READING OF SENATE BILL**

**SB 2274:** A BILL for an Act to create and enact two new sections to chapter 39-21 of the North Dakota Century Code, relating to axles on a vehicle; and to amend and reenact subsection 2 of section 39-06.1-06 and sections 39-06.1-09, 39-12-02, 39-12-05.3, and 39-12-08 of the North Dakota Century Code, relating to weight and size limitations and permits for vehicles.

#### **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 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bowman; Brown; Christmann; Cook; Dever; Erbele; Espegard; Every; Fairfield; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; O'Connell; Robinson; Schobinger; Seymour; Stenehjerm; Syverson; Tallackson; Taylor; Thane; Tollefson; Trenbeath; Triplett; Urlacher; Wardner; Warner

**ABSENT AND NOT VOTING:** Bercier; Traynor

Engrossed SB 2274 passed and the title was agreed to.

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#### **SECOND READING OF SENATE BILL**

**SB 2001:** A BILL for an Act providing an appropriation for defraying the expenses of the legislative branch of state government; 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 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bowman; Brown; Christmann; Cook; Dever; Erbele; Espegard; Every; Fairfield; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; O'Connell; Robinson; Schobinger; Seymour; Stenehjerm; Syverson; Tallackson; Taylor; Thane; Tollefson; Trenbeath; Triplett; Urlacher; Wardner; Warner

**ABSENT AND NOT VOTING:** Bercier; Traynor

Engrossed SB 2001 passed, the title was agreed to, and the emergency clause was declared carried.

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#### **SECOND READING OF SENATE BILL**

**SB 2007:** A BILL for an Act to provide an appropriation for defraying the expenses of the veterans' home and department of veterans' affairs.

#### **ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bowman; Brown; Christmann; Cook; Dever; Erbele; Espegard; Every; Fairfield; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; O'Connell; Robinson; Schobinger; Seymour; Stenehjerm; Syverson; Tallackson; Taylor; Thane; Tollefson; Trenbeath; Triplett; Urlacher; Wardner; Warner

**ABSENT AND NOT VOTING:** Bercier; Traynor

SB 2007 passed and the title was agreed to.

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#### **SECOND READING OF SENATE BILL**

**SB 2008:** A BILL for an Act to provide an appropriation for defraying the expenses of the department of financial institutions.

#### **ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bowman; Brown; Christmann; Cook; Dever; Erbele; Espegard; Every; Fairfield; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; O'Connell; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Trenbeath; Triplett; Urlacher; Wardner; Warner

**ABSENT AND NOT VOTING:** Bercier; Traynor

Engrossed SB 2008 passed and the title was agreed to.

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#### **SECOND READING OF SENATE BILL**

**SB 2009:** A BILL for an Act to provide an appropriation for defraying the 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 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bowman; Brown; Christmann; Cook; Dever; Erbele; Espegard; Every; Fairfield; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; O'Connell; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Trenbeath; Triplett; Urlacher; Wardner; Warner

**ABSENT AND NOT VOTING:** Bercier; Traynor

Engrossed SB 2009 passed and the title was agreed to.

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#### **SECOND READING OF SENATE BILL**

**SB 2010:** A BILL for an Act to provide an appropriation for defraying the expenses of the council on the arts; to provide an appropriation from the cultural endowment fund; and to amend and reenact sections 21-10-06, 54-54-04, and 54-54-08.2 of the North Dakota Century Code, relating to funds under the management of the state investment board, employees of the council on the arts, and to the cultural endowment fund.

#### **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 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bowman; Brown; Christmann; Cook; Dever; Erbele; Espegard; Every; Fairfield; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; O'Connell; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Trenbeath; Triplett; Urlacher; Wardner; Warner

**ABSENT AND NOT VOTING:** Bercier; Traynor

Engrossed SB 2010 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2017:** A BILL for an Act to provide an appropriation for defraying the expenses of the office of administrative hearings.

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

**YEAS:** Andrist; Bowman; Brown; Christmann; Cook; Dever; Erbele; Espegard; Every; Fairfield; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; O'Connell; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Trenbeath; Triplett; Urlacher; Wardner; Warner

**ABSENT AND NOT VOTING:** Bercier; Traynor

Engrossed SB 2017 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2022:** A BILL for an Act to provide an appropriation for defraying the expenses of the state seed department.

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

**YEAS:** Andrist; Bowman; Brown; Christmann; Cook; Dever; Erbele; Espegard; Every; Fairfield; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; O'Connell; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Trenbeath; Triplett; Urlacher; Wardner; Warner

**ABSENT AND NOT VOTING:** Bercier; Traynor

Engrossed SB 2022 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2069:** A BILL for an Act to amend and reenact sections 54-10-02 and 54-10-22.1 of the North Dakota Century Code, relating to the state auditor's access to records.

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

**YEAS:** Andrist; Bowman; Brown; Christmann; Cook; Dever; Erbele; Espegard; Every; Fairfield; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; O'Connell; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Trenbeath; Triplett; Urlacher; Wardner; Warner

**ABSENT AND NOT VOTING:** Bercier; Traynor

Engrossed SB 2069 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2157:** A BILL for an Act to amend and reenact section 57-02-08.1 of the North Dakota Century Code, relating to eligibility for and application of the homestead property tax credit; 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 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bowman; Brown; Christmann; Cook; Dever; Erbele; Espegard; Every; Fairfield; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; O'Connell; Robinson; Schobinger; Seymour; Stenehjerm; Syverson; Tallackson; Taylor; Thane; Tollefson; Trenbeath; Triplett; Urlacher; Wardner; Warner

**ABSENT AND NOT VOTING:** Bercier; Traynor

Reengrossed SB 2157 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2195:** A BILL for an Act to amend and reenact subsection 2 of section 44-08-04 of the North Dakota Century Code, relating to reimbursement of lodging expenses and allowances for meals for state and political subdivision officers and employees.

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

**YEAS:** Andrist; Bowman; Brown; Christmann; Cook; Dever; Erbele; Espegard; Every; Fairfield; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; O'Connell; Robinson; Schobinger; Seymour; Stenehjerm; Syverson; Tallackson; Taylor; Thane; Tollefson; Trenbeath; Triplett; Urlacher; Wardner; Warner

**ABSENT AND NOT VOTING:** Bercier; Traynor

Engrossed SB 2195 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2222:** A BILL for an Act to amend and reenact section 15.1-06-04 of the North Dakota Century Code, relating to the commencement of the elementary and secondary school year; and to provide an effective date.

**MOTION**

**SEN. STENEHJEM MOVED** that the question be put at 2:01 p.m., which motion prevailed.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 23 YEAS, 22 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Bowman; Christmann; Cook; Dever; Fairfield; Fischer; Freborg; Grindberg; Krebsbach; Kringstad; Lindaas; Lyson; Nething; Schobinger; Stenehjerm; Syverson; Taylor; Thane; Trenbeath; Triplett; Urlacher; Wardner; Warner

**NAYS:** Andrist; Brown; Erbele; Espegard; Every; Flakoll; Hacker; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Lee, G.; Lee, J.; Mathern; Mutch; Nelson; O'Connell; Robinson; Seymour; Tallackson; Tollefson

**ABSENT AND NOT VOTING:** Bercier; Traynor

Engrossed SB 2222 lost.

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**SECOND READING OF SENATE BILL**

**SB 2255:** A BILL for an Act to create and enact a new section to chapter 57-40.3 of the North Dakota Century Code, relating to a separate and additional motor vehicle excise tax; to amend and reenact sections 39-04-19, 39-04.2-03, 39-04.2-04, and 57-40.3-10 of the

North Dakota Century Code, relating to registration fees, funding for public transportation, and revenue from the motor vehicle excise tax; to repeal section 7 of chapter 12 of the 2003 Session Laws, relating to registration fee allocation; and to provide an effective date.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 16 YEAS, 29 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Brown; Espegard; Kilzer; Klein; Krebsbach; Kringstad; Lee, J.; Mathern; Mutch; Nelson; Nething; Syverson; Tallackson; Trenbeath; Triplett; Warner

**NAYS:** Andrist; Bowman; Christmann; Cook; Dever; Erbele; Every; Fairfield; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heitkamp; Holmberg; Krauter; Lee, G.; Lindaas; Lyson; O'Connell; Robinson; Schobinger; Seymour; Stenehjerm; Taylor; Thane; Tollefson; Urlacher; Wardner

**ABSENT AND NOT VOTING:** Bercier; Traynor

Engrossed SB 2255 lost.

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#### MOTION

**SEN. CHRISTMANN MOVED** that the Senate stand in recess until 4:30 p.m., which motion prevailed.

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

#### SECOND READING OF SENATE BILL

**SB 2290:** A BILL for an Act to create and enact a new subsection to section 20.1-03-07 of the North Dakota Century Code, relating to licenses to hunt on private shooting preserves; and to amend and reenact subsection 1 of section 20.1-03-07, subsection 32 of section 20.1-03-12, and sections 20.1-12-04, 20.1-12-05, and 20.1-12-06 of the North Dakota Century Code, relating to the operation and regulation of private shooting preserves.

#### 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 39 YEAS, 5 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Bowman; Brown; Christmann; Cook; Dever; Erbele; Every; Fairfield; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heitkamp; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; O'Connell; Robinson; Schobinger; Seymour; Stenehjerm; Syverson; Tallackson; Taylor; Tollefson; Urlacher; Wardner; Warner

**NAYS:** Andrist; Espegard; Holmberg; Thane; Trenbeath

**ABSENT AND NOT VOTING:** Bercier; Traynor; Triplett

Engrossed SB 2290 passed and the title was agreed to.

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#### VOTING INTENTION

**THE PRESIDENT ANNOUNCED** that the record would show that Sen. Triplett intended to vote YEA on Engrossed 2290.

#### SECOND READING OF SENATE BILL

**SB 2295:** A BILL for an Act to create and enact a new subsection to section 61-35-12 and sections 61-39-06, 61-39-07, 61-39-08, 61-39-09, 61-39-10, 61-39-11, 61-39-12, 61-39-13, 61-39-14, 61-39-15, and 61-39-16 of the North Dakota Century Code, relating to issuance of bonds by the Lake Agassiz water authority; and to amend and reenact sections 61-39-01, 61-39-02, 61-39-03, and 61-39-05 of the North Dakota Century Code, relating to water supply contracts and membership of and powers of the Lake Agassiz water authority.

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

**YEAS:** Andrist; Bowman; Brown; Christmann; Cook; Dever; Erbele; Espegard; Every; Fairfield; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; O'Connell; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Trenbeath; Triplett; Urlacher; Wardner; Warner

**ABSENT AND NOT VOTING:** Bercier; Traynor

Engrossed SB 2295 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2325:** A BILL for an Act to amend and reenact section 54-21.3-08 of the North Dakota Century Code, relating to installation of manufactured homes; 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 PASS, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bowman; Brown; Christmann; Cook; Dever; Erbele; Espegard; Every; Fairfield; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Lee, G.; Lee, J.; Lindaas; Lyson; Mathern; Mutch; Nelson; Nething; O'Connell; Robinson; Schobinger; Seymour; Stenehjem; Syverson; Tallackson; Taylor; Thane; Tollefson; Trenbeath; Triplett; Urlacher; Wardner; Warner

**ABSENT AND NOT VOTING:** Bercier; Traynor

Engrossed SB 2325 passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2333:** A BILL for an Act to create and enact three new sections to chapter 15.1-07 of the North Dakota Century Code, relating to the provision of educational services by school districts; and to amend and reenact sections 15.1-12-26 and 15.1-31-07 of the North Dakota Century Code, relating to the dissolution of school districts and attendance in schools in bordering states.

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

**YEAS:** Brown; Christmann; Cook; Dever; Erbele; Espegard; Fischer; Flakoll; Freborg; Grindberg; Hacker; Holmberg; Kilzer; Krebsbach; Kringstad; Lee, G.; Lee, J.; Nelson; Nething; Stenehjem; Syverson; Tallackson; Trenbeath; Triplett; Urlacher; Wardner

**NAYS:** Andrist; Bowman; Every; Fairfield; Heitkamp; Klein; Krauter; Lindaas; Lyson; Mathern; Mutch; O'Connell; Robinson; Schobinger; Seymour; Taylor; Thane; Tollefson; Warner

**ABSENT AND NOT VOTING:** Bercier; Traynor

Reengrossed SB 2333 passed and the title was agreed to.

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

**MR. SPEAKER:** The Senate has passed and your favorable consideration is requested on: SB 2147, SB 2204, SB 2209, SB 2213, SB 2221, SB 2296, SB 2340, SB 2344, SB 2360, SB 2362, SB 2401.

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

**MR. SPEAKER:** The Senate has passed, the emergency clause carried, and your favorable consideration is requested on: SB 2179.

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

**MR. SPEAKER:** The President has signed and your signature is respectfully requested on: SCR 4020.

**MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)**

**MR. PRESIDENT:** The House has passed and your favorable consideration is requested on: HB 1070, HB 1121, HB 1173, HB 1189, HB 1311, HB 1315, HB 1374, HB 1389, HB 1404, HB 1421, HB 1445, HB 1468, HB 1475, HB 1484, HB 1496, HB 1505, HB 1506, HB 1511, HB 1520.

**MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)**

**MR. PRESIDENT:** The House has passed, the emergency clause carried, and your favorable consideration is requested on: HB 1383.

**MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)**

**MR. PRESIDENT:** The Speaker has signed: SCR 4020.

**DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following resolution was delivered to the Secretary of State for filing on February 15, 2005: SCR 4020.

