

JOURNAL OF THE SENATE

Sixtieth Legislative Assembly

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Bismarck, February 14, 2007

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

The prayer was offered by Pastor Terry F. Detwiler, Capital Christian Center, Bismarck.

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

A quorum was declared by the President.

CONSIDERATION OF AMENDMENTS

SB 2008: SEN. CHRISTMANN (Appropriations 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 2003: SEN. KILZER (Appropriations Committee) MOVED that the amendments on SJ pages 450-452 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2017: SEN. CHRISTMANN (Appropriations 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 2019: SEN. KREBSBACH (Appropriations Committee) MOVED that the amendments on SJ pages 454-458 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2197: SEN. SEYMOUR (Appropriations Committee) MOVED that the amendments on SJ page 459 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2205, as engrossed: SEN. FISCHER (Appropriations Committee) MOVED that the amendments on SJ pages 459-460 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2225, as engrossed: SEN. TOLLEFSON (Appropriations Committee) MOVED that the amendments on SJ page 460 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2249, as engrossed: SEN. GRINDBERG (Appropriations Committee) MOVED that the amendments on SJ page 460 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2284: SEN. FIEBIGER (Judiciary Committee) MOVED that the amendments on SJ page 461 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2307: SEN. LYSON (Judiciary Committee) MOVED that the amendments on SJ page 461 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2331: SEN. TAYLOR (Agriculture Committee) MOVED that the amendments on SJ pages 461-462 be adopted and then be placed on the Eleventh order **WITHOUT RECOMMENDATION**.

REQUEST

SEN. ERBELE REQUESTED that the Senate divide the amendments to SB 2331, which request was granted on a voice vote.

DIVISION A: The part of the amendments dealing with the insertion of the word "solely".

DIVISION B: The remainder of the amendments.

The question being the adoption of Division A of the proposed amendments to SB 2331, Division A of the proposed amendments to SB 2331 failed on a voice vote.

The question being the adoption of Division B of the proposed amendments to SB 2331, Division B of the proposed amendments to SB 2331 was adopted on a voice vote.

Therefore, the question being the adoption of the proposed amendments which consist of Division B only, the proposed amendments to SB 2331 were adopted on a voice vote.

Engrossed SB 2331 was placed on the Eleventh order.

CONSIDERATION OF AMENDMENTS

SB 2335, as engrossed: SEN. HECKAMAN (Appropriations Committee) MOVED that the amendments on SJ page 461 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2409: SEN. KLEIN (Industry, Business and Labor Committee) MOVED that the amendments on SJ pages 462-463 be adopted and then be placed on the Eleventh order with **DO NOT PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2417: SEN. OLAFSON (Judiciary Committee) MOVED that the amendments on SJ page 463 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

MOTION

SEN. CHRISTMANN MOVED that after action taken on the Sixth order, SB 2136, SB 2161, and SB 2377 be placed on the Eleventh order, as amended, for immediate second reading and final passage, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2161: SEN. KILZER (Appropriations Committee) MOVED that the amendments on SJ page 459 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2161: A BILL for an Act to provide for a legislative council study of the feasibility and desirability of implementing a system of computerized registration sites for criminal offenders.

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 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; Behm; Bowman; Christmann; Cook; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heckaman; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nothing; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjerm; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Andrist

Engrossed SB 2161 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2136: SEN. NETHING (Judiciary Committee) MOVED that the amendments on SJ pages 458-459 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2136: A BILL for an Act to provide for an agreement between the department of human services and the department of corrections and rehabilitation; and to provide for the department of human services to report to the legislative council regarding individuals committed to the department's care.

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 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; Behm; Bowman; Christmann; Cook; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heckaman; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjem; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Andrist

Engrossed SB 2136 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2377: SEN. HECKAMAN (Human Services Committee) MOVED that the amendments on SJ page 462 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2377: A BILL for an Act to provide for a legislative council study of the provision of obstetrical services by laypeople.

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, 1 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; Behm; Bowman; Christmann; Cook; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heckaman; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Nelson; Nething; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjem; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

NAYS: Mathern

ABSENT AND NOT VOTING: Andrist

Engrossed SB 2377 passed and the title was agreed to.

MOTION

SEN. CHRISTMANN MOVED that the Senate stand in recess until 12:30 p.m., which motion prevailed.

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

MOTION

SEN. CHRISTMANN MOVED that HB 1263 be returned to the Senate floor from the **Judiciary Committee** and be rereferred to the **Industry, Business and Labor Committee**, which motion prevailed. Pursuant to Sen. Christmann's motion, HB 1263 was rereferred.

SECOND READING OF SENATE BILL

SB 2347: A BILL for an Act to create and enact five new sections to chapter 15-62.2 of the North Dakota Century Code, relating to creation of the North Dakota promise grant

program for students enrolled in institutions of higher education; to provide for reports to the legislative council; to provide legislative intent; to provide a transfer; and to provide a continuing appropriation.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 40 YEAS, 7 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson; Andrist; Bakke; Behm; Cook; Dever; Erbele; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heckaman; Heitkamp; Holmberg; Horne; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Tallackson; Taylor; Tollefson; Triplett; Wanzek; Wardner; Warner

NAYS: Bowman; Christmann; Fiebiger; Kilzer; Klein; Stenehjem; Urlacher

Reengrossed SB 2347 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2013: A BILL for an Act to provide an appropriation for defraying the expenses of the department of public instruction, the school for the deaf, North Dakota vision services - school for the blind, and the state library; to provide for the distribution of special education payments; to provide for transfers; to amend and reenact section 15.1-02-02 and subsection 5 of section 15.1-27-07 of the North Dakota Century Code, relating to the salary of the superintendent of public instruction and per student payments for kindergarten students; 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 46 YEAS, 1 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; Behm; Bowman; Christmann; Cook; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heckaman; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjem; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

NAYS: Andrist

Engrossed SB 2013 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2200: A BILL for an Act to create and enact a new section to chapter 15.1-22, seven new sections to chapter 15.1-27, a new section to chapter 15.1-36, and two new sections to chapter 15.1-38 of the North Dakota Century Code, relating to the determination of state aid to school districts; to amend and reenact section 15.1-02-09, subsection 6 of section 15.1-07-28, and sections 15.1-23-19, 15.1-27-01, 15.1-27-02, 15.1-27-04, 15.1-27-08, 15.1-27-09, 15.1-27-10, 15.1-27-11, 15.1-27-15, 15.1-27-16, 15.1-27-17, 15.1-27-18, 15.1-27-19, 15.1-27-20, 15.1-27-35, 15.1-28-03, 15.1-29-01, 15.1-29-02, 15.1-29-12, 15.1-29-14, 15.1-29-15, 15.1-31-03, 15.1-31-04, 15.1-31-07, 15.1-32-08, 15.1-32-14, 15.1-32-15, 15.1-32-16, 15.1-32-18, 15.1-33-02, 15.1-36-02, and 57-15-14 of the North Dakota Century Code, relating to the determination of state aid to school districts; to repeal sections 15.1-09-46, 15.1-27-05, 15.1-27-06, 15.1-27-07, 15.1-27-12, 15.1-27-14, 15.1-27-21, and 15.1-27-32 of the North Dakota Century Code, relating to the school district census, the school district equalization factor, weighting factors, supplemental payments, additional per student payments, and property valuations; to provide for a commission on education improvement; to provide for teacher compensation increases; to provide for future determinations of average daily membership; to provide for contingent payments; to provide for a contingent transfer; to provide for reports to the legislative council; to provide appropriations; 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 46 YEAS, 1 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson; Andrist; Bakke; Behm; Christmann; Cook; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heckaman; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjem; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

NAYS: Bowman

Engrossed SB 2200 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2240: A BILL for an Act to amend and reenact subsection 5 of section 15.1-27-07 of the North Dakota Century Code, relating to per student payments for kindergarten students.

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 16 YEAS, 30 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Bakke; Behm; Fiebiger; Heckaman; Horne; Krauter; Marcellais; Mathern; Nelson; O'Connell; Pomeroy; Potter; Robinson; Tallackson; Taylor; Warner

NAYS: Anderson; Andrist; Bowman; Christmann; Cook; Dever; Erbele; Fischer; Flakoll; Freborg; Grindberg; Hacker; Holmberg; Kilzer; Klein; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Nething; Oehlke; Olafson; Seymour; Stenehjem; Tollefson; Triplett; Urlacher; Wanzek; Wardner

ABSENT AND NOT VOTING: Heitkamp

SB 2240 lost.

SECOND READING OF SENATE BILL

SB 2306: A BILL for an Act to create and enact a new section to chapter 15-10 of the North Dakota Century Code, relating to matching grants for endowed scholarships by the state board of higher education; to provide for a transfer; and to provide an appropriation.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 9 YEAS, 37 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson; Heckaman; Lyson; Mathern; Nelson; O'Connell; Pomeroy; Potter; Robinson

NAYS: Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Marcellais; Nething; Oehlke; Olafson; Seymour; Stenehjem; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Heitkamp

SB 2306 lost.

SECOND READING OF SENATE BILL

SB 2313: A BILL for an Act to provide for state department of health grants to school districts for automated external defibrillators; and to provide an appropriation.

ROLL CALL

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

YEAS: Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heckaman; Holmberg; Horne; Kilzer; Klein; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjerm; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Heitkamp; Krauter

Engrossed SB 2313 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2292: A BILL for an Act to amend and reenact section 65-02-27 and subsection 4 of section 65-05-32 of the North Dakota Century Code, relating to changing the administration of the workforce safety and insurance's office of independent review to the department of labor; and to provide for transition.

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, 7 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; Behm; Bowman; Christmann; Cook; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heckaman; Holmberg; Horne; Krauter; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wardner; Warner

NAYS: Andrist; Dever; Kilzer; Klein; Krebsbach; Stenehjerm; Wanzek

ABSENT AND NOT VOTING: Heitkamp

Engrossed SB 2292 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2021: A BILL for an Act to provide an appropriation for defraying the expenses of workforce safety and insurance; to provide legislative intent; and to provide for a report.

MOTION

SEN. NETHING MOVED that Engrossed SB 2021 be amended as follows, which motion prevailed on a voice vote.

Page 1, line 2, after "insurance" insert "; to provide an appropriation for the labor commissioner"

Page 1, after line 17, insert:

"SECTION 4. APPROPRIATION. There is appropriated out of any moneys from special funds derived from the workforce safety and insurance fund, not otherwise appropriated, to the labor commissioner for the purpose of implementing the provisions of Senate Bill No. 2292, for the biennium beginning July 1, 2007, and ending June 30, 2009, as follows:

| | |
|-----------------------------------|----------------|
| Salaries and wages | \$966,399 |
| Operating expenses | <u>105,920</u> |
| Total special funds appropriation | \$1,072,319" |

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment provides an appropriation to the Labor Commissioner of \$1,072,319 from the workforce safety and insurance fund for implementing the provisions of Senate Bill No. 2292.

This amendment also authorizes 5 new FTE for the Labor Commissioner, 4 FTE transferred from Workforce Safety and Insurance and 1 new FTE position.

SB 2021: A BILL for an Act to provide an appropriation for defraying the expenses of workforce safety and insurance; to provide an appropriation for the labor commissioner; to provide legislative intent; and to provide for a report.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 32 YEAS, 14 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bakke; Bowman; Christmann; Cook; Dever; Erbele; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heckaman; Holmberg; Kilzer; Klein; Krebsbach; Lee, G.; Lee, J.; Lyson; Marcellais; Nelson; Nething; Oehlke; Olafson; Stenehjerm; Tallackson; Tollefson; Triplett; Urlacher; Wanzek; Wardner

NAYS: Anderson; Behm; Fiebiger; Horne; Krauter; Lindaas; Mathern; O'Connell; Pomeroy; Potter; Robinson; Seymour; Taylor; Warner

ABSENT AND NOT VOTING: Heitkamp

Reengrossed SB 2021 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2032: A BILL for an Act to provide an appropriation for school district property tax relief; to create and enact sections 57-01-20 and 57-15-01.2 of the North Dakota Century Code, relating to allocation of school district property tax relief funds and general fund levy limitations of school districts; to amend and reenact sections 57-15-01.1, 57-15-14, 57-15-31, 57-20-07.1, and 57-32-03 of the North Dakota Century Code, relating to school district general fund levy limitations and contents of property tax statements; to provide a statement of legislative intent; to provide for a legislative council study; 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 24 YEAS, 22 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson; Cook; Dever; Erbele; Fischer; Flakoll; Freborg; Hacker; Holmberg; Kilzer; Klein; Lee, G.; Lee, J.; Lyson; Oehlke; Olafson; Stenehjerm; Tallackson; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

NAYS: Andrist; Bakke; Behm; Bowman; Christmann; Fiebiger; Grindberg; Heckaman; Horne; Krauter; Krebsbach; Lindaas; Marcellais; Mathern; Nelson; Nething; O'Connell; Pomeroy; Potter; Robinson; Seymour; Taylor

ABSENT AND NOT VOTING: Heitkamp

Reengrossed SB 2032 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2103: A BILL for an Act to create and enact a new section to chapter 12.1-34 of the North Dakota Century Code, relating to the cost of forensic medical examinations for alleged victims of sexual assault; to provide an appropriation; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heckaman; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjerm; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Heitkamp

Reengrossed SB 2103 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2141: 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 a sales and use tax exemption for materials used to construct a waste heat electric generation facility; to provide an effective date; and to provide an expiration date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 45 YEAS, 1 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson; Andrist; Bakke; Behm; Bowman; Christmann; Cook; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heckaman; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

NAYS: Stenehjem

ABSENT AND NOT VOTING: Heitkamp

Engrossed SB 2141 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2149: A BILL for an Act to amend and reenact sections 11-11.1-03 and 40-57.4-03 of the North Dakota Century Code, relating to powers of job development authorities to take equity positions; and to provide for a legislative council study.

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 43 YEAS, 3 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson; Andrist; Bakke; Behm; Bowman; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heckaman; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

NAYS: Christmann; Cook; Stenehjem

ABSENT AND NOT VOTING: Heitkamp

Engrossed SB 2149 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2178: A BILL for an Act to amend and reenact subsections 2 and 3 of section 57-51-15 of the North Dakota Century Code, relating to apportionment of oil and gas gross production tax revenues; 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 37 YEAS, 9 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson; Andrist; Behm; Bowman; Christmann; Dever; Erbele; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heckaman; Holmberg; Horne; Kilzer; Klein; Krebsbach; Lee, G.; Lee, J.; Lyson; Nelson; Nething; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Seymour; Stenehjem; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

NAYS: Bakke; Cook; Fiebiger; Krauter; Lindaas; Marcellais; Mathern; Robinson; Tallackson

ABSENT AND NOT VOTING: Heitkamp

Engrossed SB 2178 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2188: A BILL for an Act to create and enact a new section to chapter 49-10.1 of the North Dakota Century Code, relating to railroad accident reports; and to provide for a legislative council study of risk assessments and railroad safety.