**MOTION**

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

**MOTION**

**SEN. CHRISTMANN MOVED** that the Senate be on the Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 8:00 a.m., Wednesday, February 16, 2005, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

**SB 2002: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). SB 2002 was placed on the Sixth order on the calendar.

Page 2, line 16, replace "623,492" with "568,348"

Page 2, line 19, replace "4,986" with "1,327"

Page 2, line 20, replace "898,357" with "839,554"

Page 2, line 22, replace "895,857" with "837,054"

Page 2, line 25, replace "3,186,857" with "2,817,570"

Page 2, line 28, replace "3,149,481" with "2,860,499"

Page 2, line 29, replace "7,864,817" with "6,997,869"

Page 2, line 30, replace "(107,947)" with "(127,041)"

Page 3, line 2, replace "10,976,612" with "9,432,301"

Page 3, line 3, replace "474,786" with "471,862"

Page 3, line 4, replace "10,501,826" with "8,960,439"

Page 3, line 7, replace "67,283" with "65,257"

Page 3, line 8, replace "67,283" with "65,257"

Page 3, line 9, replace "5,986" with "5,034"

Page 3, line 10, replace "61,297" with "60,223"

Page 3, line 11, replace "11,458,980" with "9,857,716"

Page 3, line 12, replace "483,272" with "479,396"

Page 3, line 13, replace "11,942,252" with "10,337,112"

Page 3, line 21, replace "6,471,084" with "6,415,940"

Page 3, line 24, replace "137,274" with "133,615"

Page 3, line 25, replace "8,543,619" with "8,484,816"

Page 3, line 27, replace "8,541,119" with "8,482,316"

Page 3, line 30, replace "37,100,037" with "36,730,750"

Page 4, line 2, replace "3,149,481" with "2,860,499"

Page 4, line 3, replace "7,864,817" with "6,997,869"

Page 4, line 4, replace "718,997" with "699,903"

Page 4, line 7, replace "59,923,612" with "58,379,301"

Page 4, line 8, replace "2,237,521" with "2,234,597"

Page 4, line 9, replace "57,686,091" with "56,144,704"

Page 4, line 12, replace "605,926" with "603,900"

Page 4, line 13, replace "605,926" with "603,900"

Page 4, line 14, replace "286,787" with "285,835"

Page 4, line 15, replace "319,139" with "318,065"

Page 4, line 16, replace "66,546,349" with "64,945,085"

Page 4, line 17, replace "2,526,808" with "2,522,932"

Page 4, line 18, replace "69,073,157" with "67,468,017"

Page 5, line 2, replace "four" with "two", remove "eight", and overstrike "hundred"

Page 5, line 3, replace "fifty-one" with "ninety-six" and replace "nine" with "six"

Page 5, line 4, remove the overstrike over "one hundred" and replace "forty-five" with "eighty"

Page 5, line 5, remove the overstrike over "two", remove "three", after "five" insert "nine", remove the overstrike over "hundred", and replace "sixty-six" with "eighty-six"

Page 5, line 7, replace "eighty-nine" with "five"

Page 5, line 11, replace "ninety-five" with "ninety-three", replace "nine" with "three", and replace "eleven" with "ninety-one"

Page 5, line 12, overstrike "ninety", replace "nine" with "ninety-seven", and replace "seven" with "one"

Page 5, line 13, replace "forty-eight" with "twenty-seven"

Page 5, line 17, replace "eight" with "seven" and replace "twenty-six" with "fifty-two"

Page 5, line 18, replace "nine" with "eight" and replace "thirty-nine" with "sixty-two"

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

|                             | EXECUTIVE<br>BUDGET | SENATE<br>CHANGES | SENATE<br>VERSION |
|-----------------------------|---------------------|-------------------|-------------------|
| Supreme Court               |                     |                   |                   |
| Total all funds             | \$8,543,619         | (\$58,803)        | \$8,484,816       |
| Less estimated income       | 2,500               |                   | 2,500             |
| General fund                | \$8,541,119         | (\$58,803)        | \$8,482,316       |
| District courts             |                     |                   |                   |
| Total all funds             | \$59,923,612        | (\$1,544,311)     | \$58,379,301      |
| Less estimated income       | 2,237,521           | (2,924)           | 2,234,597         |
| General fund                | \$57,686,091        | (\$1,541,387)     | \$56,144,704      |
| Judicial Conduct Commission |                     |                   |                   |
| Total all funds             | \$605,926           | (\$2,026)         | \$603,900         |
| Less estimated income       | 286,787             | (952)             | 285,835           |
| General fund                | \$319,139           | (\$1,074)         | \$318,065         |
| Bill Total                  |                     |                   |                   |
| Total all funds             | \$69,073,157        | (\$1,605,140)     | \$67,468,017      |
| Less estimated income       | 2,526,808           | (3,876)           | 2,522,932         |
| General fund                | \$66,546,349        | (\$1,601,264)     | \$64,945,085      |

**Senate Bill No. 2002 - Supreme Court - Senate Action**

|                       | EXECUTIVE<br>BUDGET | SENATE<br>CHANGES | SENATE<br>VERSION |
|-----------------------|---------------------|-------------------|-------------------|
| Salaries and wages    | \$6,471,084         | (\$55,144)        | \$6,415,940       |
| Operating expenses    | 1,927,261           |                   | 1,927,261         |
| Capital assets        | 8,000               |                   | 8,000             |
| Judges' retirement    | 137,274             | (3,659)           | 133,615           |
| Total all funds       | \$8,543,619         | (\$58,803)        | \$8,484,816       |
| Less estimated income | 2,500               |                   | 2,500             |
| General fund          | \$8,541,119         | (\$58,803)        | \$8,482,316       |
| FTE                   | 44.50               | 0.00              | 44.50             |

**Dept. 181 - Supreme Court - Detail of Senate Changes**

|                       | REDUCES<br>COMPENSATION<br>PACKAGE TO 3/4 <sup>1</sup> | TOTAL<br>SENATE<br>CHANGES |
|-----------------------|--------------------------------------------------------|----------------------------|
| Salaries and wages    | (\$55,144)                                             | (\$55,144)                 |
| Operating expenses    |                                                        |                            |
| Capital assets        |                                                        |                            |
| Judges' retirement    | (3,659)                                                | (3,659)                    |
| Total all funds       | (\$58,803)                                             | (\$58,803)                 |
| Less estimated income |                                                        |                            |
| General fund          | (\$58,803)                                             | (\$58,803)                 |
| FTE                   | 0.00                                                   | 0.00                       |

<sup>1</sup> The table below provides salary information for the Supreme Court justices.

|                                                         | 2003-05<br>BIENNIUM<br>SALARY | SALARY<br>INCLUDED IN<br>SB 2002 | SALARY AS<br>AMENDED<br>(3% AND 4%) |
|---------------------------------------------------------|-------------------------------|----------------------------------|-------------------------------------|
| Supreme Court justices                                  |                               |                                  |                                     |
| First year of biennium                                  | \$99,122                      | \$104,851                        | \$102,096                           |
| Second year of biennium                                 | \$99,122                      | \$109,122                        | \$106,180                           |
| Chief Justice (amount in<br>addition to justice salary) |                               |                                  |                                     |
| First year of biennium                                  | \$2,899                       | \$3,066                          | \$2,986                             |
| Second year of biennium                                 | \$2,899                       | \$3,189                          | \$3,105                             |

**Senate Bill No. 2002 - District Courts - Senate Action**

|                                                    | EXECUTIVE<br>BUDGET | SENATE<br>CHANGES | SENATE<br>VERSION |
|----------------------------------------------------|---------------------|-------------------|-------------------|
| Salaries and wages                                 | \$37,100,037        | (\$369,287)       | \$36,730,750      |
| Operating expenses                                 | 10,794,780          |                   | 10,794,780        |
| Capital assets                                     | 195,500             |                   | 195,500           |
| Indigent defense -<br>July 2005 -<br>December 2005 | 3,149,481           | (288,982)         | 2,860,499         |
| Indigent defense -<br>January 2006 -<br>June 2007  | 7,864,817           | (866,948)         | 6,997,869         |
| Judges' retirement                                 | 718,997             | (19,094)          | 699,903           |
| UND Central Legal Research                         | 80,000              |                   | 80,000            |
| Alternative dispute resolution                     | 20,000              |                   | 20,000            |
| Total all funds                                    | \$59,923,612        | (\$1,544,311)     | \$58,379,301      |

|                       |                  |                |                  |
|-----------------------|------------------|----------------|------------------|
| Less estimated income | <u>2,237,521</u> | <u>(2,924)</u> | <u>2,234,597</u> |
| General fund          | \$57,686,091     | (\$1,541,387)  | \$56,144,704     |
| FTE                   | 283.50           | 0.00           | 283.50           |

**Dept. 182 - District Courts - Detail of Senate Changes**

|                                                    | REDUCES<br>COMPENSATION<br>PACKAGE TO 3/4 <sup>1</sup> | REDUCES<br>FUNDING<br>FOR INDIGENT<br>DEFENSE<br>CONTRACTS <sup>2</sup> | TOTAL<br>SENATE<br>CHANGES |
|----------------------------------------------------|--------------------------------------------------------|-------------------------------------------------------------------------|----------------------------|
| Salaries and wages                                 | (\$369,287)                                            |                                                                         | (\$369,287)                |
| Operating expenses                                 |                                                        |                                                                         |                            |
| Capital assets                                     |                                                        |                                                                         |                            |
| Indigent defense -<br>July 2005 -<br>December 2005 |                                                        | (\$288,982)                                                             | (288,982)                  |
| Indigent defense -<br>January 2006 -<br>June 2007  |                                                        | (866,948)                                                               | (866,948)                  |
| Judges' retirement                                 | (19,094)                                               |                                                                         | (19,094)                   |
| UND Central Legal Research                         |                                                        |                                                                         |                            |
| Alternative dispute resolution                     |                                                        |                                                                         |                            |
| Total all funds                                    | (\$388,381)                                            | (\$1,155,930)                                                           | (\$1,544,311)              |
| Less estimated income                              | <u>(2,924)</u>                                         |                                                                         | <u>(2,924)</u>             |
| General fund                                       | (\$385,457)                                            | (\$1,155,930)                                                           | (\$1,541,387)              |
| FTE                                                | 0.00                                                   | 0.00                                                                    | 0.00                       |

<sup>1</sup> The table below provides salary information for district court judges.

|                                                            | 2003-05<br>BIENNIUM<br>SALARY | SALARY<br>INCLUDED IN<br>SB 2002 | SALARY AS<br>AMENDED<br>(3% AND 4%) |
|------------------------------------------------------------|-------------------------------|----------------------------------|-------------------------------------|
| District court judges                                      |                               |                                  |                                     |
| First year of biennium                                     | \$90,671                      | \$95,911                         | \$93,391                            |
| Second year of biennium                                    | \$90,671                      | \$99,748                         | \$97,127                            |
| Presiding judges (amount in<br>addition to judges' salary) |                               |                                  |                                     |
| First year of biennium                                     | \$2,672                       | \$2,826                          | \$2,752                             |
| Second year of biennium                                    | \$2,672                       | \$2,939                          | \$2,862                             |

<sup>2</sup> This amendment reduces the funding for indigent defense contracts from a rate of \$75 per hour to \$65 per hour.

**Senate Bill No. 2002 - Judicial Conduct Commission - Senate Action**

|                                                       | EXECUTIVE<br>BUDGET | SENATE<br>CHANGES | SENATE<br>VERSION |
|-------------------------------------------------------|---------------------|-------------------|-------------------|
| Judicial Conduct Commission<br>and Disciplinary Board | \$605,926           | (\$2,026)         | \$603,900         |
| Total all funds                                       | \$605,926           | (\$2,026)         | \$603,900         |
| Less estimated income                                 | <u>286,787</u>      | <u>(952)</u>      | <u>285,835</u>    |
| General fund                                          | \$319,139           | (\$1,074)         | \$318,065         |
| FTE                                                   | 4.00                | 0.00              | 4.00              |

**Dept. 183 - Judicial Conduct Commission - Detail of Senate Changes**

|                                                       | REDUCES<br>COMPENSATION<br>PACKAGE TO 3/4 | TOTAL<br>SENATE<br>CHANGES |
|-------------------------------------------------------|-------------------------------------------|----------------------------|
| Judicial Conduct Commission<br>and Disciplinary Board | (\$2,026)                                 | (\$2,026)                  |
| Total all funds                                       | (\$2,026)                                 | (\$2,026)                  |
| Less estimated income                                 | <u>(952)</u>                              | <u>(952)</u>               |
| General fund                                          | (\$1,074)                                 | (\$1,074)                  |
| FTE                                                   | 0.00                                      | 0.00                       |

**REPORT OF STANDING COMMITTEE**

**SB 2006: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2006 was placed on the Sixth order on the calendar.

Page 1, line 18, replace "39,471" with "36,627"

Page 1, line 21, replace "(\$3,371,691)" with "(\$3,374,535)"

Page 1, line 22, replace "(3,399,378)" with "(3,402,222)"

Page 2, line 6, replace "713,895" with "711,051"

Page 2, line 10, replace "5,788,101" with "5,785,257"

Page 2, line 11, replace "5,237,914" with "5,235,070"

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

##### Senate Bill No. 2006 - Aeronautics Commission - Senate Action

|                       | EXECUTIVE<br>BUDGET | SENATE<br>CHANGES | SENATE<br>VERSION |
|-----------------------|---------------------|-------------------|-------------------|
| Salaries and wages    | \$713,895           | (\$2,844)         | \$711,051         |
| Operating expenses    | 1,892,706           |                   | 1,892,706         |
| Capital assets        | 134,000             |                   | 134,000           |
| Grants                | <u>3,047,500</u>    |                   | <u>3,047,500</u>  |
| Total all funds       | \$5,788,101         | (\$2,844)         | \$5,785,257       |
| Less estimated income | <u>5,237,914</u>    | <u>(2,844)</u>    | <u>5,235,070</u>  |
| General fund          | \$550,187           | \$0               | \$550,187         |
| FTE                   | 6.00                | 0.00              | 6.00              |

##### Dept. 412 - Aeronautics Commission - Detail of Senate Changes

|                       | REDUCES<br>COMPENSATION<br>PACKAGE TO 3/4 | TOTAL<br>SENATE<br>CHANGES |
|-----------------------|-------------------------------------------|----------------------------|
| Salaries and wages    | (\$2,844)                                 | (\$2,844)                  |
| Operating expenses    |                                           |                            |
| Capital assets        |                                           |                            |
| Grants                |                                           |                            |
| Total all funds       | (\$2,844)                                 | (\$2,844)                  |
| Less estimated income | <u>(2,844)</u>                            | <u>(2,844)</u>             |
| General fund          | \$0                                       | \$0                        |
| FTE                   | 0.00                                      | 0.00                       |

#### REPORT OF STANDING COMMITTEE

**SB 2013: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2013 was placed on the Sixth order on the calendar.

Page 1, line 20, replace "346,033" with "336,989"

Page 1, line 23, replace "245,161" with "236,117"

Page 2, line 7, replace "2,222,195" with "2,213,151"

Page 2, line 12, replace "7,818,995" with "7,809,951"

Page 3, line 16, replace "principle" with "principal"

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

##### Senate Bill No. 2013 - Land Department - Senate Action

|                       | EXECUTIVE<br>BUDGET | SENATE<br>CHANGES | SENATE<br>VERSION |
|-----------------------|---------------------|-------------------|-------------------|
| Salaries and wages    | \$2,222,195         | (\$9,044)         | \$2,213,151       |
| Operating expenses    | 648,700             |                   | 648,700           |
| Capital assets        | 10,000              |                   | 10,000            |
| Grants                | 4,888,100           |                   | 4,888,100         |
| Contingencies         | <u>50,000</u>       |                   | <u>50,000</u>     |
| Total all funds       | \$7,818,995         | (\$9,044)         | \$7,809,951       |
| Less estimated income | <u>7,818,995</u>    | <u>(9,044)</u>    | <u>7,809,951</u>  |
| General fund          | \$0                 | \$0               | \$0               |
| FTE                   | 18.75               | 0.00              | 18.75             |

#### Dept. 226 - Land Department - Detail of Senate Changes

|                       | REDUCES<br>COMPENSATION<br>PACKAGE TO 3/4 | TOTAL<br>SENATE<br>CHANGES |
|-----------------------|-------------------------------------------|----------------------------|
| Salaries and wages    | (\$9,044)                                 | (\$9,044)                  |
| Operating expenses    |                                           |                            |
| Capital assets        |                                           |                            |
| Grants                |                                           |                            |
| Contingencies         |                                           |                            |
| Total all funds       | (\$9,044)                                 | (\$9,044)                  |
| Less estimated income | <u>(9,044)</u>                            | <u>(9,044)</u>             |
| General fund          | \$0                                       | \$0                        |
| FTE                   | 0.00                                      | 0.00                       |

#### REPORT OF STANDING COMMITTEE

**SB 2014: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2014 was placed on the Sixth order on the calendar.

Page 4, line 24, replace "6,861,925" with "6,840,444"

Page 4, line 27, replace "18,249,597" with "18,176,480"

Page 4, line 28, replace "12,108,200" with "10,925,665"

Page 4, line 29, replace "11,272,000" with "18,722,000"

Page 4, line 31, replace "43,329,797" with "49,524,145"

Page 5, line 14, replace "50,000" with "250,000"

Page 5, line 15, replace "32,657,254" with "32,857,254"

Page 5, line 18, replace "4,398,849" with "4,382,167"

Page 5, line 22, replace "33,895,707" with "33,879,025"

Page 5, line 23, replace "12,561,925" with "12,540,444"

Page 5, line 24, replace "155,912,643" with "162,286,824"

Page 5, line 25, replace "168,474,568" with "174,827,268"

Page 8, after line 8, insert:

**"SECTION 14. LEGISLATIVE INTENT - BANK OF NORTH DAKOTA BUILDING - OTHER STATE AGENCIES' LEASING - BUDGET SECTION REPORT.** It is the intent of the legislative assembly that if a new facility is built to house the operations of the Bank of North Dakota that the facility be built to include rental space for other state agencies and that the Bank of North Dakota work with the office of management and budget to identify which agencies will lease space in the Bank of North Dakota building and report to the budget section of the legislative council on plans for leasing to other agencies. The Bank of North Dakota in conjunction with the office of management and budget shall set the rental amounts, and the Bank of North Dakota shall collect the rental amounts and maintain and control the building and its grounds."