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: Anderson; Andrist; Bakke; Behm; Christmann; Cook; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heckaman; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjem; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Bowman; Heitkamp

Engrossed SB 2188 passed and the title was agreed to.

MOTION

SEN. CHRISTMANN MOVED that SB 2203 be moved to the bottom of the Eleventh order, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2207: A BILL for an Act to provide for assistance to parents in resolution of disputes in cases involving custody and support of children; to provide for a report; to provide an appropriation; and to provide an expiration date.

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 16 YEAS, 30 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Cook; Dever; Erbele; Flakoll; Freborg; Heckaman; Horne; Klein; Lee, G.; Lee, J.; O'Connell; Pomeroy; Tallackson; Wanzek; Wardner; Warner

NAYS: Anderson; Andrist; Bakke; Behm; Christmann; Fiebiger; Fischer; Grindberg; Hacker; Heitkamp; Holmberg; Kilzer; Krauter; Krebsbach; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; Oehlke; Olafson; Potter; Robinson; Seymour; Stenehjem; Taylor; Tollefson; Triplett; Urlacher

ABSENT AND NOT VOTING: Bowman

SB 2207 lost.

SECOND READING OF SENATE BILL

SB 2209: A BILL for an Act to amend and reenact subsection 4 of section 53-06.2-05, subsection 1 of section 53-06.2-07, subsection 4 of section 53-06.2-08, section 53-06.2-10.1, and subsection 2 of section 53-06.2-13 of the North Dakota Century Code, relating to the attorney general's approval of licensing and auditing of parimutuel wagering.

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 0 YEAS, 46 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

NAYS: Anderson; Andrist; Bakke; Behm; Christmann; Cook; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heckaman; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjem; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Bowman

SB 2209 lost.

MOTION

SEN. CHRISTMANN MOVED that SB 2203 be moved to the top of the Eleventh order, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2203: A BILL for an Act to create and enact two new sections to chapter 61-24 of the North Dakota Century Code, relating to expanding the construction contracting, bidding, and project delivery system for the Red River valley water supply project; and to provide an expiration date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 6 YEAS, 40 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Bakke; Behm; Fiebiger; Lindaas; Tallackson; Triplett

NAYS: Anderson; Andrist; Christmann; Cook; Dever; Erbele; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heckaman; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjem; Taylor; Tollefson; Urlacher; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Bowman

Engrossed SB 2203 lost.

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.

REPORT OF STANDING COMMITTEE

SB 2012: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2012 was placed on the Sixth order on the calendar.

Page 1, line 2, after the first semicolon insert "to provide statements of legislative intent; to provide for a legislative council report; to provide for a legislative council study;"

Page 1, line 4, after the second comma insert "26.1-45-13,"

Page 1, line 5, after "50-06-01.4" insert ", subsection 6 of section 50-06.2-02, subsection 5 of section 50-06.2-03, subsection 3 of section 50-06.2-04, sections 50-06.2-06 and 50-24.4-15, subsection 4 of section 50-24.5-02, and subsection 2 of section 50-24.5-03"

Page 1, line 6, replace "and" with a comma

Page 1, line 7, after "services" insert ", qualified service providers, and to nursing home property-related costs" and remove "and"

Page 1, line 8, after "children" insert "; and to provide an effective date"

Page 3, line 4, replace "Base level" with "Adjustments/enhancements"

Page 3, line 5, replace "Base level" with "Adjustments/enhancements"

Page 3, line 6, replace "Base level" with "Adjustments/enhancements"

Page 3, line 9, replace "2,781,084" with "2,856,130"

Page 3, line 10, replace "25,780,421" with "26,576,252"

Page 3, line 12, replace "6,596,812" with "8,938,273"

Page 3, line 13, replace "95,019,114" with "132,453,022"

Page 3, line 14, replace "Base level" with "Adjustments/enhancements" and replace "130,143,966" with "170,790,212"

Page 3, line 15, replace "Base level" with "Adjustments/enhancements" and replace "67,877,108" with "92,129,556"

Page 3, line 16, replace "Base level" with "Adjustments/enhancements" and replace "62,266,858" with "78,660,656"

Page 3, line 19, replace "173,279" with "193,654"

Page 3, line 20, replace "1,495,051" with "1,540,622"

Page 3, line 21, replace "709,912" with "739,666"

Page 3, line 22, replace "1,609,474" with "1,647,335"

Page 3, line 23, replace "2,379,710" with "2,441,031"

Page 3, line 24, replace "2,545,091" with "2,584,618"

Page 3, line 25, replace "2,180,703" with "2,226,472"

Page 3, line 26, replace "607,598" with "621,652"

Page 3, line 27, replace "17,041,951" with "17,209,433"

Page 3, line 29, replace "34,774,099" with "35,235,813"

Page 3, line 30, replace "4,431,229" with "4,462,288"

Page 3, line 31, replace "30,342,870" with "30,773,525"

Page 4, line 1, replace "94,096,292" with "110,920,745"

Page 4, line 2, replace "43,239,761" with "67,523,268"

Page 4, line 3, replace "137,336,053" with "178,444,013"

Page 4, line 15, remove "- Base level"

Page 4, line 16, remove "- Base level"

Page 4, line 17, remove "- Base level"

Page 4, line 20, replace "25,593,565" with "25,668,611"

Page 4, line 21, replace "65,561,106" with "66,356,937"

Page 4, line 23, replace "339,435,262" with "341,776,723"

Page 4, line 24, replace "1,101,375,452" with "1,138,809,360"

Page 4, line 25, remove "- Base level" and replace "1,531,965,784" with "1,572,612,030"

Page 4, line 26, remove "- Base level" and replace "1,103,015,555" with "1,127,268,003"

Page 4, line 27, remove "- Base level" and replace "428,950,229" with "445,344,027"

Page 4, line 30, replace "7,525,581" with "7,545,956"

Page 4, line 31, replace "16,842,742" with "16,888,313"

Page 5, line 1, replace "9,853,344" with "9,883,098"

Page 5, line 2, replace "22,192,605" with "22,230,466"

Page 5, line 3, replace "26,145,474" with "26,206,795"

Page 5, line 4, replace "14,741,738" with "14,781,265"

Page 5, line 5, replace "20,768,172" with "20,813,941"

Page 5, line 6, replace "9,848,996" with "9,863,050"

Page 5, line 7, replace "64,959,122" with "65,126,604"

Page 5, line 9, replace "241,334,386" with "241,796,100"

Page 5, line 10, replace "112,779,874" with "112,810,933"

Page 5, line 11, replace "128,554,512" with "128,985,167"

Page 5, line 12, replace "578,517,766" with "595,342,219"

Page 5, line 13, replace "1,238,880,594" with "1,263,164,101"

Page 5, line 14, replace "1,817,398,360" with "1,858,506,320"

Page 5, after line 26, insert:

"SECTION 5. CONTINUOUS MEDICAID ELIGIBILITY FOR CHILDREN - REPORT TO LEGISLATIVE COUNCIL - LIMIT ON USE OF UNSPENT GENERAL FUND APPROPRIATIONS. The department of human services shall monitor expenditures relating to allowing continuous medicaid eligibility for children under nineteen years of age for the biennium beginning July 1, 2007, and ending June 30, 2009. The department shall provide periodic reports on the status of these expenditures to the legislative council. The department may not spend any unused general fund appropriation authority resulting from these expenditures being less than appropriated for other purposes.

SECTION 6. LEGISLATIVE INTENT - ESTIMATED COST OF REBASING MEDICAID INPATIENT HOSPITAL PAYMENT RATES. It is the intent of the sixtieth legislative assembly that the department of human services, during the 2007-08 interim, determine the estimated cost of rebasing medicaid inpatient hospital payment rates for the 2009-11 biennium and present the information to the appropriations committees of the sixty-first legislative assembly.

SECTION 7. METHAMPHETAMINE TREATMENT SERVICES. The department of human services shall use the \$700,000 from the general fund included in the operating expenses line item in subdivision 2 of section 3 of this Act for increasing the number of individuals receiving treatment services under contract with the Robinson recovery center for the biennium beginning July 1, 2007, and ending June 30, 2009.

SECTION 8. ESTIMATED INCOME - LIMIT - HEALTH CARE TRUST FUND. The estimated income line item in subdivision 2 of section 3 of this Act includes \$170,500 from the health care trust fund. The department of human services expenditures from this fund may not exceed this amount for the biennium beginning July 1, 2007, and ending June 30, 2009.

SECTION 9. LEGISLATIVE INTENT - STATE CHILDREN'S HEALTH INSURANCE PROGRAM. The funding appropriated in subdivision 2 of section 3 of this Act includes \$453,000 for a state children's health insurance program outreach program. It is the intent of the sixtieth legislative assembly that the department of human services provide this funding to an entity that focuses on statewide community health care initiatives and issues.

SECTION 10. LEGISLATIVE COUNCIL STUDY - USE OF PROPERTY TAX REVENUE FOR COUNTY HUMAN SERVICES PROGRAMS. The legislative council shall consider studying, during the 2007-08 interim, the use of local property tax revenue to finance the delivery of human services on an individual county basis. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-first legislative assembly."

Page 9, after line 27, insert:

"SECTION 15. AMENDMENT. Section 26.1-45-13 of the North Dakota Century Code is amended and reenacted as follows:

26.1-45-13. Qualified Home service providers. Any insurance company providing long-term care coverage for home and community-based services shall pay a provider meeting ~~qualified home~~ service provider standards a daily payment allowance as defined in the policy or certificate. "~~Qualified Home~~ service provider" means a county agency or independent contractor that agrees to meet standards for personal attendant care service as established by the department of human services."

Page 12, after line 2, insert:

"SECTION 18. AMENDMENT. Subsection 6 of section 50-06.2-02 of the North Dakota Century Code is amended and reenacted as follows:

6. "~~Qualified Home~~ service provider" means a county agency or independent contractor which agrees to meet standards for service and operations established by the state agency.

SECTION 19. AMENDMENT. Subsection 5 of section 50-06.2-03 of the North Dakota Century Code is amended and reenacted as follows:

5. Within the limits of legislative appropriations and at rates determined payable by the state agency, to pay ~~qualified home~~ service providers, which meet standards for services and operations, for the provision of the following services as defined in the comprehensive human services plan which are provided to individuals who, on the basis of functional assessments, income, and resources, are determined eligible for the services in accordance with rules adopted by the state agency:
 - a. Homemaker services;
 - b. Chore services;
 - c. Respite care;
 - d. Home health aide services;
 - e. Case management;
 - f. Family home care;
 - g. Personal attendant care;
 - h. Adult family foster care; and
 - i. Such other services as the state agency determines to be essential and appropriate to sustain individuals in their homes and in their communities and to delay or prevent institutional care.

SECTION 20. AMENDMENT. Subsection 3 of section 50-06.2-04 of the North Dakota Century Code is amended and reenacted as follows:

3. To make available the human services detailed in the comprehensive human services plan which the county agency has included in the approved county plan and to provide such other human services as the county agency determines essential in effectuating the purposes of this chapter within the county. To the extent funding is available under section 50-06.2-03 and chapter 50-24.1, the county plan must include the services

enumerated in those sections. The county agency shall make these services available to any individual requesting service and determined eligible on the basis of functional assessment. The individual shall pay for the services in accordance with a fee scale based on family size and income. The county agency may contract with any ~~qualified~~ home service provider in its provision of those enumerated services.

SECTION 21. AMENDMENT. Section 50-06.2-06 of the North Dakota Century Code is amended and reenacted as follows:

50-06.2-06. Freedom of choice. Each person eligible for services under this chapter, or the person's representative, must be free to choose among available ~~qualified home~~ service providers that offer competitively priced services. The county agency shall inform each eligible applicant for services, provided under this chapter, of the identity of ~~qualified~~ home service providers available to provide the service required by the applicant. The county agency shall make and document reasonable efforts to inform potential service providers of the anticipated need for services in the county.

SECTION 22. AMENDMENT. Section 50-24.4-15 of the North Dakota Century Code is amended and reenacted as follows:

50-24.4-15. Property-related costs.

1. The department shall include in the ratesetting system for nursing homes a payment mechanism for the use of real and personal property which provides for depreciation and related interest costs. The property cost payment mechanism must:
 - a. Recognize the valuation basis of assets acquired in a bona fide transaction as an ongoing operation after July 1, 1985, limited to the lowest of:
 - (1) Purchase price paid by the purchaser;
 - (2) Fair market value at the time of sale; or
 - (3) Seller's cost basis, increased by one-half of the increase in the consumer price index for all urban consumers (United States city average) from the date of acquisition by the seller to the date of acquisition by the buyer, less accumulated depreciation.
 - b. Recognize depreciation on land improvements, buildings, and fixed equipment acquired, as an ongoing operation over the estimated useful remaining life of the asset as determined by a qualified appraiser.
 - c. Recognize depreciation on movable equipment acquired as an ongoing operation after August 1, 1995, over a composite remaining useful life.
 - d. Provide for an interest expense limitation determined by the department and established by rule.
 - e. Establish a per bed property cost limitation considering single and double occupancy construction.
 - f. Recognize increased lease costs of a nursing home operator to the extent the lessor has incurred increased costs related to the ownership of the facility, the increased costs are charged to the lessee, and the increased costs would be allowable had they been incurred directly by the lessee.
 - g. Recognize any mandated costs, fees, or other moneys paid to the attorney general through transactions under sections 10-33-144 through 10-33-149.
2. For rate years beginning after December 31, 2003, the limitations of paragraph 3 of subdivision a of subsection 1 do not apply to the valuation basis of assets purchased between July 1, 1985, and July 1, 2000. The

provisions of this subsection may not be applied retroactively to any rate year before July 1, 2005.

3. For rate years beginning after December 31, 2007, the limitations of subdivision e of subsection 1 do not apply to the valuation basis of assets acquired as a result of a natural disaster before December 31, 2006. The provisions of this subsection may not be applied retroactively to any rate year before January 1, 2008.

SECTION 23. AMENDMENT. Subsection 4 of section 50-24.5-02 of the North Dakota Century Code is amended and reenacted as follows:

4. Pay ~~qualified home~~ service providers at rates determined by the department, within the limits of legislative appropriation, for the provision of the following services provided to an eligible beneficiary to the extent that the eligible beneficiary lacks income sufficient to meet the cost of these services:
- a. Homemaker services;
 - b. Chore services;
 - c. Respite care;
 - d. Home health aide services;
 - e. Case management;
 - f. Family home care;
 - g. Personal attendant care;
 - h. Adult family foster care;
 - i. Adaptive assessment; and
 - j. Other services the department determines to be essential and appropriate to sustain an individual in the individual's home and community and to delay or prevent institutional care.