Page 8, after line 13, insert:

**"SECTION 16. AGRICULTURE PROMOTION - TRADE PROMOTION AUTHORITY.** The mill and elevator association shall provide a grant of \$250,000 from the agriculture promotion line item in subdivision 4 of section 3 of this Act to the trade promotion authority."

Page 16, line 27, replace "14" with "15"

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### Senate Bill No. 2014 - Summary of Senate Action

|                        | EXECUTIVE<br>BUDGET | SENATE<br>CHANGES | SENATE<br>VERSION  |
|------------------------|---------------------|-------------------|--------------------|
| Industrial Commission  |                     |                   |                    |
| Total all funds        | \$50,516,810        | (\$24,966)        | \$50,491,844       |
| Less estimated income  | <u>43,654,885</u>   | <u>(3,485)</u>    | <u>43,651,400</u>  |
| General fund           | \$6,861,925         | (\$21,481)        | \$6,840,444        |
| Bank of North Dakota   |                     |                   |                    |
| Total all funds        | \$51,404,797        | \$6,194,348       | \$57,599,145       |
| Less estimated income  | <u>45,704,797</u>   | <u>6,194,348</u>  | <u>51,899,145</u>  |
| General fund           | \$5,700,000         | \$0               | \$5,700,000        |
| Housing Finance Agency |                     |                   |                    |
| Total all funds        | \$33,895,707        | (\$16,682)        | \$33,879,025       |
| Less estimated income  | <u>33,895,707</u>   | <u>(16,682)</u>   | <u>33,879,025</u>  |
| General fund           | \$0                 | \$0               | \$0                |
| Mill and Elevator      |                     |                   |                    |
| Total all funds        | \$32,657,254        | \$200,000         | \$32,857,254       |
| Less estimated income  | <u>32,657,254</u>   | <u>200,000</u>    | <u>32,857,254</u>  |
| General fund           | \$0                 | \$0               | \$0                |
| Bill Total             |                     |                   |                    |
| Total all funds        | \$168,474,568       | \$6,352,700       | \$174,827,268      |
| Less estimated income  | <u>155,912,643</u>  | <u>6,374,181</u>  | <u>162,286,824</u> |
| General fund           | \$12,561,925        | (\$21,481)        | \$12,540,444       |

#### Senate Bill No. 2014 - Industrial Commission - Senate Action

|                                  | EXECUTIVE<br>BUDGET | SENATE<br>CHANGES | SENATE<br>VERSION |
|----------------------------------|---------------------|-------------------|-------------------|
| Salaries and wages               | \$6,071,048         | (\$24,966)        | \$6,046,082       |
| Operating expenses               | 1,907,850           |                   | 1,907,850         |
| Capital assets                   | 45,500              |                   | 45,500            |
| Lignite research and development | 15,200,000          |                   | 15,200,000        |
| Grants - Bond payments           | <u>27,292,412</u>   |                   | <u>27,292,412</u> |
| Total all funds                  | \$50,516,810        | (\$24,966)        | \$50,491,844      |
| Less estimated income            | <u>43,654,885</u>   | <u>(3,485)</u>    | <u>43,651,400</u> |
| General fund                     | \$6,861,925         | (\$21,481)        | \$6,840,444       |
| FTE                              | 51.37               | 0.00              | 51.37             |

#### Dept. 405 - Industrial Commission - Detail of Senate Changes

|                                  | REDUCES<br>COMPENSATION<br>PACKAGE TO 3/4 | TOTAL<br>SENATE<br>CHANGES |
|----------------------------------|-------------------------------------------|----------------------------|
| Salaries and wages               | (\$24,966)                                | (\$24,966)                 |
| Operating expenses               |                                           |                            |
| Capital assets                   |                                           |                            |
| Lignite research and development |                                           |                            |
| Grants - Bond payments           |                                           |                            |
| Total all funds                  | (\$24,966)                                | (\$24,966)                 |
| Less estimated income            | <u>(3,485)</u>                            | <u>(3,485)</u>             |
| General fund                     | (\$21,481)                                | (\$21,481)                 |
| FTE                              | 0.00                                      | 0.00                       |

#### Senate Bill No. 2014 - Bank of North Dakota - Senate Action

|                                         | EXECUTIVE<br>BUDGET | SENATE<br>CHANGES | SENATE<br>VERSION |
|-----------------------------------------|---------------------|-------------------|-------------------|
| Salaries and wages                      | \$18,249,597        | (\$73,117)        | \$18,176,480      |
| Operating expenses                      | 12,108,200          | (1,182,535)       | 10,925,665        |
| Capital assets                          | 11,272,000          | 7,450,000         | 18,722,000        |
| Contingencies                           | 1,700,000           |                   | 1,700,000         |
| PACE fund                               | 5,700,000           |                   | 5,700,000         |
| Agriculture PACE fund                   | 1,425,000           |                   | 1,425,000         |
| Beginning farmer revolving<br>loan fund | 950,000             |                   | 950,000           |
| Total all funds                         | \$51,404,797        | \$6,194,348       | \$57,599,145      |
| Less estimated income                   | <u>45,704,797</u>   | <u>6,194,348</u>  | <u>51,899,145</u> |
| General fund                            | \$5,700,000         | \$0               | \$5,700,000       |
| FTE                                     | 178.50              | 0.00              | 178.50            |

**Dept. 471 - Bank of North Dakota - Detail of Senate Changes**

|                                         | REDUCES<br>COMPENSATION<br>PACKAGE TO 3/4 | REDUCES<br>FUNDING FOR<br>OPERATING<br>EXPENSES <sup>1</sup> | INCREASES<br>FUNDING FOR<br>NEW BANK<br>BUILDING <sup>2</sup> | TOTAL<br>SENATE<br>CHANGES |
|-----------------------------------------|-------------------------------------------|--------------------------------------------------------------|---------------------------------------------------------------|----------------------------|
| Salaries and wages                      | (\$73,117)                                |                                                              |                                                               | (\$73,117)                 |
| Operating expenses                      |                                           | (\$1,182,535)                                                |                                                               | (1,182,535)                |
| Capital assets                          |                                           |                                                              | \$7,450,000                                                   | 7,450,000                  |
| Contingencies                           |                                           |                                                              |                                                               |                            |
| PACE fund                               |                                           |                                                              |                                                               |                            |
| Agriculture PACE fund                   |                                           |                                                              |                                                               |                            |
| Beginning farmer revolving<br>loan fund |                                           |                                                              |                                                               |                            |
| Total all funds                         | (\$73,117)                                | (\$1,182,535)                                                | \$7,450,000                                                   | \$6,194,348                |
| Less estimated income                   | <u>(73,117)</u>                           | <u>(1,182,535)</u>                                           | <u>7,450,000</u>                                              | <u>6,194,348</u>           |
| General fund                            | \$0                                       | \$0                                                          | \$0                                                           | \$0                        |
| FTE                                     | 0.00                                      | 0.00                                                         | 0.00                                                          | 0.00                       |

<sup>1</sup> This amendment reduces funding for operating expenses by \$1,182,535, resulting in no increase in the operating expense line item for the 2005-07 biennium.

<sup>2</sup> This amendment adds \$7,450,000 of special funds spending authority to the capital assets line item for the Bank of North Dakota to increase the appropriation for a new bank building from \$11,000,000 to a total of \$18,450,000. The increase in funding is to provide for the cost of a 120,000-square-foot building, rather than the 60,000-square-foot building included in the executive recommendation. The legislative intent is that the additional space in the new bank building will be used as rental space for other state agencies.

**Senate Bill No. 2014 - Housing Finance Agency - Senate Action**

|                       | EXECUTIVE<br>BUDGET | SENATE<br>CHANGES | SENATE<br>VERSION |
|-----------------------|---------------------|-------------------|-------------------|
| Salaries and wages    | \$4,398,849         | (\$16,682)        | \$4,382,167       |
| Operating expenses    | 2,805,578           |                   | 2,805,578         |
| Grants                | 26,591,280          |                   | 26,591,280        |
| HFA contingencies     | <u>100,000</u>      |                   | <u>100,000</u>    |
| Total all funds       | \$33,895,707        | (\$16,682)        | \$33,879,025      |
| Less estimated income | <u>33,895,707</u>   | <u>(16,682)</u>   | <u>33,879,025</u> |
| General fund          | \$0                 | \$0               | \$0               |
| FTE                   | 43.00               | 0.00              | 43.00             |

**Dept. 473 - Housing Finance Agency - Detail of Senate Changes**

|                       | REDUCES<br>COMPENSATION<br>PACKAGE TO 3/4 | TOTAL<br>SENATE<br>CHANGES |
|-----------------------|-------------------------------------------|----------------------------|
| Salaries and wages    | (\$16,682)                                | (\$16,682)                 |
| Operating expenses    |                                           |                            |
| Grants                |                                           |                            |
| HFA contingencies     |                                           |                            |
| Total all funds       | (\$16,682)                                | (\$16,682)                 |
| Less estimated income | <u>(16,682)</u>                           | <u>(16,682)</u>            |
| General fund          | \$0                                       | \$0                        |
| FTE                   | 0.00                                      | 0.00                       |

**Senate Bill No. 2014 - Mill and Elevator - Senate Action**

|                       | EXECUTIVE<br>BUDGET | SENATE<br>CHANGES | SENATE<br>VERSION |
|-----------------------|---------------------|-------------------|-------------------|
| Salaries and wages    | \$17,348,241        |                   | \$17,348,241      |
| Operating expenses    | 14,959,013          |                   | 14,959,013        |
| Contingencies         | 300,000             |                   | 300,000           |
| Agriculture promotion | <u>50,000</u>       | <u>\$200,000</u>  | <u>250,000</u>    |
| Total all funds       | \$32,657,254        | \$200,000         | \$32,857,254      |
| Less estimated income | <u>32,657,254</u>   | <u>200,000</u>    | <u>32,857,254</u> |
| General fund          | \$0                 | \$0               | \$0               |
| FTE                   | 127.00              | 0.00              | 127.00            |

**Dept. 475 - Mill and Elevator - Detail of Senate Changes**

|                       | INCREASES<br>FUNDING FOR<br>AGRICULTURE<br>PROMOTION <sup>1</sup> | TOTAL<br>SENATE<br>CHANGES |
|-----------------------|-------------------------------------------------------------------|----------------------------|
| Salaries and wages    |                                                                   |                            |
| Operating expenses    |                                                                   |                            |
| Contingencies         |                                                                   |                            |
| Agriculture promotion | <u>\$200,000</u>                                                  | <u>\$200,000</u>           |
| Total all funds       | \$200,000                                                         | \$200,000                  |
| Less estimated income | <u>200,000</u>                                                    | <u>200,000</u>             |
| General fund          | \$0                                                               | \$0                        |
| FTE                   | 0.00                                                              | 0.00                       |

<sup>1</sup> This amendment increases special funds spending authority for the agriculture promotion line item by \$200,000, resulting in a line item total of \$250,000. This line item is to be used to provide a grant of \$250,000 to the Trade Promotion Authority.

**REPORT OF STANDING COMMITTEE**

**SB 2016: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2016 was placed on the Sixth order on the calendar.

Page 1, line 19, replace "828,832" with "689,039"

Page 1, line 23, replace "230,724" with "5,340"

Page 1, remove line 24

Page 2, remove line 1

Page 2, line 2, replace "2,165,359" with "1,018,622"

Page 2, line 3, replace "1,934,635" with "1,013,282"

Page 2, line 4, replace "230,724" with "5,340"

Page 2, line 10, replace "34,846,714" with "34,706,921"

Page 2, line 14, replace "1,480,724" with "1,255,340"

Page 2, remove lines 15 and 16

Page 2, line 17, replace "59,620,076" with "58,473,339"

Page 2, line 18, replace "58,139,352" with "57,217,999"

Page 2, line 19, replace "1,480,724" with "1,255,340"

Page 2, after line 19, insert:

**"SECTION 4. APPROPRIATION - REED ACT FUNDS - WORK FIRST.** There is appropriated out of moneys made available to the state by the federal Reed Act distributions made in federal fiscal years 1957, 1958, 1999, and 2002, pursuant to section 903 of the Social Security Act, the sum of \$254,925, or so much of the sum as may be necessary, to job service North Dakota for the purpose of paying allowable Wagner-Peyser Act expenses associated with the work first demonstration project, for the biennium beginning July 1, 2005, and ending June 30, 2007.

**SECTION 5. APPROPRIATION - REED ACT FUNDS - UNEMPLOYMENT INSURANCE COMPUTER MODERNIZATION PROCUREMENT PLANNING.** There is appropriated out of moneys made available to the state by the federal Reed Act distributions made in federal fiscal years 1957, 1958, 1999, and 2002, pursuant to section 903 of the Social Security Act, the sum of \$525,000, or so much of the sum as may be necessary, to job service North Dakota for the purpose of unemployment insurance computer system modernization procurement planning, for the biennium beginning July 1, 2005, and ending June 30, 2007.

|                                                      |               |
|------------------------------------------------------|---------------|
| Grand total general fund appropriation S.B. 2016     | \$1,255,340   |
| Grand total estimated income appropriation S.B. 2016 | \$57,997,924  |
| Grand total all funds appropriation S.B. 2016        | \$59,253,264" |

Page 2, line 26, remove "line"

Page 2, line 27, replace "3" with "4"

Page 3, line 8, remove "line" and replace "3" with "5"

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### Senate Bill No. 2016 - Job Service North Dakota - Senate Action

|                                                  | EXECUTIVE<br>BUDGET | SENATE<br>CHANGES | SENATE<br>VERSION |
|--------------------------------------------------|---------------------|-------------------|-------------------|
| Salaries and wages                               | \$34,846,714        | (\$139,793)       | \$34,706,921      |
| Operating expenses                               | 13,238,913          |                   | 13,238,913        |
| Capital assets                                   | 225,000             |                   | 225,000           |
| Grants                                           | 9,047,165           |                   | 9,047,165         |
| Work Force 2000                                  | 1,480,724           | (225,384)         | 1,255,340         |
| Work First-Reed Act                              | 256,560             | (1,635)           | 254,925           |
| Unemployment Insurance<br>Modernization-Reed Act | 525,000             |                   | 525,000           |
| Total all funds                                  | \$59,620,076        | (\$366,812)       | \$59,253,264      |
| Less estimated income                            | <u>58,139,352</u>   | <u>(141,428)</u>  | <u>57,997,924</u> |
| General fund                                     | \$1,480,724         | (\$225,384)       | \$1,255,340       |
| FTE                                              | 355.80              | 0.00              | 355.80            |

#### Dept. 380 - Job Service North Dakota - Detail of Senate Changes

|                                                  | REDUCES<br>COMPENSATION<br>PACKAGE TO 3/4 | REDUCE<br>FUNDING FOR<br>WORKFORCE<br>2000 <sup>1</sup> | TOTAL<br>SENATE<br>CHANGES |
|--------------------------------------------------|-------------------------------------------|---------------------------------------------------------|----------------------------|
| Salaries and wages                               | (\$139,793)                               |                                                         | (\$139,793)                |
| Operating expenses                               |                                           |                                                         |                            |
| Capital assets                                   |                                           |                                                         |                            |
| Grants                                           |                                           |                                                         |                            |
| Work Force 2000                                  | (384)                                     | (\$225,000)                                             | (225,384)                  |
| Work First-Reed Act                              | (1,635)                                   |                                                         | (1,635)                    |
| Unemployment Insurance<br>Modernization-Reed Act |                                           |                                                         |                            |
| Total all funds                                  | (\$141,812)                               | (\$225,000)                                             | (\$366,812)                |
| Less estimated income                            | <u>(141,428)</u>                          |                                                         | <u>(141,428)</u>           |
| General fund                                     | (\$384)                                   | (\$225,000)                                             | (\$225,384)                |
| FTE                                              | 0.00                                      | 0.00                                                    | 0.00                       |

<sup>1</sup> This amendment removes funding of \$225,000 from the general fund for Work Force 2000 included in the executive budget recommendation to replace carryover funding used during the 2003-05 biennium.