SECTION 24. AMENDMENT. Subsection 2 of section 50-24.5-03 of the North Dakota Century Code is amended and reenacted as follows:

2. Provide the services described in this chapter. The county agency may contract with a ~~qualified home~~ service provider in the provision of those services."

Page 12, after line 3, insert:

"SECTION 26. EFFECTIVE DATE. Sections 15, 18, 19, 20, 21, 23, and 24 of this Act become effective July 1, 2008."

ReNUMBER accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2012 - Summary of Senate Action

| | EXECUTIVE BUDGET | SENATE CHANGES | SENATE VERSION |
|--------------------------|---------------------|-------------------|-------------------|
| DHS - Management | | | |
| Total all funds | \$44,098,190 | \$0 | \$44,098,190 |
| Less estimated income | 23,085,165 | | 23,085,165 |
| General fund | \$21,013,025 | \$0 | \$21,013,025 |
| DHS - Program and Policy | | | |
| Total all funds | \$1,531,965,784 | \$40,646,246 | \$1,572,612,030 |
| Less estimated income | 1,103,015,555 | 24,252,448 | 1,127,268,003 |
| General fund | \$428,950,229 | \$16,393,798 | \$445,344,027 |
| DHS - State Hospital | | | |
| Total all funds | \$64,959,122 | \$167,482 | \$65,126,604 |
| Less estimated income | 15,888,310 | | 15,888,310 |

| | | | |
|----------------------------|-----------------|--------------|-----------------|
| General fund | \$49,070,812 | \$167,482 | \$49,238,294 |
| DHS - Developmental Center | | | |
| Total all funds | \$48,456,612 | \$0 | \$48,456,612 |
| Less estimated income | 33,243,690 | | 33,243,690 |
| General fund | \$15,212,922 | \$0 | \$15,212,922 |
| DHS - Northwest HSC | | | |
| Total all funds | \$7,525,581 | \$20,375 | \$7,545,956 |
| Less estimated income | 3,136,258 | | 3,136,258 |
| General fund | \$4,389,323 | \$20,375 | \$4,409,698 |
| DHS - North Central HSC | | | |
| Total all funds | \$16,842,742 | \$45,571 | \$16,888,313 |
| Less estimated income | 7,917,967 | | 7,917,967 |
| General fund | \$8,924,775 | \$45,571 | \$8,970,346 |
| DHS - Lake Region HSC | | | |
| Total all funds | \$9,853,344 | \$29,754 | \$9,883,098 |
| Less estimated income | 4,417,334 | | 4,417,334 |
| General fund | \$5,436,010 | \$29,754 | \$5,465,764 |
| DHS - Northeast HSC | | | |
| Total all funds | \$22,192,605 | \$37,861 | \$22,230,466 |
| Less estimated income | 12,256,322 | 4,165 | 12,260,487 |
| General fund | \$9,936,283 | \$33,696 | \$9,969,979 |
| DHS - Southeast HSC | | | |
| Total all funds | \$26,145,474 | \$61,321 | \$26,206,795 |
| Less estimated income | 14,296,599 | | 14,296,599 |
| General fund | \$11,848,875 | \$61,321 | \$11,910,196 |
| DHS - South Central HSC | | | |
| Total all funds | \$14,741,738 | \$39,527 | \$14,781,265 |
| Less estimated income | 6,450,546 | 10,277 | 6,460,823 |
| General fund | \$8,291,192 | \$29,250 | \$8,320,442 |
| DHS - West Central HSC | | | |
| Total all funds | \$20,768,172 | \$45,769 | \$20,813,941 |
| Less estimated income | 10,327,232 | 16,477 | 10,343,709 |
| General fund | \$10,440,940 | \$29,292 | \$10,470,232 |
| DHS - Badlands HSC | | | |
| Total all funds | \$9,848,996 | \$14,054 | \$9,863,050 |
| Less estimated income | 4,845,616 | 140 | 4,845,756 |
| General fund | \$5,003,380 | \$13,914 | \$5,017,294 |
| Bill Total | | | |
| Total all funds | \$1,817,398,360 | \$41,107,960 | \$1,858,506,320 |
| Less estimated income | 1,238,880,594 | 24,283,507 | 1,263,164,101 |
| General fund | \$578,517,766 | \$16,824,453 | \$595,342,219 |

Senate Bill No. 2012 - Department of Human Services - Program and Policy - Senate Action

| | EXECUTIVE BUDGET | SENATE CHANGES ¹ | SENATE VERSION | | |
|--|----------------------|--------------------------------|----------------------|---------------------|-------------|
| Salaries and wages | \$25,593,565 | \$75,046 | \$25,668,611 | | |
| Operating expenses | 65,561,106 | 795,831 | 66,356,937 | | |
| Capital assets | 399 | | 399 | | |
| Grants | 339,435,262 | 2,341,461 | 341,776,723 | | |
| Grants - Medical assistance | <u>1,101,375,452</u> | <u>37,433,908</u> | <u>1,138,809,360</u> | | |
| Total all funds | \$1,531,965,784 | \$40,646,246 | \$1,572,612,030 | | |
| Less estimated income | <u>1,103,015,555</u> | <u>24,252,448</u> | <u>1,127,268,003</u> | | |
| General fund | \$428,950,229 | \$16,393,798 | \$445,344,027 | | |
| FTE | 230.30 | 1.00 | 231.30 | | |
| | | FTE | GENERAL FUND | ESTIMATED INCOME | TOTAL |
| ¹ Program and Policy - Senate Changes: | | | | | |
| Economic Assistance Policy Program | | | | | |
| No changes | | | | | |
| Child Support Program | | | | | |
| No Changes | | | | | |
| Medical Services Program | | | | | |
| Adds funding to provide a 4 percent annual inflationary increase for medical services providers. The executive budget provided a 3 percent annual inflationary increase. | | | \$1,545,512 | \$3,127,127 | \$4,672,639 |
| Adds funding for grants - Medical assistance to increase medically needy income levels from 61 to 83 percent of poverty beginning July 2007 | | | 2,529,690 | 4,493,325 | 7,023,015 |
| Adds funding for grants - Medical assistance to provide for continuous Medicaid eligibility for children under 19 years of age who are either categorically needy or optionally categorically needy beginning January 2008. A section is added that the department monitor the additional expenditures resulting from this change, report to an interim legislative committee on the status of these expenditures, and turn back to the general fund any unused appropriation authority. | | | 2,281,110 | 4,051,789 | 6,332,899 |
| Adds funding for increasing Medicaid eligibility for children under 19 years of age to 133 percent of poverty and the children's health insurance | | | 833,039 | 701,775 | 1,534,814 |

program net income eligibility to 150 percent of poverty in accordance with provisions of House Bill No. 1463

| | | | |
|--|---------|-----------|-----------|
| Adds funding for the children's health insurance program to make policies relating to disregards similar to the Medicaid program | 393,005 | 1,165,922 | 1,558,927 |
|--|---------|-----------|-----------|

| | | | |
|--|---------|---------|---------|
| Adds operating expense funding for providing additional outreach relating to the children's health insurance program. A section of legislative intent is added that the department provide this funding to an entity that focuses on statewide community health care initiatives and issues. | 114,201 | 338,799 | 453,000 |
|--|---------|---------|---------|

| | | | | |
|---|------|--------|--------|--------|
| Adds salaries and wages funding for 1 additional FTE position for administration of the children's health insurance program | 1.00 | 18,919 | 56,127 | 75,046 |
|---|------|--------|--------|--------|

| | | | |
|---|----------|-----------|-----------|
| Removes funding added in the executive budget for registering and conducting background checks on certified nurse aides | (75,081) | (225,176) | (300,257) |
|---|----------|-----------|-----------|

Long-Term Care Program

| | | | |
|--|-----------|-----------|-----------|
| Adds funding to provide a 4 percent annual inflationary increase for long-term care service providers. The executive budget provided a 3 percent annual inflationary increase. | 3,075,412 | 5,011,150 | 8,086,562 |
|--|-----------|-----------|-----------|

| | | | |
|--|-----------|-----------|-----------|
| Adds funding for grants - Medical assistance to provide that home service providers be paid using a fee-for-service method based on 15-minute units of service and that rates, prior to any 2007-09 biennium inflationary increases, for each 15-minute unit of service be as follows: | 2,154,808 | 1,983,921 | 4,138,729 |
|--|-----------|-----------|-----------|

Agency home service provider - \$4.50
Individual home service provider - \$3.16

Three agency providers that are currently paid more than the \$4.50 rate will continue to be paid the higher rate.

| | | | |
|---|--|---------|---------|
| Adds funding for grants - Medical assistance to increase the personal care allowance for residents of nursing homes and intermediate care facilities for persons with mental retardation by \$5 per month, from \$50 to \$55, beginning July 1, 2007. Of the estimated income amount, \$170,500 is from the health care trust fund. | | 499,850 | 499,850 |
|---|--|---------|---------|

| | | | |
|---|---------|-----------|-----------|
| Adds funding to provide for the transition of selected Developmental Center residents to community programs | 900,000 | 1,598,612 | 2,498,612 |
|---|---------|-----------|-----------|

| | | | |
|--|---------|---------|---------|
| Adds funding for grants - Medical assistance for increasing payment rates for children who are severely medically fragile residing at the Anne Carlsen Center for Children | 300,000 | 532,871 | 832,871 |
|--|---------|---------|---------|

| | | | |
|--|---------|---------|---------|
| Adds funding for grants - Medical assistance for increasing payment rates for facilities serving children with behavioral challenges | 200,000 | 355,247 | 555,247 |
|--|---------|---------|---------|

Aging Services Program

No changes

Children and Family Services Program

| | | | |
|---|---------|---------|---------|
| Adds funding to provide a 4 percent annual inflationary increase for children and family service providers. The executive budget provided a 3 percent annual inflationary increase. | 284,277 | 561,109 | 845,386 |
|---|---------|---------|---------|

| | | | |
|---|---------|--|---------|
| Adds grants funding to provide a total of \$500,000 from the general fund for the Children's Advocacy Centers in Bismarck and Fargo | 400,000 | | 400,000 |
|---|---------|--|---------|

| | | | |
|---|---------|--|---------|
| Adds funding for grants for the Healthy Families program - A home visitation program for newborns and their parents | 300,000 | | 300,000 |
|---|---------|--|---------|

Mental Health and Substance Abuse Program

| | | | |
|--|---------|--|---------|
| Adjusts funding to provide a 4 percent annual inflationary increase for the department's contract service providers. The executive budget provided a 3 percent annual inflationary increase. | (9,600) | | (9,600) |
|--|---------|--|---------|

| | | | |
|--|---------|--|---------|
| Adds operating expenses funding for increasing the department's contract for substance abuse treatment services at the Robinson Recovery Center prior to any inflationary or other legislative increases | 134,000 | | 134,000 |
|--|---------|--|---------|

Developmental Disabilities Council

No changes

Disabilities Program

| | | | |
|---|--------|--|--------|
| Adds funding to provide a 4 percent annual inflationary increase for the department's contract service providers. The executive budget provided a 3 percent annual inflationary increase. | 14,506 | | 14,506 |
|---|--------|--|--------|

| | | | |
|---|---------|--|---------|
| Adds grants funding to supporting and maintaining assistive technology services for the elderly and disabled provided through | 500,000 | | 500,000 |
|---|---------|--|---------|

the interagency program for assistive technology

Adds grants funding to provide a total of \$1,631,457, of which \$796,040 is from the general fund for the centers for independent living

| | | | | |
|--|------|--------------|--------------|--------------|
| | | 500,000 | | 500,000 |
| Total Senate Changes - Program and Policy | 1.00 | \$16,393,798 | \$24,252,448 | \$40,646,246 |

Other Changes Affecting Program and Policy Programs:

Sections are added that:

- Provide legislative intent that the department estimate the costs of rebasing Medicaid inpatient hospital payment rates for the 2009-11 biennium and present the information to the Appropriations Committees during the 2009 legislative session.
- Specify the use of the additional \$700,000 from the general fund added in the executive budget for methamphetamine treatment services for increasing the contract with the Robinson Recovery Center to provide treatment services to more individuals.
- Provide for a Legislative Council study of the use of local property tax revenue to finance the delivery of human services on an individual county basis.
- Amend North Dakota Century Code Section 50-24.4-15 to change the nursing home property cost values relating to assets acquired as a result of a natural disaster.
- Change the statutory name of qualified service providers to home service providers beginning July 1, 2008.

Senate Bill No. 2012 - Department of Human Services - State Hospital - Senate Action

| | EXECUTIVE BUDGET | SENATE CHANGES ¹ | SENATE VERSION | | |
|--|---------------------|--------------------------------|-------------------|---------------------|-----------|
| Traditional | \$52,371,738 | | \$52,371,738 | | |
| Secure | 12,587,384 | | 12,587,384 | | |
| Institutions | | <u>\$167,482</u> | <u>167,482</u> | | |
| Total all funds | \$64,959,122 | \$167,482 | \$65,126,604 | | |
| Less estimated income | <u>15,888,310</u> | | <u>15,888,310</u> | | |
| General fund | \$49,070,812 | \$167,482 | \$49,238,294 | | |
| FTE | 465.01 | 1.50 | 466.51 | | |
| | | FTE | GENERAL FUND | ESTIMATED INCOME | TOTAL |
| ¹ State Hospital - Senate Changes: | | | | | |
| Adds funding for increasing security in the secure services unit | | 1.50 | \$167,482 | \$0 | \$167,482 |

Senate Bill No. 2012 - Human Service Centers - General Fund Summary

| | EXECUTIVE BUDGET | SENATE CHANGES ¹ | SENATE VERSION |
|-------------------------|---------------------|--------------------------------|-------------------|
| DHS - Northwest HSC | \$4,389,323 | \$20,375 | \$4,409,698 |
| DHS - North Central HSC | 8,924,775 | 45,571 | 8,970,346 |
| DHS - Lake Region HSC | 5,436,010 | 29,754 | 5,465,764 |
| DHS - Northeast HSC | 9,936,283 | 33,696 | 9,969,979 |
| DHS - Southeast HSC | 11,848,875 | 61,321 | 11,910,196 |
| DHS - South Central HSC | 8,291,192 | 29,250 | 8,320,442 |
| DHS - West Central HSC | 10,440,940 | 29,292 | 10,470,232 |
| DHS - Badlands HSC | <u>5,003,380</u> | <u>13,914</u> | <u>5,017,294</u> |
| Total general fund | \$64,270,778 | \$263,173 | \$64,533,951 |