This amendment removes the appropriation of Reed Act funds for the Work First demonstration project and the unemployment insurance computer modernization procurement planning from Section 3 of the bill and provides for the appropriation of the funds for the two issues in two new sections of the bill.

#### REPORT OF STANDING COMMITTEE

**SB 2020: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2020 was placed on the Sixth order on the calendar.

Page 1, line 3, after "farm" insert "; to provide legislative intent; to provide for a legislative council study; and to declare an emergency"

Page 3, line 5, replace "3,874,658" with "3,750,622"

Page 3, line 6, replace "9,356" with "108,747"

Page 3, line 7, replace "3,884,014" with "3,859,369"

Page 3, line 8, replace "2,502,398" with "2,451,781"

Page 3, line 9, replace "1,381,616" with "1,407,588"

Page 3, line 12, replace "240,238" with "370,600"

Page 3, line 13, replace "173,396" with "211,005"

Page 3, line 14, replace "66,842" with "159,595"

Page 3, line 17, replace "4,919,323" with "4,886,023"

Page 3, line 18, replace "4,901,377" with "4,869,499"

Page 3, line 19, replace "17,946" with "16,524"

Page 3, line 22, replace "6,054,966" with "7,093,956"

Page 3, line 23, replace "4,503,744" with "5,235,325"

Page 3, line 24, replace "1,551,222" with "1,858,631"

Page 3, line 27, replace "273,623" with "328,589"

Page 3, line 28, replace "315,302" with "311,847"

Page 3, line 29, replace "277,346" with "281,547"

Page 3, line 30, replace "49,817" with "45,601"

Page 3, line 31, replace "523,810" with "518,220"

Page 4, line 1, replace "448,223" with "562,800"

Page 4, line 2, replace "924,588" with "915,392"

Page 4, line 3, replace "2,812,709" with "2,963,996"

Page 4, line 4, replace "2,105,131" with "2,096,169"

Page 4, line 5, replace "707,578" with "867,827"

Page 4, line 8, replace "33,081" with "31,452"

Page 4, line 9, replace "33,081" with "31,452"

Page 4, line 10, replace "3,725,204" with "4,310,165"

Page 4, line 11, replace "14,219,127" with "14,895,231"

Page 4, line 12, replace "17,944,331" with "19,205,396"

Page 4, line 22, replace "37,442,255" with "37,318,219"

Page 4, line 23, replace "788,035" with "887,426"

Page 4, line 24, replace "38,230,290" with "38,205,645"

Page 4, line 25, replace "22,989,228" with "22,938,611"

Page 4, line 26, replace "15,241,062" with "15,267,034"

Page 4, line 29, replace "1,763,585" with "1,893,947"

Page 4, line 30, replace "950,741" with "988,350"

Page 4, line 31, replace "812,844" with "905,597"

Page 5, line 3, replace "15,764,073" with "15,730,773"

Page 5, line 4, replace "15,263,028" with "15,231,150"

Page 5, line 5, replace "501,045" with "499,623"

Page 5, line 8, replace "66,572,180" with "67,611,170"

Page 5, line 9, replace "36,810,218" with "37,541,799"

Page 5, line 10, replace "29,761,962" with "30,069,371"

Page 5, line 13, replace "5,554,757" with "5,609,723"

Page 5, line 14, replace "1,982,689" with "1,979,234"

Page 5, line 15, replace "1,798,821" with "1,803,022"

Page 5, line 16, replace "1,332,702" with "1,328,486"

Page 5, line 17, replace "2,236,320" with "2,230,730"

Page 5, line 18, replace "2,091,298" with "2,205,875"

Page 5, line 19, replace "4,251,204" with "4,242,008"

Page 5, line 20, replace "19,247,791" with "19,399,078"

Page 5, line 21, replace "11,072,534" with "11,063,572"

Page 5, line 22, replace "8,175,257" with "8,335,506"

Page 5, line 25, replace "1,199,685" with "1,198,056"

Page 5, line 26, replace "1,199,685" with "1,198,056"

Page 5, line 27, replace "54,492,170" with "55,077,131"

Page 5, line 28, replace "88,285,434" with "88,961,538"

Page 5, line 29, replace "142,777,604" with "144,038,669"

Page 6, after line 21, insert:

**"SECTION 8. LEGISLATIVE INTENT - BEEF SYSTEMS CENTER OF EXCELLENCE.** It is the intent of the fifty-ninth legislative assembly that \$800,000 of the appropriation provided in subdivision 4 of section 3 transferred from the agriculture partnership in assisting community expansion fund is a continuation of funding authority for the beef systems center of excellence as provided in section 9 of chapter 20 of the 2003 Session Laws.

**SECTION 9. LEGISLATIVE COUNCIL STUDY - BRANCH RESEARCH CENTERS.** The legislative council shall consider studying, during the 2005-06 interim, the branch research centers, including visiting each center to observe infrastructure needs and research conducted, addressing how the research may complement the beef systems center of excellence, and receiving comments from area growers and producers. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixtieth legislative assembly.

**SECTION 10. AUTHORIZATION.** The special funds spending authority of \$1,400,000 included in subdivision 5 of section 1 of chapter 20 of the 2003 Session

Laws for the Dickinson research center building project may come from any available source.

**SECTION 11. EMERGENCY.** Section 10 of this Act is declared to be an emergency measure."

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### Senate Bill No. 2020 - Summary of Senate Action

|                          | EXECUTIVE<br>BUDGET | SENATE<br>CHANGES | SENATE<br>VERSION |
|--------------------------|---------------------|-------------------|-------------------|
| Transportation Institute |                     |                   |                   |
| Total all funds          | \$15,764,073        | (\$33,300)        | \$15,730,773      |
| Less estimated income    | <u>15,263,028</u>   | <u>(31,878)</u>   | <u>15,231,150</u> |
| General fund             | \$501,045           | (\$1,422)         | \$499,623         |
| Branch Research Centers  |                     |                   |                   |
| Total all funds          | \$19,247,791        | \$151,287         | \$19,399,078      |
| Less estimated income    | <u>11,072,534</u>   | <u>(8,962)</u>    | <u>11,063,572</u> |
| General fund             | \$8,175,257         | \$160,249         | \$8,335,506       |
| NDSU Extension Service   |                     |                   |                   |
| Total all funds          | \$38,230,290        | (\$24,645)        | \$38,205,645      |
| Less estimated income    | <u>22,989,228</u>   | <u>(50,617)</u>   | <u>22,938,611</u> |
| General fund             | \$15,241,062        | \$25,972          | \$15,267,034      |
| Northern Crops Institute |                     |                   |                   |
| Total all funds          | \$1,763,585         | \$130,362         | \$1,893,947       |
| Less estimated income    | <u>950,741</u>      | <u>37,609</u>     | <u>988,350</u>    |
| General fund             | \$812,844           | \$92,753          | \$905,597         |
| Main Research Station    |                     |                   |                   |
| Total all funds          | \$66,572,180        | \$1,038,990       | \$67,611,170      |
| Less estimated income    | <u>36,810,218</u>   | <u>731,581</u>    | <u>37,541,799</u> |
| General fund             | \$29,761,962        | \$307,409         | \$30,069,371      |
| Agronomy Seed Farm       |                     |                   |                   |
| Total all funds          | \$1,199,685         | (\$1,629)         | \$1,198,056       |
| Less estimated income    | <u>1,199,685</u>    | <u>(1,629)</u>    | <u>1,198,056</u>  |
| General fund             | \$0                 | \$0               | \$0               |
| Bill Total               |                     |                   |                   |
| Total all funds          | \$142,777,604       | \$1,261,065       | \$144,038,669     |
| Less estimated income    | <u>88,285,434</u>   | <u>676,104</u>    | <u>88,961,538</u> |
| General fund             | \$54,492,170        | \$584,961         | \$55,077,131      |

#### Senate Bill No. 2020 - Transportation Institute - Senate Action

|                          | EXECUTIVE<br>BUDGET | SENATE<br>CHANGES | SENATE<br>VERSION   |
|--------------------------|---------------------|-------------------|---------------------|
| Transportation Institute | <u>\$15,764,073</u> | <u>(\$33,300)</u> | <u>\$15,730,773</u> |
| Total all funds          | \$15,764,073        | (\$33,300)        | \$15,730,773        |
| Less estimated income    | <u>15,263,028</u>   | <u>(31,878)</u>   | <u>15,231,150</u>   |
| General fund             | \$501,045           | (\$1,422)         | \$499,623           |
| FTE                      | 48.50               | 0.00              | 48.50               |

#### Dept. 627 - Transportation Institute - Detail of Senate Changes

|                          | REDUCES<br>COMPENSATION<br>PACKAGE TO 3/4 | TOTAL<br>SENATE<br>CHANGES |
|--------------------------|-------------------------------------------|----------------------------|
| Transportation Institute | <u>(\$33,300)</u>                         | <u>(\$33,300)</u>          |
| Total all funds          | (\$33,300)                                | (\$33,300)                 |
| Less estimated income    | <u>(31,878)</u>                           | <u>(31,878)</u>            |
| General fund             | (\$1,422)                                 | (\$1,422)                  |
| FTE                      | 0.00                                      | 0.00                       |

#### Senate Bill No. 2020 - Branch Research Centers - Senate Action

|                           | EXECUTIVE<br>BUDGET | SENATE<br>CHANGES | SENATE<br>VERSION |
|---------------------------|---------------------|-------------------|-------------------|
| Dickinson Research Center | \$5,554,757         | \$54,966          | \$5,609,723       |

|                                    |                   |                |                   |
|------------------------------------|-------------------|----------------|-------------------|
| Central Grasslands Research Center | 1,982,689         | (3,455)        | 1,979,234         |
| Hettinger Research Center          | 1,798,821         | 4,201          | 1,803,022         |
| Langdon Research Center            | 1,332,702         | (4,216)        | 1,328,486         |
| North Central Research Center      | 2,236,320         | (5,590)        | 2,230,730         |
| Williston Research Center          | 2,091,298         | 114,577        | 2,205,875         |
| Carrington Research Center         | <u>4,251,204</u>  | <u>(9,196)</u> | <u>4,242,008</u>  |
| Total all funds                    | \$19,247,791      | \$151,287      | \$19,399,078      |
| Less estimated income              | <u>11,072,534</u> | <u>(8,962)</u> | <u>11,063,572</u> |
| General fund                       | \$8,175,257       | \$160,249      | \$8,335,506       |
| FTE                                | 77.41             | 0.00           | 77.41             |

#### Dept. 628 - Branch Research Centers - Detail of Senate Changes

|                                    | ADDS<br>FUNDING<br>FOR WESTERN<br>MALTING<br>BARLEY<br>PROJECT 1 | REDUCES<br>COMPENSATION<br>PACKAGE TO 3/4 | TOTAL<br>SENATE<br>CHANGES |
|------------------------------------|------------------------------------------------------------------|-------------------------------------------|----------------------------|
| Dickinson Research Center          | \$62,845                                                         | (\$7,879)                                 | \$54,966                   |
| Central Grasslands Research Center |                                                                  | (3,455)                                   | (3,455)                    |
| Hettinger Research Center          | 8,000                                                            | (3,799)                                   | 4,201                      |
| Langdon Research Center            |                                                                  | (4,216)                                   | (4,216)                    |
| North Central Research Center      |                                                                  | (5,590)                                   | (5,590)                    |
| Williston Research Center          | 118,105                                                          | (3,528)                                   | 114,577                    |
| Carrington Research Center         |                                                                  | <u>(9,196)</u>                            | <u>(9,196)</u>             |
| Total all funds                    | \$188,950                                                        | (\$37,663)                                | \$151,287                  |
| Less estimated income              |                                                                  | <u>(8,962)</u>                            | <u>(8,962)</u>             |
| General fund                       | \$188,950                                                        | (\$28,701)                                | \$160,249                  |
| FTE                                | 0.00                                                             | 0.00                                      | 0.00                       |

<sup>1</sup> This amendment adds funding for western malting barley research.

#### Senate Bill No. 2020 - NDSU Extension Service - Senate Action

|                             | EXECUTIVE<br>BUDGET | SENATE<br>CHANGES | SENATE<br>VERSION |
|-----------------------------|---------------------|-------------------|-------------------|
| Extension Service           | \$37,442,255        | (\$124,036)       | \$37,318,219      |
| Soil Conservation Committee | <u>788,035</u>      | <u>99,391</u>     | <u>887,426</u>    |
| Total all funds             | \$38,230,290        | (\$24,645)        | \$38,205,645      |
| Less estimated income       | <u>22,989,228</u>   | <u>(50,617)</u>   | <u>22,938,611</u> |
| General fund                | \$15,241,062        | \$25,972          | \$15,267,034      |
| FTE                         | 266.10              | 0.00              | 266.10            |

#### Dept. 630 - NDSU Extension Service - Detail of Senate Changes

|                             | REDUCES<br>COMPENSATION<br>PACKAGE TO 3/4 | ADDS<br>FUNDING<br>FOR SOIL<br>CONSERVATION<br>DISTRICTS 1 | TOTAL<br>SENATE<br>CHANGES |
|-----------------------------|-------------------------------------------|------------------------------------------------------------|----------------------------|
| Extension Service           | (\$124,036)                               |                                                            | (\$124,036)                |
| Soil Conservation Committee | <u>(609)</u>                              | <u>\$100,000</u>                                           | <u>99,391</u>              |
| Total all funds             | (\$124,645)                               | \$100,000                                                  | (\$24,645)                 |
| Less estimated income       | <u>(50,617)</u>                           |                                                            | <u>(50,617)</u>            |
| General fund                | (\$74,028)                                | \$100,000                                                  | \$25,972                   |
| FTE                         | 0.00                                      | 0.00                                                       | 0.00                       |

<sup>1</sup> This amendment adds funding for soil conservation districts.

#### Senate Bill No. 2020 - Northern Crops Institute - Senate Action

|                          | EXECUTIVE<br>BUDGET | SENATE<br>CHANGES | SENATE<br>VERSION  |
|--------------------------|---------------------|-------------------|--------------------|
| Northern Crops Institute | <u>\$1,763,585</u>  | <u>\$130,362</u>  | <u>\$1,893,947</u> |
| Total all funds          | \$1,763,585         | \$130,362         | \$1,893,947        |
| Less estimated income    | <u>950,741</u>      | <u>37,609</u>     | <u>988,350</u>     |
| General fund             | \$812,844           | \$92,753          | \$905,597          |

|     |      |      |      |
|-----|------|------|------|
| FTE | 7.62 | 1.00 | 8.62 |
|-----|------|------|------|

**Dept. 638 - Northern Crops Institute - Detail of Senate Changes**

|                          | ADDS<br>1 FTE<br>CROP<br>QUALITY<br>PROMOTION<br>SPECIALIST <sup>1</sup> | REMOVES<br>FUNDING FOR<br>LINKING<br>CROPS<br>TO LIVESTOCK<br>RESEARCH <sup>2</sup> | REDUCES<br>COMPENSATION<br>PACKAGE TO 3/4 | TOTAL<br>SENATE<br>CHANGES |
|--------------------------|--------------------------------------------------------------------------|-------------------------------------------------------------------------------------|-------------------------------------------|----------------------------|
| Northern Crops Institute | <u>\$159,605</u>                                                         | <u>(\$24,469)</u>                                                                   | <u>(\$4,774)</u>                          | <u>\$130,362</u>           |
| Total all funds          | \$159,605                                                                | (\$24,469)                                                                          | (\$4,774)                                 | \$130,362                  |
| Less estimated income    | <u>39,605</u>                                                            |                                                                                     | <u>(1,996)</u>                            | <u>37,609</u>              |
| General fund             | \$120,000                                                                | (\$24,469)                                                                          | (\$2,778)                                 | \$92,753                   |
| FTE                      | 1.00                                                                     | 0.00                                                                                | 0.00                                      | 1.00                       |

<sup>1</sup> This amendment adds 1 FTE crop quality promotion specialist position at Northern Crops Institute.

<sup>2</sup> This amendment removes \$24,469 of funding for linking crops to North Dakota livestock development research costs.

**Senate Bill No. 2020 - Main Research Station - Senate Action**

|                       | EXECUTIVE<br>BUDGET | SENATE<br>CHANGES  | SENATE<br>VERSION   |
|-----------------------|---------------------|--------------------|---------------------|
| Main Research Station | <u>\$66,572,180</u> | <u>\$1,038,990</u> | <u>\$67,611,170</u> |
| Total all funds       | \$66,572,180        | \$1,038,990        | \$67,611,170        |
| Less estimated income | <u>36,810,218</u>   | <u>731,581</u>     | <u>37,541,799</u>   |
| General fund          | \$29,761,962        | \$307,409          | \$30,069,371        |
| FTE                   | 339.05              | 2.00               | 341.05              |

**Dept. 640 - Main Research Station - Detail of Senate Changes**

|                       | CONTINUES<br>FUNDING<br>FOR BEEF<br>SYSTEMS<br>CENTER OF<br>EXCELLENCE <sup>1</sup> | ADDS<br>FUNDING<br>FOR WESTERN<br>MALTING<br>BARLEY<br>PROJECT <sup>2</sup> | ADDS<br>POSITIONS<br>AND FUNDING<br>FOR BEEF<br>SYSTEMS<br>CENTER OF<br>EXCELLENCE <sup>3</sup> | REDUCES<br>COMPENSATION<br>PACKAGE TO 3/4 | TOTAL<br>SENATE<br>CHANGES |
|-----------------------|-------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------|-------------------------------------------|----------------------------|
| Main Research Station | <u>\$800,000</u>                                                                    | <u>\$39,251</u>                                                             | <u>\$400,000</u>                                                                                | <u>(\$200,261)</u>                        | <u>\$1,038,990</u>         |
| Total all funds       | \$800,000                                                                           | \$39,251                                                                    | \$400,000                                                                                       | (\$200,261)                               | \$1,038,990                |
| Less estimated income | <u>800,000</u>                                                                      |                                                                             |                                                                                                 | <u>(68,419)</u>                           | <u>731,581</u>             |
| General fund          | \$0                                                                                 | \$39,251                                                                    | \$400,000                                                                                       | (\$131,842)                               | \$307,409                  |
| FTE                   | 0.00                                                                                | 0.00                                                                        | 2.00                                                                                            | 0.00                                      | 2.00                       |

<sup>1</sup> This amendment continues funding of \$800,000 to the Main Research Center from the agriculture partnership in assisting community expansion (Ag PACE) fund for establishment of a beef systems center of excellence in the Department of Animal and Range Science. The funding was originally provided in 2003 House Bill No. 1021.

<sup>2</sup> This amendment adds funding for western malting barley research.

<sup>3</sup> This amendment adds funding for 2 FTE positions and related operating costs for the beef systems center of excellence. The beef systems center of excellence positions may not be filled until the State Board of Agricultural Research and Education enters into a business partnership agreement for the beef systems center of excellence.

**Senate Bill No. 2020 - Agronomy Seed Farm - Senate Action**

|                       | EXECUTIVE<br>BUDGET | SENATE<br>CHANGES | SENATE<br>VERSION  |
|-----------------------|---------------------|-------------------|--------------------|
| Agronomy seed farm    | <u>\$1,199,685</u>  | <u>(\$1,629)</u>  | <u>\$1,198,056</u> |
| Total all funds       | \$1,199,685         | (\$1,629)         | \$1,198,056        |
| Less estimated income | <u>1,199,685</u>    | <u>(1,629)</u>    | <u>1,198,056</u>   |
| General fund          | \$0                 | \$0               | \$0                |
| FTE                   | 2.97                | 0.00              | 2.97               |

**Dept. 649 - Agronomy Seed Farm - Detail of Senate Changes**

|                       | REDUCES<br>COMPENSATION<br>PACKAGE TO 3/4 | TOTAL SENATE<br>CHANGES |
|-----------------------|-------------------------------------------|-------------------------|
| Agronomy seed farm    | <u>(\$1,629)</u>                          | <u>(\$1,629)</u>        |
| Total all funds       | (\$1,629)                                 | (\$1,629)               |
| Less estimated income | <u>(1,629)</u>                            | <u>(1,629)</u>          |
| General fund          | \$0                                       | \$0                     |
| FTE                   | 0.00                                      | 0.00                    |

**REPORT OF STANDING COMMITTEE**

**SB 2021: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2021 was placed on the Sixth order on the calendar.

Page 2, line 3, replace "3,484,335" with "3,365,672"

Page 2, line 6, replace "202,429" with "187,400"

Page 2, line 7, replace "961,371" with "(57,814)"

Page 2, line 9, replace "107,191" with "106,238"

Page 2, line 11, replace "8,863" with "8,219"

Page 2, line 13, replace "(2,041,200)" with "(2,360,110)"

Page 2, line 14, replace "3,328,830" with "1,855,446"

Page 2, line 15, replace "713,274" with "585,355"

Page 2, line 16, replace "2,615,556" with "1,270,091"

Page 2, line 23, replace "29,200,029" with "29,081,366"

Page 2, line 26, replace "5,827,909" with "5,812,880"

Page 2, line 27, replace "1,755,189" with "736,004"

Page 2, line 29, replace "7,543,414" with "7,542,461"

Page 2, line 30, replace "687,206" with "686,562"

Page 2, line 31, replace "2,700,000" with "2,381,090"

Page 3, line 1, replace "109,640,934" with "108,167,550"

Page 3, line 2, replace "98,830,575" with "98,702,656"

Page 3, line 3, replace "10,810,359" with "9,464,894"

ReNUMBER accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:****Senate Bill No. 2021 - Information Technology Department - Senate Action**

|                                | EXECUTIVE<br>BUDGET | SENATE<br>CHANGES | SENATE<br>VERSION |
|--------------------------------|---------------------|-------------------|-------------------|
| Salaries and wages             | \$29,200,029        | (\$118,663)       | \$29,081,366      |
| Operating expenses             | 48,913,676          |                   | 48,913,676        |
| Capital assets                 | 10,361,163          |                   | 10,361,163        |
| Division of Independent Study  | 5,827,909           | (15,029)          | 5,812,880         |
| Educational Technology Council | 1,755,189           | (1,019,185)       | 736,004           |
| EduTech                        | 2,652,348           |                   | 2,652,348         |
| Wide area network              | 7,543,414           | (953)             | 7,542,461         |
| Geographic information system  | 687,206             | (644)             | 686,562           |
| Criminal justice information   | 2,700,000           | (318,910)         | 2,381,090         |

|                       |                   |                  |                   |
|-----------------------|-------------------|------------------|-------------------|
| sharing               |                   |                  |                   |
| Total all funds       | \$109,640,934     | (\$1,473,384)    | \$108,167,550     |
| Less estimated income | <u>98,830,575</u> | <u>(127,919)</u> | <u>98,702,656</u> |
| General fund          | \$10,810,359      | (\$1,345,465)    | \$9,464,894       |
| FTE                   | 265.20            | 0.00             | 265.20            |

**Dept. 112 - Information Technology Department - Detail of Senate Changes**

|                                      | REDUCES<br>COMPENSATION<br>PACKAGE TO 3/4 | REDUCES<br>FUNDING FOR<br>EDUCATIONAL<br>TECHNOLOGY<br>COUNCIL<br>GRANTS <sup>1</sup> | REDUCES<br>FUNDING FOR THE<br>CRIMINAL<br>JUSTICE<br>INFORMATION<br>SHARING<br>INITIATIVE <sup>2</sup> | TOTAL<br>SENATE<br>CHANGES |
|--------------------------------------|-------------------------------------------|---------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------|----------------------------|
| Salaries and wages                   | (\$118,663)                               |                                                                                       |                                                                                                        | (\$118,663)                |
| Operating expenses                   |                                           |                                                                                       |                                                                                                        |                            |
| Capital assets                       |                                           |                                                                                       |                                                                                                        |                            |
| Division of Independent Study        | (15,029)                                  |                                                                                       |                                                                                                        | (15,029)                   |
| Educational Technology Council       | (1,003)                                   | (\$1,018,182)                                                                         |                                                                                                        | (1,019,185)                |
| EduTech                              |                                           |                                                                                       |                                                                                                        |                            |
| Wide area network                    | (953)                                     |                                                                                       |                                                                                                        | (953)                      |
| Geographic information system        | (644)                                     |                                                                                       |                                                                                                        | (644)                      |
| Criminal justice information sharing |                                           |                                                                                       | (\$318,910)                                                                                            | (318,910)                  |
| Total all funds                      | (\$136,292)                               | (\$1,018,182)                                                                         | (\$318,910)                                                                                            | (\$1,473,384)              |
| Less estimated income                | <u>(127,919)</u>                          |                                                                                       |                                                                                                        | <u>(127,919)</u>           |
| General fund                         | (\$8,373)                                 | (\$1,018,182)                                                                         | (\$318,910)                                                                                            | (\$1,345,465)              |
| FTE                                  | 0.00                                      | 0.00                                                                                  | 0.00                                                                                                   | 0.00                       |

<sup>1</sup> This amendment reduces funding for Educational Technology Council grants to schools by \$1,018,182, from \$1,453,182 to \$435,000. The amendment removed funding for the following grant initiatives:

- \$22,000 for an Internet 2 membership.
- \$26,182 for Internet 2 educational support.
- \$50,000 for atomic learning licenses.
- \$260,000 for conference room video grants.
- \$660,000 for classroom transformation grants.

<sup>2</sup> This amendment reduces funding for the criminal justice information sharing initiative by \$318,910 from the general fund, from \$2,700,000, of which \$700,000 from the general fund, to \$2,381,090, of which \$381,090 is from the general fund. The following is a summary of the funding from the general fund for the initiative:

|                                | 2005-07<br>EXECUTIVE<br>BUDGET | 2005-07<br>SENATE<br>VERSION | INCREASE<br>(DECREASE) |
|--------------------------------|--------------------------------|------------------------------|------------------------|
| Operational costs              | \$281,090                      | \$281,090                    |                        |
| Projects                       |                                |                              |                        |
| Uniform court information      | 40,000                         |                              | (\$40,000)             |
| System data link               |                                |                              |                        |
| Disposition interfact          | 44,000                         |                              | (44,000)               |
| Court calendars                | 42,910                         |                              | (42,910)               |
| Statute and disposition matrix | 42,000                         |                              | (42,000)               |
| Hub interfaces                 | <u>250,000</u>                 | <u>100,000</u>               | <u>(150,000)</u>       |
| Total                          | \$700,000                      | \$381,090                    | (\$318,910)            |

**REPORT OF STANDING COMMITTEE**

**SB 2023: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2023 was placed on the Sixth order on the calendar.

Page 1, line 4, after "projects" insert "; to provide for a legislative council study"

Page 1, line 19, replace "3,632,691" with "3,500,000"

Page 1, line 20, replace "3,500,000" with "3,300,000"

Page 1, after line 23, insert:

"Minot state university - Bottineau thatcher hall addition

2,500,000"

Page 1, remove line 24

Page 2, remove lines 1 through 3

Page 2, remove lines 8 and 9

Page 2, after line 10, insert:

"Central grasslands research extension center office addition 350,000"

Page 2, line 11, replace "4,500,000" with "2,000,000"

Page 2, after line 12, insert:

"Historical society and heritage center research collections expansion 5,500,000"

Page 2, line 14, replace "25,555,758" with "28,595,557"

Page 2, line 15, after "federal" insert "and other"

Page 2, line 17, replace "\$880,000" with "\$1,250,000"

Page 2, line 18, after "federal" insert "acts, private grants, gifts and donations,"

Page 2, after line 19, insert:

"The main research center may obtain and utilize federal funds and other funds to assist in the construction of a greenhouse complex at the main research center. There is appropriated to the main research center the sum of \$5,000,000, or so much of the sum as may be necessary, from any federal acts, private grants, gifts and donations, or other funds that may become available for this project for the biennium beginning the effective date of this Act and ending June 30, 2007."

Page 2, after line 24, insert:

"The state historical society may obtain and utilize federal or other funds to assist in the heritage center research collections expansion. There is appropriated to the state historical society the sum of \$200,000, or so much of the sum as may be necessary, from any federal or other funds that may become available for this project for the biennium beginning the effective date of this Act and ending June 30, 2007."

Page 2, line 30, replace "27,285,758" with "35,895,557"

Page 3, line 3, replace "\$2,800,000" with "\$300,000"

Page 3, remove line 6

Page 3, after line 22, insert:

**"SECTION 4. LEGISLATIVE COUNCIL STUDY - DEFERRED MAINTENANCE - INFRASTRUCTURE - HERITAGE CENTER.** The legislative council shall consider studying, during the 2005-06 interim, deferred maintenance and infrastructure for all state agencies and institutions and compile a list of all the deferred maintenance and long-term infrastructure needs. This study must include the long-term needs of the North Dakota heritage center. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixtieth legislative assembly."