Senate Bill No. 2012 - Human Service Centers - Other Funds Summary

| | EXECUTIVE BUDGET | SENATE CHANGES ¹ | SENATE VERSION |
|-------------------------|---------------------|--------------------------------|-------------------|
| DHS - Northwest HSC | \$3,136,258 | | \$3,136,258 |
| DHS - North Central HSC | 7,917,967 | | 7,917,967 |
| DHS - Lake Region HSC | 4,417,334 | | 4,417,334 |
| DHS - Northeast HSC | 12,256,322 | \$4,165 | 12,260,487 |

| | | | |
|-------------------------|------------------|------------|------------------|
| DHS - Southeast HSC | 14,296,599 | | 14,296,599 |
| DHS - South Central HSC | 6,450,546 | 10,277 | 6,460,823 |
| DHS - West Central HSC | 10,327,232 | 16,477 | 10,343,709 |
| DHS - Badlands HSC | <u>4,845,616</u> | <u>140</u> | <u>4,845,756</u> |
| Total other funds | \$63,647,874 | \$31,059 | \$63,678,933 |

Senate Bill No. 2012 - Human Service Centers - All Funds Summary

| | EXECUTIVE BUDGET | SENATE CHANGES ¹ | SENATE VERSION |
|-------------------------|---------------------|--------------------------------|-------------------|
| DHS - Northwest HSC | \$7,525,581 | \$20,375 | \$7,545,956 |
| DHS - North Central HSC | 16,842,742 | 45,571 | 16,888,313 |
| DHS - Lake Region HSC | 9,853,344 | 29,754 | 9,883,098 |
| DHS - Northeast HSC | 22,192,605 | 37,861 | 22,230,466 |
| DHS - Southeast HSC | 26,145,474 | 61,321 | 26,206,795 |
| DHS - South Central HSC | 14,741,738 | 39,527 | 14,781,265 |
| DHS - West Central HSC | 20,768,172 | 45,769 | 20,813,941 |
| DHS - Badlands HSC | <u>9,848,996</u> | <u>14,054</u> | <u>9,863,050</u> |
| Total all funds | \$127,918,652 | \$294,232 | \$128,212,884 |
| FTE | 838.73 | 0.00 | 838.73 |

¹ Adds funding to provide a 4 percent annual inflationary increase for human service center contract service providers. The executive budget provided a 3 percent annual inflationary increase. The increases by human service center include:

| HUMAN SERVICE CENTER | GENERAL FUND | ESTIMATED INCOME | TOTAL |
|----------------------|-----------------|---------------------|---------------|
| Northwest | \$20,375 | | \$20,375 |
| North Central | 45,571 | | 45,571 |
| Lake Region | 29,754 | | 29,754 |
| Northeast | 33,696 | \$4,165 | 37,861 |
| Southeast | 61,321 | | 61,321 |
| South Central | 29,250 | 10,277 | 39,527 |
| West Central | 29,292 | 16,477 | 45,769 |
| Badlands | <u>13,914</u> | <u>140</u> | <u>14,054</u> |
| Total | \$263,173 | \$31,059 | \$294,232 |

CONSIDERATION OF AMENDMENTS

SB 2012: SEN. KILZER (Appropriations Committee) MOVED that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2016: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2016 was placed on the Sixth order on the calendar.

Page 3, line 4, replace "503,556" with "603,556"

Page 3, line 9, replace "(\$8,362,448)" with "(\$8,262,448)"

Page 3, line 11, replace "2,616,273" with "2,716,273"

Page 3, line 12, replace "150,945" with "250,945"

Page 3, line 14, replace "32,541,259" with "32,641,259"

Page 4, line 6, replace "3,829,400" with "3,929,400"

Page 4, line 10, replace "54,623,504" with "54,723,504"

Page 4, line 12, replace "7,731,945" with "7,831,945"

Page 4, line 13, replace "21,711,846" with "21,811,846"

Page 4, line 15, replace "143,406,238" with "143,506,238"

ReNUMBER accordingly

STATEMENT OF PURPOSE OF AMENDMENT:**Senate Bill No. 2016 - Summary of Senate Action**

| | EXECUTIVE BUDGET | SENATE CHANGES | SENATE VERSION |
|-------------------------------------|---------------------|-------------------|--------------------|
| Adjutant General | | | |
| Total all funds | \$88,782,734 | \$0 | \$88,782,734 |
| Less estimated income | <u>74,802,833</u> | | <u>74,802,833</u> |
| General fund | \$13,979,901 | \$0 | \$13,979,901 |
| Department of Emergency Services | | | |
| Total all funds | \$54,623,504 | \$100,000 | \$54,723,504 |
| Less estimated income | <u>46,891,559</u> | | <u>46,891,559</u> |
| General fund | \$7,731,945 | \$100,000 | \$7,831,945 |
| Bill Total | | | |
| Total all funds | \$143,406,238 | \$100,000 | \$143,506,238 |
| Less estimated income | <u>121,694,392</u> | | <u>121,694,392</u> |
| General fund | \$21,711,846 | \$100,000 | \$21,811,846 |

Senate Bill No. 2016 - Department of Emergency Services - Senate Action

| | EXECUTIVE BUDGET | SENATE CHANGES | SENATE VERSION |
|-----------------------|---------------------|-------------------|-------------------|
| Salaries and wages | \$7,494,122 | | \$7,494,122 |
| Operating expenses | 3,829,400 | \$100,000 | 3,929,400 |
| Capital assets | 1,525,347 | | 1,525,347 |
| Grants | 40,794,635 | | 40,794,635 |
| Radio communications | <u>980,000</u> | | <u>980,000</u> |
| Total all funds | \$54,623,504 | \$100,000 | \$54,723,504 |
| Less estimated income | <u>46,891,559</u> | | <u>46,891,559</u> |
| General fund | \$7,731,945 | \$100,000 | \$7,831,945 |
| FTE | 56.00 | 0.00 | 56.00 |

Dept. 542 - Department of Emergency Services - Detail of Senate Changes

| | PROVIDES FUNDING FOR MAPPING PROJECT ¹ | TOTAL SENATE CHANGES |
|-----------------------|--|----------------------------|
| Salaries and wages | | |
| Operating expenses | \$100,000 | \$100,000 |
| Capital assets | | |
| Grants | | |
| Radio communications | | |
| Total all funds | \$100,000 | \$100,000 |
| Less estimated income | | |
| General fund | \$100,000 | \$100,000 |
| FTE | 0.00 | 0.00 |

¹ This amendment provides a \$100,000 general fund appropriation to the Department of Emergency Services for a mapping project.

CONSIDERATION OF AMENDMENTS

SB 2016: SEN. GRINDBERG (Appropriations Committee) MOVED that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2179, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2179 was placed on the Sixth order on the calendar.

Page 1, line 5, replace "\$159,000" with "\$79,500" and after the second comma insert "and appropriated out of any moneys in the oilseed fund in the state treasury, not otherwise appropriated, the sum of \$79,500, or so much of the sum as may be necessary,"

Renumber accordingly

CONSIDERATION OF AMENDMENTS

SB 2179, as engrossed: SEN. HOLMBERG (Appropriations Committee) MOVED that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2191, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO**

PASS (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2191 was placed on the Sixth order on the calendar.

Page 1, line 2, after "compensation" insert "; to provide for a report to the budget section; and to provide an appropriation for armory repairs"

Page 1, after line 22, insert:

"SECTION 2. APPROPRIATION - REPORT TO BUDGET SECTION. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$250,000, or so much of the sum as may be necessary, to the adjutant general for the purpose of distributing on an equal-matching basis grants of up to \$25,000 per political subdivision for the maintenance and repair of political subdivision-owned armories, for the biennium beginning July 1, 2007, and ending June 30, 2009. Projects must be approved and funds distributed based on rules adopted by the adjutant general. Priority must be given to those major maintenance and repair projects for which the local political subdivision contributes the highest ratio of political subdivision funds for each dollar of state funds request. Before approval of a project by the adjutant general under the matching grant program, the adjutant general shall conduct a major repair and maintenance needs survey of all political subdivision-owned armories and provide a written report of the survey results and project recommendations for the biennium to the budget section of the legislative council. A political subdivision receiving a grant shall manage the maintenance or repair project."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment adds a section appropriating \$250,000 from the general fund to the Adjutant General for matching grants for the maintenance and repair of political subdivision-owned armories and a related report to the Budget Section.