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### Senate Bill No. 2023 - Summary of Senate Action

|                                 | EXECUTIVE<br>BUDGET | SENATE<br>CHANGES | SENATE<br>VERSION |
|---------------------------------|---------------------|-------------------|-------------------|
| Office of Management and Budget |                     |                   |                   |
| Total all funds                 | \$3,155,000         | \$0               | \$3,155,000       |
| Less estimated income           | <u>3,155,000</u>    |                   | <u>3,155,000</u>  |
| General fund                    | \$0                 | \$0               | \$0               |
| Attorney General                |                     |                   |                   |
| Total all funds                 | \$3,632,691         | (\$132,691)       | \$3,500,000       |

|                                              |              |               |              |
|----------------------------------------------|--------------|---------------|--------------|
| Less estimated income                        | 3,632,691    | (132,691)     | 3,500,000    |
| General fund                                 | \$0          | \$0           | \$0          |
| University of North Dakota                   |              |               |              |
| Total all funds                              | \$2,331,554  | \$0           | \$2,331,554  |
| Less estimated income                        | 2,331,554    |               | 2,331,554    |
| General fund                                 | \$0          | \$0           | \$0          |
| North Dakota State University                |              |               |              |
| Total all funds                              | \$3,500,000  | (\$200,000)   | \$3,300,000  |
| Less estimated income                        | 3,500,000    | (200,000)     | 3,300,000    |
| General fund                                 | \$0          | \$0           | \$0          |
| State College of Science                     |              |               |              |
| Total all funds                              | \$736,000    | \$0           | \$736,000    |
| Less estimated income                        | 736,000      |               | 736,000      |
| General fund                                 | \$0          | \$0           | \$0          |
| Dickinson State University                   |              |               |              |
| Total all funds                              | \$4,100,557  | \$0           | \$4,100,557  |
| Less estimated income                        | 4,100,557    |               | 4,100,557    |
| General fund                                 | \$0          | \$0           | \$0          |
| Minot State University - Bottineau           |              |               |              |
| Total all funds                              | \$0          | \$2,500,000   | \$2,500,000  |
| Less estimated income                        |              | 2,500,000     | 2,500,000    |
| General fund                                 | \$0          | \$0           | \$0          |
| Department of Human Services                 |              |               |              |
| Total all funds                              | \$455,000    | (\$455,000)   | \$0          |
| Less estimated income                        | 455,000      | (455,000)     |              |
| General fund                                 | \$0          | \$0           | \$0          |
| Department of Corrections and Rehabilitation |              |               |              |
| Total all funds                              | \$3,586,510  | (\$2,022,510) | \$1,564,000  |
| Less estimated income                        | 3,586,510    | (2,022,510)   | 1,564,000    |
| General fund                                 | \$0          | \$0           | \$0          |
| Branch Research Centers                      |              |               |              |
| Total all funds                              | \$1,320,000  | \$720,000     | \$2,040,000  |
| Less estimated income                        | 1,320,000    | 720,000       | 2,040,000    |
| General fund                                 | \$0          | \$0           | \$0          |
| Main Research Station                        |              |               |              |
| Total all funds                              | \$4,500,000  | \$2,500,000   | \$7,000,000  |
| Less estimated income                        | 4,500,000    | 2,500,000     | 7,000,000    |
| General fund                                 | \$0          | \$0           | \$0          |
| State Historical Society                     |              |               |              |
| Total all funds                              | \$1,600,000  | \$5,700,000   | \$7,300,000  |
| Less estimated income                        | 1,600,000    | 5,700,000     | 7,300,000    |
| General fund                                 | \$0          | \$0           | \$0          |
| Parks and Recreation Department              |              |               |              |
| Total all funds                              | \$700,000    | \$0           | \$700,000    |
| Less estimated income                        | 700,000      |               | 700,000      |
| General fund                                 | \$0          | \$0           | \$0          |
| Bill Total                                   |              |               |              |
| Total all funds                              | \$29,617,312 | \$8,609,799   | \$38,227,111 |
| Less estimated income                        | 29,617,312   | 8,609,799     | 38,227,111   |
| General fund                                 | \$0          | \$0           | \$0          |

## Senate Bill No. 2023 - Attorney General - Senate Action

|                       | EXECUTIVE<br>BUDGET | SENATE<br>CHANGES | SENATE<br>VERSION |
|-----------------------|---------------------|-------------------|-------------------|
| Capital assets        | 3,632,691           | (\$132,691)       | 3,500,000         |
| Total all funds       | 3,632,691           | (\$132,691)       | 3,500,000         |
| Less estimated income | 3,632,691           | (132,691)         | 3,500,000         |
| General fund          | \$0                 | \$0               | \$0               |
| FTE                   | 0.00                | 0.00              | 0.00              |

## Dept. 125 - Attorney General - Detail of Senate Changes

|                       | REDUCES<br>FUNDING FOR<br>CRIME LAB<br>ADDITION AND<br>RENOVATION | TOTAL<br>SENATE<br>CHANGES |
|-----------------------|-------------------------------------------------------------------|----------------------------|
| Capital assets        | (\$132,691)                                                       | (\$132,691)                |
| Total all funds       | (\$132,691)                                                       | (\$132,691)                |
| Less estimated income | (132,691)                                                         | (132,691)                  |
| General fund          | \$0                                                               | \$0                        |
| FTE                   | 0.00                                                              | 0.00                       |

## Senate Bill No. 2023 - North Dakota State University - Senate Action

|                       | EXECUTIVE<br>BUDGET | SENATE<br>CHANGES  | SENATE<br>VERSION  |
|-----------------------|---------------------|--------------------|--------------------|
| Capital assets        | <u>\$3,500,000</u>  | <u>(\$200,000)</u> | <u>\$3,300,000</u> |
| Total all funds       | \$3,500,000         | (\$200,000)        | \$3,300,000        |
| Less estimated income | <u>3,500,000</u>    | <u>(200,000)</u>   | <u>3,300,000</u>   |
| General fund          | \$0                 | \$0                | \$0                |
| FTE                   | 0.00                | 0.00               | 0.00               |

**Dept. 235 - North Dakota State University - Detail of Senate Changes**

|                       | REDUCES<br>FUNDING FOR<br>HAZARDOUS<br>MATERIAL<br>HANDLING AND<br>STORAGE<br>FACILITY | TOTAL<br>SENATE<br>CHANGES |
|-----------------------|----------------------------------------------------------------------------------------|----------------------------|
| Capital assets        | <u>(\$200,000)</u>                                                                     | <u>(\$200,000)</u>         |
| Total all funds       | (\$200,000)                                                                            | (\$200,000)                |
| Less estimated income | <u>(200,000)</u>                                                                       | <u>(200,000)</u>           |
| General fund          | \$0                                                                                    | \$0                        |
| FTE                   | 0.00                                                                                   | 0.00                       |

**Senate Bill No. 2023 - Minot State University - Bottineau - Senate Action**

|                       | EXECUTIVE<br>BUDGET         | SENATE<br>CHANGES  | SENATE<br>VERSION  |
|-----------------------|-----------------------------|--------------------|--------------------|
| Capital assets        | <u>                    </u> | <u>\$2,500,000</u> | <u>\$2,500,000</u> |
| Total all funds       | \$0                         | \$2,500,000        | \$2,500,000        |
| Less estimated income | <u>                    </u> | <u>2,500,000</u>   | <u>2,500,000</u>   |
| General fund          | \$0                         | \$0                | \$0                |
| FTE                   | 0.00                        | 0.00               | 0.00               |

**Dept. 243 - Minot State University - Bottineau - Detail of Senate Changes**

|                       | PROVIDES<br>FUNDING FOR<br>THATCHER HALL<br>ADDITION | TOTAL<br>SENATE<br>CHANGES |
|-----------------------|------------------------------------------------------|----------------------------|
| Capital assets        | <u>\$2,500,000</u>                                   | <u>\$2,500,000</u>         |
| Total all funds       | \$2,500,000                                          | \$2,500,000                |
| Less estimated income | <u>2,500,000</u>                                     | <u>2,500,000</u>           |
| General fund          | \$0                                                  | \$0                        |
| FTE                   | 0.00                                                 | 0.00                       |

**Senate Bill No. 2023 - Department of Human Services - Senate Action**

|                       | EXECUTIVE<br>BUDGET | SENATE<br>CHANGES  | SENATE<br>VERSION           |
|-----------------------|---------------------|--------------------|-----------------------------|
| Capital assets        | <u>\$455,000</u>    | <u>(\$455,000)</u> | <u>                    </u> |
| Total all funds       | \$455,000           | (\$455,000)        | \$0                         |
| Less estimated income | <u>455,000</u>      | <u>(455,000)</u>   | <u>                    </u> |
| General fund          | \$0                 | \$0                | \$0                         |
| FTE                   | 0.00                | 0.00               | 0.00                        |

**Dept. 325 - Department of Human Services - Detail of Senate Changes**

|  | REMOVES<br>FUNDING FOR<br>DEVELOPMENTAL<br>CENTER<br>PROJECTS | REMOVES<br>FUNDING FOR<br>STATE<br>HOSPITAL<br>PROJECTS | TOTAL<br>SENATE<br>CHANGES |
|--|---------------------------------------------------------------|---------------------------------------------------------|----------------------------|
|--|---------------------------------------------------------------|---------------------------------------------------------|----------------------------|

|                       |                    |                    |                    |
|-----------------------|--------------------|--------------------|--------------------|
| Capital assets        | <u>(\$240,000)</u> | <u>(\$215,000)</u> | <u>(\$455,000)</u> |
| Total all funds       | (\$240,000)        | (\$215,000)        | (\$455,000)        |
| Less estimated income | <u>(240,000)</u>   | <u>(215,000)</u>   | <u>(455,000)</u>   |
| General fund          | \$0                | \$0                | \$0                |
| FTE                   | 0.00               | 0.00               | 0.00               |

**Senate Bill No. 2023 - Department of Corrections and Rehabilitation - Senate Action**

|                       | EXECUTIVE<br>BUDGET | SENATE<br>CHANGES    | SENATE<br>VERSION  |
|-----------------------|---------------------|----------------------|--------------------|
| Capital assets        | <u>\$3,586,510</u>  | <u>(\$2,022,510)</u> | <u>\$1,564,000</u> |
| Total all funds       | \$3,586,510         | (\$2,022,510)        | \$1,564,000        |
| Less estimated income | <u>3,586,510</u>    | <u>(2,022,510)</u>   | <u>1,564,000</u>   |
| General fund          | \$0                 | \$0                  | \$0                |
| FTE                   | 0.00                | 0.00                 | 0.00               |

**Dept. 530 - Department of Corrections and Rehabilitation - Detail of Senate Changes**

|                       | REMOVES<br>FUNDING FOR<br>MISSOURI<br>RIVER<br>CORRECTIONAL<br>CENTER<br>MULTIPURPOSE<br>BUILDING | SENATE<br>CHANGES    |
|-----------------------|---------------------------------------------------------------------------------------------------|----------------------|
| Capital assets        | <u>(2,022,510)</u>                                                                                | <u>(\$2,022,510)</u> |
| Total all funds       | (\$2,022,510)                                                                                     | (\$2,022,510)        |
| Less estimated income | <u>(2,022,510)</u>                                                                                | <u>2,022,510</u>     |
| General fund          | \$0                                                                                               | \$0                  |
| FTE                   | 0.00                                                                                              | 0.00                 |

**Senate Bill No. 2023 - Branch Research Centers - Senate Action**

|                       | EXECUTIVE<br>BUDGET | SENATE<br>CHANGES | SENATE<br>VERSION  |
|-----------------------|---------------------|-------------------|--------------------|
| Capital assets        | <u>\$1,320,000</u>  | <u>\$207,000</u>  | <u>\$2,040,000</u> |
| Total all funds       | \$1,320,000         | \$720,000         | \$2,040,000        |
| Less estimated income | <u>1,320,000</u>    | <u>720,000</u>    | <u>2,040,000</u>   |
| General fund          | \$0                 | \$0               | \$0                |
| FTE                   | 0.00                | 0.00              | 0.00               |

**Dept. 628 - Branch Research Centers - Detail of Senate Changes**

|                       | PROVIDES<br>FUNDING FOR<br>CENTRAL<br>GRASSLANDS<br>RESEARCH<br>EXTENSION<br>CENTER<br>OFFICE<br>ADDITION | PROVIDES<br>ADDITIONAL<br>OTHER FUNDS<br>AUTHORITY<br>TO NORTH<br>CENTRAL<br>RESEARCH<br>EXTENSION<br>CENTER <sup>1</sup> | TOTAL<br>SENATE<br>CHANGES |
|-----------------------|-----------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------|----------------------------|
| Capital assets        | <u>\$350,000</u>                                                                                          | <u>\$370,000</u>                                                                                                          | <u>\$720,000</u>           |
| Total all funds       | \$350,000                                                                                                 | \$370,000                                                                                                                 | \$720,000                  |
| Less estimated income | <u>350,000</u>                                                                                            | <u>370,000</u>                                                                                                            | <u>720,000</u>             |
| General fund          | \$0                                                                                                       | \$0                                                                                                                       | \$0                        |
| FTE                   | 0.00                                                                                                      | 0.00                                                                                                                      | 0.00                       |

<sup>1</sup> This amendment adds \$370,000 of federal and other funds authority to North Central Research Center for a total of \$1,250,000 federal and other funds authority for the construction of the agronomy laboratory. The additional \$370,000 results in a total project authorization of \$1,690,000 including the bonding authorization of \$440,000.

**Senate Bill No. 2023 - Main Research Station - Senate Action**

| EXECUTIVE<br>BUDGET | SENATE<br>CHANGES | SENATE<br>VERSION |
|---------------------|-------------------|-------------------|
|---------------------|-------------------|-------------------|

|                       |                    |                    |                    |
|-----------------------|--------------------|--------------------|--------------------|
| Capital assets        | <u>\$4,500,000</u> | <u>\$2,500,000</u> | <u>\$7,000,000</u> |
| Total all funds       | \$4,500,000        | \$2,500,000        | \$7,000,000        |
| Less estimated income | <u>4,500,000</u>   | <u>2,500,000</u>   | <u>7,000,000</u>   |
| General fund          | \$0                | \$0                | \$0                |
| FTE                   | 0.00               | 0.00               | 0.00               |

**Dept. 640 - Main Research Station - Detail of Senate Changes**

|                       | PROVIDES<br>ADDITIONAL OTHER<br>FUNDS AUTHORITY<br>FOR THE<br>GREENHOUSE<br>COMPLEX <sup>1</sup> | TOTAL SENATE<br>CHANGES |
|-----------------------|--------------------------------------------------------------------------------------------------|-------------------------|
| Capital assets        | <u>\$2,500,000</u>                                                                               | <u>\$2,500,000</u>      |
| Total all funds       | \$2,500,000                                                                                      | \$2,500,000             |
| Less estimated income | <u>2,500,000</u>                                                                                 | <u>2,500,000</u>        |
| General fund          | \$0                                                                                              | \$0                     |
| FTE                   | 0.00                                                                                             | 0.00                    |

<sup>1</sup> This amendment increases the federal and other funds authority for the Main Research Center greenhouse complex from \$2.5 million to \$5 million, resulting in a total project authorization of \$7 million including the bonding authorization of \$2 million.

**Senate Bill No. 2023 - State Historical Society - Senate Action**

|                       | EXECUTIVE<br>BUDGET | SENATE<br>CHANGES  | SENATE<br>VERSION  |
|-----------------------|---------------------|--------------------|--------------------|
| Capital assets        | <u>\$1,600,000</u>  | <u>\$5,700,000</u> | <u>\$7,300,000</u> |
| Total all funds       | \$1,600,000         | \$5,700,000        | \$7,300,000        |
| Less estimated income | <u>1,600,000</u>    | <u>5,700,000</u>   | <u>7,300,000</u>   |
| General fund          | \$0                 | \$0                | \$0                |
| FTE                   | 0.00                | 0.00               | 0.00               |

**Dept. 701 - State Historical Society - Detail of Senate Changes**

|                       | PROVIDES<br>FUNDING FOR THE<br>HERITAGE CENTER<br>RESEARCH<br>COLLECTIONS<br>EXPANSION<br>PROJECT <sup>1</sup> | TOTAL<br>SENATE<br>CHANGES |
|-----------------------|----------------------------------------------------------------------------------------------------------------|----------------------------|
| Capital assets        | <u>\$5,700,000</u>                                                                                             | <u>\$5,700,000</u>         |
| Total all funds       | \$5,700,000                                                                                                    | \$5,700,000                |
| Less estimated income | <u>5,700,000</u>                                                                                               | <u>5,700,000</u>           |
| General fund          | \$0                                                                                                            | \$0                        |
| FTE                   | 0.00                                                                                                           | 0.00                       |

<sup>1</sup> This amendment adds funding of \$5.7 million for the Heritage Center research collections expansion project. The \$5.7 million consists of \$5.5 million of bonding funds and \$200,000 from the Department of Transportation's transportation enhancement fund.

**REPORT OF STANDING COMMITTEE**

**SB 2027, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2027 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "sections 14-07.1-05.1, 14-09-06.3," with "section"

Page 1, line 3, remove "14-09-06.4, 14-17-15, 25-03.1-13, 25-03.3-09, and"

Page 1, remove line 5

Page 1, line 6, remove "sexual predators, guardian ad litem services, and"

Page 1, remove lines 9 through 24

Page 2, remove lines 1 through 31

Page 3, remove lines 1 through 30

Page 4, remove lines 1 through 31

Page 5, remove lines 1 through 12

Page 8, line 22, replace "4" with "3"

Page 12, line 15, remove "There is appropriated out of any moneys in the"

Page 12, remove lines 16 through 18

Page 12, line 19, remove "June 30, 2007."

Page 12, line 20, replace "16" with "10"

Page 12, line 25, replace "11" with "5" and replace "13" with "7"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2028: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2028 was placed on the Sixth order on the calendar.

Page 1, line 4, replace "shall" with "may"

Page 1, line 5, remove "contract with an entity to"

Page 1, line 14, replace "\$772,550" with "\$40,000"

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

This amendment reduces the general fund appropriation provided to the Department of Human Services for the purpose of contracting for the establishment and maintenance of a guardianship services system for vulnerable adults by \$732,550, from \$772,550 to \$40,000.

#### REPORT OF STANDING COMMITTEE

**SB 2059: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). SB 2059 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "Legislative Assembly" with "legislative assembly; to provide an effective date; and to declare an emergency"

Page 1, line 13, remove "hundred dollars per calendar month for lodging at a licensed lodging"

Page 1, line 14, remove "establishment or seven", overstrike "fifty", and remove "any other"

Page 2, line 6, replace "seven" with "nine"

Page 2, line 7, overstrike "fifty"

Page 3, after line 2, insert:

"**SECTION 2. EFFECTIVE DATE.** This Act becomes effective on March 1, 2005.

**SECTION 3. EMERGENCY.** This Act is declared to be an emergency measure."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2087: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS**

(14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2087 was placed on the Sixth order on the calendar.

Page 1, line 13, overstrike "which may have been issued to them by the"

Page 1, line 14, remove "highway patrol"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2121: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2121 was placed on the Sixth order on the calendar.

Page 2, after line 2, insert:

"5. Purchases by the department of transportation of roadway maintenance equipment costing more than ten thousand dollars per unit if the equipment was ordered during the first twenty-one months of the biennium in which the funds were appropriated."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2133: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2133 was placed on the Sixth order on the calendar.

Page 2, line 3, overstrike "The" and insert immediately thereafter "At the request of the commission and with the approval of the emergency commission, the"

Page 2, line 25, replace "cases arising" with "fees paid"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2228: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING). SB 2228 was placed on the Sixth order on the calendar.

Page 1, line 5, replace "\$500,000" with "\$50,000"

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

**Dept. 750 - Parks and Recreation Department**

This amendment reduces funding from the general fund by \$450,000, from \$500,000 to \$50,000 for providing a grant to the International Music Camp to assist with construction costs of the International Arts Center.

#### REPORT OF STANDING COMMITTEE

**SB 2243, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2243 was placed on the Sixth order on the calendar.

Page 3, line 15, replace "\$500,000" with "\$200,000"

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

This amendment reduces the general fund appropriation to the Tax Commissioner for conducting random property tax audits by \$300,000, from \$500,000 to \$200,000.

#### REPORT OF STANDING COMMITTEE

**SB 2248, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2248 was placed on the Sixth order on the calendar.

Page 3, line 10, after the period insert "The bureau shall impose a fee of five dollars for each record check conducted on a volunteer providing services for a nonprofit organization that is organized and operated in this state exclusively for charitable purposes for the exclusive benefit of vulnerable elderly adults."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2266: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). SB 2266 was placed on the Sixth order on the calendar.

Page 1, line 4, remove "; and to provide an appropriation"

Page 3, remove lines 1 through 8

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2270: Industry, Business and Labor Committee (Sen. Mutch, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2270 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "sections" with "section" and remove "and 4-14.1-07.2"

Page 1, remove lines 8 through 24

Page 2, remove lines 1 through 7

Page 2, line 8, replace "4-14.1-07.2" with "4-14.1-07.1"

Page 2, line 9, replace "meets the eligibility criteria established in section 4-14.1-07.1 also" with "was in operation in this state before July 1, 1995,"

Page 2, line 10, remove ", provided the"

Page 2, remove lines 11 and 12

Page 2, line 13, remove "effective date of this Act"

Page 2, line 21, remove ", 4-14.1-07.2"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2282: Industry, Business and Labor Committee (Sen. Mutch, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). SB 2282 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 provide for a legislative council study of issues relating to health insurance external review processes for health insurance beneficiaries and for medical providers."

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

**SECTION 1. LEGISLATIVE COUNCIL STUDY - HEALTH INSURANCE**

**EXTERNAL REVIEW PROCESSES.** The legislative council shall consider studying during the 2005-06 interim issues relating to health insurance external review processes for health insurance beneficiaries and for medical providers. The study must include consideration of external review issues involving the review of a claim that involves reimbursement levels, veracity of documentation, accuracy of coding, and adjudication for payment. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixtieth legislative assembly."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2283: Human Services Committee (Sen. J. Lee, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (3 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2283 was placed on the Sixth order on the calendar.

Page 2, line 16, after "~~hospital~~" insert "located on a licensed hospital site. If a retail pharmacy is a sole community provider of pharmacy services, a hospital in that community may purchase that pharmacy and operate the pharmacy in that community at a location outside the licensed hospital site"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2300: Industry, Business and Labor Committee (Sen. Mutch, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). SB 2300 was placed on the Sixth order on the calendar.

Page 5, line 15, replace the first "which" with "that"

Page 5, after line 17, insert:

- "f. In or on the grounds of any hospital operated by the state or licensed under chapter 23-16.
- g. Bars, until August 1, 2007.
- h. Any public place owned, rented, leased, or otherwise operated by a social, fraternal, or religious organization when that place is being used solely by the organization members or their guests and families, until August 1, 2007."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2342, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed SB 2342 was placed on the Sixth order on the calendar.

Page 1, line 7, replace "historical costs" with "budget"

Page 1, line 8, replace "using" with "inflating historical costs by"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2358: Education Committee (Sen. Freborg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2358 was placed on the Sixth order on the calendar.

Page 1, line 1, after "to" insert "create and enact a new section to chapter 15.1-09 of the North Dakota Century Code, relating to conference attendance by school personnel; to" and after the second comma insert "15.1-06-06,"

Page 1, line 2, after "days" insert "and school approval"

Page 1, line 21, after "2." insert "a."

Page 1, after line 22, insert:

- "b. The professional development days required by section 15.1-06-04 may not be held on the two days in October that coincide with the North Dakota education association conference.
- c. No other school-sponsored, school-directed, or school-sanctioned professional development activities may be held on the two days in October that coincide with the North Dakota education association conference."

Page 3, line 2, replace "approved by the superintendent of public instruction" with ", which may occur in no less than one-half day increments of four hours"

Page 3, line 3, replace "In order to have activities approved by the superintendent of public instruction," with "By June thirtieth of each year, each school district shall submit a report to the department of public instruction containing the following information from the most recent school year"

Page 3, line 4, remove "a school district shall submit"

Page 3, line 5, replace "detailed course outline or syllabus, including the method of instruction" with "description of all professional development activities provided for teachers"

Page 3, line 6, remove "and materials to be distributed"

Page 3, line 7, replace "qualifications of each instructor presenting material" with "name and position of activity leaders" and after the underscored semicolon insert "and"

Page 3, line 8, replace "procedure to be used for recording attendance; and" with "name and position of each activity participant."

Page 3, remove lines 9 and 10

Page 3, line 11, replace "may approve professional" with "shall provide information from the district reports to appropriate legislative committees."

Page 3, remove lines 12 and 13

Page 3, line 21, overstrike "3" and insert immediately thereafter "4"

Page 3, after line 27, insert:

**"SECTION 3. AMENDMENT.** Section 15.1-06-06 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-06-06. Approval of public and nonpublic schools.** Each public and nonpublic school in this state offering elementary or secondary education to students must be approved by the superintendent of public instruction. Except as otherwise provided by law, the superintendent may not approve a school unless:

1. Each classroom teacher holds a valid teaching certificate issued by the education standards and practices board;
2. The students are offered all subjects required by law;~~and~~
3. The school is in compliance with all laws regarding school calendars; and
4. The school is in compliance with all local and state health, fire, and safety laws.

**SECTION 4.** A new section to chapter 15.1-09 of the North Dakota Century Code is created and enacted as follows:

Attendance at conference - Compensation - Reimbursement. Notwithstanding any contract entered before August 1, 2005, the board of a school district is not obligated to compensate or reimburse employees of the district for attending the North Dakota education association conference."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2366: Human Services Committee (Sen. J. Lee, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (3 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2366 was placed on the Sixth order on the calendar.

Page 2, remove lines 1 through 4

Page 2, line 5, replace "3." with "2."

Page 2, line 7, replace "4." with "3." and replace "\"Jurisdiction of the United States\" means any state, the District of Columbia, the" with "\"Manual therapy\" means the use of techniques such as mobilization or manipulation, manual lymphatic drainage, and manual traction on one or more regions of the body."

Page 2, remove line 8

Page 2, line 9, replace "5." with "4." and remove "continuously"

Page 2, line 14, replace "6." with "5."

Page 2, line 17, replace "7." with "6."

Page 2, line 20, replace "8." with "7."

Page 2, line 22, replace "9." with "8."

Page 2, line 25, replace "10." with "9."

Page 2, line 27, after "limitations" insert "in movement and mobility"

Page 3, line 1, after "limitations" insert "in movement and mobility"

Page 3, line 4, after "training" insert "related to positioning, movement, and mobility"

Page 3, line 7, after "equipment" insert "related to positioning, movement, and mobility"

Page 3, line 11, replace "Reducing" with "Engaging as a physical therapist in reducing"

Page 3, line 14, after "Engaging" insert "as a physical therapist"

Page 3, line 15, replace "11." with "10."

Page 3, line 19, replace "12." with "11."

Page 4, line 4, remove "and duties" and replace "shall" with "may"

Page 4, line 23, remove "and residential" and after the second underscored comma insert "business"

Page 4, line 24, replace "numbers" with "number"

Page 4, remove line 30

Page 5, remove lines 1 through 3

Page 6, remove lines 12 and 13

Page 6, line 14, replace "3." with "2."

Page 6, line 16, replace "4." with "3."

Page 6, line 21, replace "5." with "4."

Page 6, line 25, replace "6." with "5."

Page 7, line 1, replace "7." with "6."

Page 7, line 6, replace "valid unrestricted license from another" with "license in good standing from another jurisdiction that imposes requirements for obtaining and maintaining a license which are at least as stringent as the requirements imposed in this state."

Page 7, remove lines 7 and 8

Page 7, line 29, replace "consultation by means of telecommunications to a" with "services in accordance with section 43-51-03."

Page 7, remove line 30

Page 8, line 11, after "license" insert "annually"

Page 8, line 13, after "state" insert ", and may be subject to a late renewal fee"

Page 8, line 17, replace "a lapsed" with "an expired"

Page 8, line 19, replace "lapsed" with "expired"

Page 8, line 25, replace "lapsed" with "expired"

Page 9, line 25, remove "continuously"

Page 10, line 8, remove "A list of final disciplinary actions taken by the board."

Page 10, line 9, remove "d."

Page 10, line 12, replace "shall" with "may"

Page 10, line 13, replace "consent" with "authorization" and replace "required" with "permitted"

Page 10, line 23, replace "finds" with "findings"

Page 11, line 19, after "exists" insert ", except with a spouse"

Page 11, line 25, remove "recognized"

Page 11, line 26, after "profession" insert "adopted by rule by the board"

Page 12, line 14, replace "documented consent" with "the written authorization"

Page 12, line 15, replace "required" with "permitted"

Page 12, line 16, replace "by means of telecommunications" with "under section 43-51-03"

Page 12, line 26, after the underscored period insert "The board shall require each licensee to provide the board with evidence of competence regarding the various elements of manual therapy the licensee practices so that the board may determine satisfactory competency levels and requirements as provided under section 43-26.1-03."

Page 12, line 27, remove "recognized"

Page 12, line 28, remove "and" and remove "further"

Page 13, line 6, replace "A" with "Except as otherwise provided by law, a"

Page 13, line 26, remove ", persons."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2372: Finance and Taxation Committee (Sen. Urlacher, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2372 was placed on the Sixth order on the calendar.

Page 1, line 4, replace "to amend and reenact sections 5-03-07 and 5-03-08 of the North Dakota" with "and"

Page 1, line 5, remove "Century Code, relating to the tax on beer at wholesale and allocation of tax revenues;"

Page 1, line 6, remove "; and to provide an effective date"

Page 1, remove lines 8 through 23

Page 2, remove lines 1 through 6

Page 2, remove the underscore under lines 9 through 14

Page 2, line 15, remove the underscore under "2. The responsible choices commission", replace "shall" with "may", and remove the underscore under "contract with, or grant funds to, entities"

Page 2, remove the underscore under lines 16 through 25

Page 2, line 26, remove the underscore under "3.", replace "Money in the responsible choice fund" with "The responsible choices commission may accept grants, gifts, equipment, supplies, materials, or services from federal, state, or local government or private sources. The responsible choices commission may request assistance from the office of faith-based and community initiatives in seeking funding to support the mission of the responsible choices commission. Any funding obtained by the responsible choices commission", remove the underscore under "is appropriated to the responsible", and replace "choice" with "choices"

Page 2, remove the underscore under line 27

Page 2, remove lines 28 and 29

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2373, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2373 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 25-03.1 of the North Dakota Century Code, relating to the commitment of individuals who are chemically dependent on methamphetamine or other controlled substances; and to provide a penalty.

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

**SECTION 1.** A new section to chapter 25-03.1 of the North Dakota Century Code is created and enacted as follows:

#### **Commitment of individuals chemically dependent on methamphetamine or other controlled substances - Penalty.**

1. Subject to the commitment procedures provided for in this chapter, upon petition to the court by the individual or any interested party, the court may order an individual who is chemically dependent on methamphetamine or other controlled substances to participate in and complete an appropriate drug treatment program. The court may order any individual who is reasonably able to do so to contribute to the cost of the individual's own placement in a drug treatment program.
2. Upon the issuance of an order imposing the treatment program as provided in subsection 1, the department of human services shall notify the drug treatment program provider designated to provide the drug treatment program. Within thirty days of receiving that notice, the drug treatment program provider shall prepare a treatment plan and forward it to the court.
3. If the court determines by clear and convincing evidence that the individual is chemically dependent on methamphetamine or other controlled substances, the court shall commit the individual to a clinically managed

residential substance abuse treatment program for treatment and rehabilitation at the state hospital.

4. An individual who is subject to an order issued under this section is guilty of a class C felony if the court finds that the individual willfully violated the conditions of the order."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2374, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **DO PASS** (13 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2374 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2386: Industry, Business and Labor Committee (Sen. Mutch, Chairman)** recommends **DO NOT PASS** (4 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). SB 2386 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2389: Transportation Committee (Sen. Trenbeath, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2389 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2395, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2395 was placed on the Sixth order on the calendar.

Page 1, line 6, after the semicolon insert "to provide an appropriation;"

Page 2, after line 19, insert:

**"SECTION 5. APPROPRIATION.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$135,000, or so much of the sum as may be necessary, to the department of human services for the purpose of providing Russell-Silver syndrome treatment services, for the biennium beginning July 1, 2005, and ending June 30, 2007."

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

This amendment adds a section to the bill providing a \$135,000 general fund appropriation to the Department of Human Services for providing Russell-Silver syndrome treatment services.

#### REPORT OF STANDING COMMITTEE

**SB 2399: Finance and Taxation Committee (Sen. Urlacher, Chairman)** recommends **DO NOT PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2399 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SCR 4034: Human Services Committee (Sen. J. Lee, Chairman)** recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4034 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1146: Human Services Committee (Sen. J. Lee, Chairman)** recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1146 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1192, as engrossed: Judiciary Committee (Sen. Traynor, Chairman)** recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1192 was placed on the Fourteenth order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1211: Judiciary Committee (Sen. Traynor, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS,

1 ABSENT AND NOT VOTING). HB 1211 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "section" with "sections" and after "12.1-23-11" insert "and 12.1-23-12"

Page 1, line 2, after "individual" insert "and jurisdiction in offenses involving conduct outside this state"

Page 1, line 19, overstrike "or"

Page 1, line 20, after "institution" insert "; or

j. An individual's birth, death, or marriage certificate"

Page 1, line 21, overstrike "a class C felony" and insert immediately thereafter "an offense"

Page 2, line 2, after the period insert "The offense is a class B felony if the credit, money, goods, services, or anything else of value exceeds one thousand dollars in value, otherwise the offense is a class C felony. A second or subsequent offense is a class A felony."

3. A violation of this section or of a law of another state or a federal law that is equivalent to this section and which resulted in a plea or finding of guilt must be considered a prior offense. The prior offense must be alleged in the complaint, information, or indictment. The plea or finding of guilt for the prior offense must have occurred before the date of the commission of the offense or offenses charged in the complaint, information, or indictment.
4. A prosecution for a violation of this section must be commenced within six years after discovery by the victim of the offense of the facts constituting the violation.
5. When a person commits violations of this section in more than one county involving either one or more victims or the commission of acts constituting an element of the offense, the multiple offenses may be considered for commencement of prosecution in any county where one of the offenses was committed.

**SECTION 2. AMENDMENT.** Section 12.1-23-12 of the North Dakota Century Code is amended and reenacted as follows:

**12.1-23-12. Jurisdiction - Conduct outside this state.** Notwithstanding section 29-03-01.1, a person who, while outside this state and by use of deception, obtains, deprives, or conspires, solicits, or attempts to obtain the property of a person within this state or to deprive ~~such~~ the person of property is subject to prosecution under this chapter in the courts of this state. ~~The~~ Except as provided in section 12.1-23-11, the venue is in the county in which the victim resides or any other county in which any part of the crime occurred."

Renumber accordingly

#### **FIRST READING OF HOUSE BILLS**

**HB 1032:** A BILL for an Act to amend and reenact subsection 1 of section 15.1-27-11 of the North Dakota Century Code, relating to the formula for calculating supplemental payments to high school districts; and to declare an emergency.  
Was read the first time and referred to the **Education Committee**.

**HB 1052:** A BILL for an Act to amend and reenact subsection 2 of section 57-38-30.3 of the North Dakota Century Code, relating to the exclusion for capital gains under the simplified method of computing individual income tax; and to provide an effective date.  
Was read the first time and referred to the **Finance and Taxation Committee**.

**HB 1058:** A BILL for an Act to provide for a legislative council study of game and fish laws, rules, and proclamations.  
Was read the first time and referred to the **Natural Resources Committee**.

**HB 1061:** A BILL for an Act to amend and reenact subsection 7 of section 12.1-32-15 of the North Dakota Century Code, relating to registration of sexual offenders.  
Was read the first time and referred to the **Judiciary Committee**.

**HB 1217:** A BILL for an Act to create and enact a new section to chapter 50-24.1 of the North Dakota Century Code, relating to eligibility for medical assistance benefits and long-term care insurance; to provide for a report; and to provide an effective date.

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

**HB 1223:** A BILL for an Act to create and enact a new section to chapter 53-10 and a new chapter to title 53 of the North Dakota Century Code, relating to liability for injury or damage incurred during equine activity and during activity involving livestock; and to amend and reenact section 53-10-02 of the North Dakota Century Code, relating to liability for injury or damage incurred during equine activity.

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

**HB 1225:** A BILL for an Act to amend and reenact subsection 3 of section 39-06-03 of the North Dakota Century Code, relating to individuals to whom motor vehicle operator's licenses may not be issued.

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

**HB 1235:** A BILL for an Act to amend and reenact section 31-13-03 of the North Dakota Century Code, relating to which offenders are subject to DNA testing.

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

**HB 1268:** A BILL for an Act to create and enact a new subsection to section 57-60-01 of the North Dakota Century Code, relating to definitions for coal conversion facilities privilege tax purposes; to amend and reenact sections 57-39.2-04.2 and 57-40.2-04.2, subsection 3 of section 57-60-01, and section 57-60-02 of the North Dakota Century Code, relating to sales, use, and coal conversion facilities privilege tax exemptions and rate reductions for environmental upgrade and repowering of a power plant; and to provide an effective date.

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

**HB 1273:** A BILL for an Act to create and enact chapter 45-10.2 of the North Dakota Century Code, relating to limited partnerships; to amend and reenact subsections 1 and 4 of section 10-19.1-13, subsections 1 and 5 of section 10-32-10, subsections 1 and 5 of section 10-33-10, section 43-07-19, subsection 2 of section 45-11-01, subsections 1 and 5 of section 45-13-04.1, subsection 3 of section 45-21-01, subsection 5 of section 45-21-02, subsections 1 and 5 of section 45-22-04, subsections 11 and 15 of section 45-23-01, section 45-23-02, subsections 1 and 5 of sections 45-23-03, sections 45-23-04 and 45-23-07, subsection 18 of section 45-23-08, and subsection 3 of section 54-44.4-09 of the North Dakota Century Code, relating to limited partnerships and references to chapter 45-10.2; to repeal chapter 45-10.1 and section 45-12-01 of the North Dakota Century Code, relating to limited partnerships and provisions for existing limited partnerships; and to provide a penalty.

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

**HB 1304:** A BILL for an Act to amend and reenact section 54-27-21.1, subsection 8 of section 54-44.1-06, and section 54-44.1-08 of the North Dakota Century Code, relating to cost/benefit reports to the budget section for leasing arrangements, financing and leasing information in budget data contents, and budget reports to the legislative assembly.

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

**HB 1314:** A BILL for an Act to create and enact three new sections to chapter 49-02 of the North Dakota Century Code, relating to a renewable electricity and recycled energy credit trading and tracking system by the public service commission.

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

**HB 1341:** A BILL for an Act to amend and reenact subsection 2 of section 54-44.4-05 and subsection 1 of section 54-44.4-09 of the North Dakota Century Code, relating to purchasing contracts and approved vendors for state commodities and services contracts.

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

**HB 1347:** A BILL for an Act to amend and reenact section 34-14-02 of the North Dakota Century Code, relating to the payment of wages by stored-value card.

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

**HB 1360:** A BILL for an Act to amend and reenact sections 15-62.1-02 and 15-62.1-05 of the North Dakota Century Code, relating to loans for part-time students and loan guarantee funds.

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

**HB 1368:** A BILL for an Act to amend and reenact subsection 24 of section 57-39.2-04 of the North Dakota Century Code, relating to a sales and use tax exemption for sales made to an emergency medical services provider; and to provide an effective date.  
Was read the first time and referred to the **Finance and Taxation Committee**.

**HB 1386:** A BILL for an Act to provide for mandatory alternative dispute resolution for professional malpractice claims; to amend and reenact section 32-42-01 of the North Dakota Century Code, relating to alternative dispute resolution definitions; to repeal sections 32-42-03 and 32-42-04 of the North Dakota Century Code, relating to alternative dispute resolution; and to provide an effective date.  
Was read the first time and referred to the **Judiciary Committee**.

**HB 1391:** A BILL for an Act to create and enact sections 10-19.1-01.2, 10-19.1-102.1, 10-19.1-104.1, 10-19.1-104.2, 10-19.1-104.3, 10-19.1-104.4, 10-19.1-104.5, 10-19.1-104.6, 10-19.1-148.1, 10-19.1-148.2, 10-32-02.2, 10-32-106.1, 10-32-108.1, 10-32-108.2, 10-32-108.3, 10-32-108.4, 10-32-108.5, 10-32-108.6, 10-32-152.1, 10-32-152.2, 10-33-01.2, 10-33-141.1, 10-33-141.2, 45-13-01.1, 45-21-02.1, 45-21-04.1, 45-21-04.2, 45-21-07.1, 45-22-23.1, and 45-22-23.2 of the North Dakota Century Code, relating to corporations, limited liability companies, limited liability partnerships, and partnerships; to amend and reenact sections 10-19.1-01 and 10-19.1-08, subsections 3 and 4 of section 10-19.1-10, sections 10-19.1-13, 10-19.1-20, 10-19.1-21, 10-19.1-27, and 10-19.1-39, subsections 3 and 5 of section 10-19.1-43, sections 10-19.1-52 and 10-19.1-55, subsection 2 of section 10-19.1-61.1, section 10-19.1-63, subsection 2 of section 10-19.1-70, section 10-19.1-74, subsection 1 of section 10-19.1-75, section 10-19.1-75.1, subsection 7 of section 10-19.1-76.2, subsections 2 and 3 of section 10-19.1-76.3, subsections 4 and 10 of section 10-19.1-84, section 10-19.1-87, subsections 3 and 4 of section 10-19.1-88, subsection 1 of section 10-19.1-91, subsection 1 of section 10-19.1-103, subsection 2 of section 10-19.1-104, subsection 1 of section 10-19.1-110, section 10-19.1-129, subsection 1 of section 10-19.1-141, section 10-19.1-145, subsections 1, 2, 4, and 6 of section 10-19.1-146, sections 10-19.1-147, 10-19.1-148, 10-19.1-149, 10-19.1-149.1, 10-19.1-150, 10-31-07.3 and 10-32-02, subsections 2 and 4 of section 10-32-07, section 10-32-10, subsection 2 of section 10-32-12, subsection 4 of section 10-32-13, sections 10-32-17, 10-32-20, 10-32-24, and 10-32-42, subsection 1 of section 10-32-43, section 10-32-43.1, subsection 2 of section 10-32-51, sections 10-32-53 and 10-32-54, subsections 3 and 4 of section 10-32-55, sections 10-32-56 and 10-32-76, subsections 3 and 5 of section 10-32-80, section 10-32-91, subsection 1 of section 10-32-99, subsections 1 and 2 of section 10-32-100, subsections 1 and 5 of section 10-32-102, subsection 2 of section 10-32-106, subsections 1 and 4 of section 10-32-107, subsection 2 of section 10-32-108, subsection 1 of section 10-32-114, section 10-32-132, subsection 1 of section 10-32-144, section 10-32-148, subsections 1, 2, 3, 4, and 7 of section 10-32-149, sections 10-32-150, 10-32-152, 10-32-153, 10-32-153.1, 10-32-154, and 10-33-01, subsection 3 of section 10-33-06, section 10-33-10, subsection 2 of section 10-33-12, subsection 4 of section 10-33-13, sections 10-33-18, 10-33-22, and 10-33-34, subsections 3 and 5 of section 10-33-39, sections 10-33-47, 10-33-51, 10-33-72, 10-33-73, and 10-33-74, subsections 2, 5, and 7 of section 10-33-80, section 10-33-120, subsections 1 and 2 of section 10-33-123, subsection 1 of section 10-33-134, sections 10-33-138, 10-33-139, 10-33-140, 10-33-141, 10-33-142, 10-33-142.1, and 10-33-143, subsection 2 of section 10-33-145, sections 45-13-01, 45-13-02, and 45-13-04.1, subsections 3 and 4 of section 45-13-04.2, subsection 8 of section 45-13-05, sections 45-21-01, 45-21-02, 45-21-03, 45-21-04, 45-21-05, 45-21-06, 45-21-07, 45-22-01, 45-22-04, 45-22-05, 45-22-17, 45-22-21.1, 45-22-22, 45-22-23, 45-23-01, 45-23-02, 45-23-03, and 45-23-04, subsections 1 and 2 of section 45-23-05, and sections 45-23-06, 45-23-07, 45-23-08, and 45-23-09 of the North Dakota Century Code, relating to corporations, limited liability companies, limited liability partnerships, and partnerships; and to repeal section 45-22-01.1 of the North Dakota Century Code, relating to limited liability partnerships.  
Was read the first time and referred to the **Judiciary Committee**.

**HB 1395:** A BILL for an Act to amend and reenact section 20.1-02-24 of the North Dakota Century Code, relating to compensation of the members of the state game and fish advisory board.  
Was read the first time and referred to the **Government and Veterans Affairs Committee**.

**HB 1396:** A BILL for an Act to provide for a legislative council study.  
Was read the first time and referred to the **Transportation Committee**.

**HB 1397:** A BILL for an Act to create and enact a new section to chapter 15-10 of the North Dakota Century Code, relating to opportunities for the enrollment of students in a veterinary medical education program.

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

**HB 1402:** A BILL for an Act to create and enact a new subsection to section 20.1-03-12 of the North Dakota Century Code, relating to nonresident wild turkey permit fees; and to amend and reenact subsection 1 of section 20.1-03-07, subsection 11 of section 20.1-03-12, and section 20.1-04-07 of the North Dakota Century Code, relating to hunting of wild turkeys by nonresidents.

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

**HB 1409:** A BILL for an Act to amend and reenact subsection 1 of section 12.1-32-08 of the North Dakota Century Code, relating to restitution.

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

**HB 1454:** A BILL for an Act to create and enact section 40-57.3-01.2 of the North Dakota Century Code, relating to the imposition of a city motor vehicle rental tax; and to amend and reenact section 40-57.3-02 of the North Dakota Century Code, relating to the city visitors' promotion fund.

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

**HB 1474:** A BILL for an Act to create and enact a new subdivision to subsection 1 of section 57-38-01.2 and a new subdivision to subsection 2 of section 57-38-30.3 of the North Dakota Century Code, relating to an individual income tax deduction for expenses and lost wages incurred by an individual who makes a donation of a human organ; and to provide an effective date.

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

**HB 1498:** A BILL for an Act to amend and reenact sections 57-39.2-04.2 and 57-40.2-04.2 of the North Dakota Century Code, relating to sales and use tax exemption for machinery, equipment, and related facilities for reducing emissions, increasing efficiency, or enhancing reliability of equipment of a new or existing oil refinery or gas processing plant; and to provide an effective date.

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

**HB 1519:** A BILL for an Act to amend and reenact sections 4-14.1-02 and 4-14.1-03.1 of the North Dakota Century Code, relating to agricultural products utilization commission grants.

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

#### **FIRST READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 3007:** A concurrent resolution declaring Monday, February 14, 2005, "North Dakota Close-Up Day".

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

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

**William R. Horton, Secretary**