CONSIDERATION OF AMENDMENTS

SB 2191, as engrossed: SEN. WARDNER (Appropriations Committee) MOVED that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2404, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION** (9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2404 was placed on the Sixth order on the calendar.

Page 1, line 14, replace "office of management and budget" with "state board of higher education"

Page 1, line 20, replace "office of" with "board shall distribute to each tribally controlled community college, during each year of the biennium, four thousand five hundred eighty-one dollars for each nonbeneficiary student on a full-time equivalent basis. If the amount appropriated is insufficient, the board shall distribute a prorated amount per nonbeneficiary student on a full-time equivalent basis."

Page 1, remove lines 21 through 24

Page 2, remove lines 1 through 7

Page 2, line 9, replace "office of management and budget" with "state board of higher education"

Page 2, line 15, replace "office of management and budget" with "state board of higher education"

Renumber accordingly

CONSIDERATION OF AMENDMENTS

SB 2404, as engrossed: SEN. MATHERN (Appropriations Committee) MOVED that the amendments be adopted and then be placed on the Eleventh order **WITHOUT RECOMMENDATION**, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2333, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2333 was placed on the Sixth order on the calendar.

Page 2, line 10, replace "\$5,000,000" with "\$2,215,000"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment decreases the general fund appropriation for the program to bridge the financing gap of new residential construction in rural communities by \$2,785,000, from \$5,000,000 to \$2,215,000.

CONSIDERATION OF AMENDMENTS

SB 2333, as engrossed: SEN. HACKER (Appropriations Committee) MOVED that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2009: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2009 was placed on the Sixth order on the calendar.

Page 1, line 4, after "transfers" insert "; to provide for legislative intent"

Page 1, line 23, replace "878,785" with "1,196,923"

Page 1, line 24, replace "1,262,558" with "1,442,058"

Page 1, after line 24, insert:
"Grants

150,000"

Page 2, after line 2, insert:
"Wildlife services

200,000"

Page 2, line 4, replace "2,300,018" with "3,147,656"

Page 2, line 5, replace "1,392,413" with "1,604,602"

Page 2, line 6, replace "907,605" with "1,543,054"

Page 2, line 12, replace "6,662,302" with "6,980,440"

Page 2, line 13, replace "5,518,433" with "5,697,933"

Page 2, line 15, replace "1,774,225" with "1,924,225"

Page 2, after line 16, insert:
"Wildlife services

200,000"

Page 2, line 18, replace "16,309,662" with "17,157,300"

Page 2, line 19, replace "10,878,945" with "11,091,134"

Page 2, line 20, replace "5,430,717" with "6,066,166"

Page 2, line 23, replace "\$2,962,609" with "\$3,042,109"

Page 3, after line 5, insert:

"SECTION 7. INTENT - SALARY EQUITY. The sum of \$318,138 included in the salaries and wages line item in section 3 of this Act is for salary equity increases, which must be based on market."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2009 - Department of Agriculture - Senate Action

| | EXECUTIVE BUDGET | SENATE CHANGES | SENATE VERSION |
|------------------------|---------------------|-------------------|-------------------|
| Salaries and wages | \$6,662,302 | \$318,138 | \$6,980,440 |
| Operating expenses | 5,518,433 | 179,500 | 5,697,933 |
| Capital assets | 5,000 | | 5,000 |
| Grants | 1,774,225 | 150,000 | 1,924,225 |
| Board of Animal Health | 2,299,702 | | 2,299,702 |
| Crop Harmonization | 50,000 | | 50,000 |
| Board | | | |
| Wildlife services | | <u>200,000</u> | <u>200,000</u> |
| Total all funds | \$16,309,662 | \$847,638 | \$17,157,300 |
| Less estimated income | <u>10,878,945</u> | <u>212,189</u> | <u>11,091,134</u> |
| General fund | \$5,430,717 | \$635,449 | \$6,066,166 |
| FTE | 67.00 | 0.00 | 67.00 |

Dept. 602 - Department of Agriculture - Detail of Senate Changes

| | PROVIDES FUNDING FOR SALARY MARKET EQUITY ADJUSTMENTS ¹ | PROVIDES FUNDING FOR PRIDE OF DAKOTA AND MARKETING ² | PROVIDES FUNDING FOR DAIRY COALITION GRANTS ³ | PROVIDES FUNDING FOR WILDLIFE SERVICES ⁴ | TOTAL SENATE CHANGES |
|------------------------|--|--|---|---|----------------------------|
| Salaries and wages | \$318,138 | | | | \$318,138 |
| Operating expenses | | \$179,500 | | | 179,500 |
| Capital assets | | | | | |
| Grants | | | \$150,000 | | 150,000 |
| Board of Animal Health | | | | | |
| Crop Harmonization | | | | | |
| Board | | | | | |
| Wildlife services | | | | <u>\$200,000</u> | <u>200,000</u> |
| Total all funds | \$318,138 | \$179,500 | \$150,000 | \$200,000 | \$847,638 |
| Less estimated income | <u>132,689</u> | <u>79,500</u> | | | <u>212,189</u> |
| General fund | \$185,449 | \$100,000 | \$150,000 | \$200,000 | \$635,449 |
| FTE | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |

¹ This amendment provides \$318,138 for salary equity adjustments, which must be based on market.

² This amendment provides \$100,000 from the general fund and \$79,500 from the environment and rangeland protection fund for Pride of Dakota and marketing.

³ This amendment provides funding for a grant to the North Dakota Dairy Coalition for developing and expanding the dairy industry.

⁴ This amendment provides \$200,000 from the general fund for wildlife services.

CONSIDERATION OF AMENDMENTS

SB 2009: SEN. KRAUTER (Appropriations Committee) MOVED that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2379, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2379 was placed on the Sixth order on the calendar.

Page 2, line 23, replace "\$2,104,734" with "\$500,000"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment changes the general fund appropriation to the University of North Dakota for the nursing education consortium from \$2,104,734 to \$500,000.

CONSIDERATION OF AMENDMENTS

SB 2379, as engrossed: SEN. ERBELE (Appropriations Committee) MOVED that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2221: A BILL for an Act to create and enact a new section to chapter 28-20 of the North Dakota Century Code, relating to the effect of bankruptcy on a judgment lien; to amend and reenact section 47-18-18 of the North Dakota Century Code, relating to declaration of a homestead; and to repeal sections 28-20-30, 28-20-31, and 28-20-32 of the North Dakota Century Code, relating to cancellation of judgment against bankrupts, service in bankruptcy proceedings, and affidavits in bankruptcy proceedings.

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 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; Behm; Bowman; Christmann; Cook; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heckaman; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjem; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Andrist

Engrossed SB 2221 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2224: A BILL for an Act to create and enact a new subsection to section 57-38-30.3 and chapter 57-38.7 of the North Dakota Century Code, relating to an angel fund investment income 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 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; Behm; Bowman; Christmann; Cook; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heckaman; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjem; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Andrist

Engrossed SB 2224 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2222: A BILL for an Act to amend and reenact sections 28-24-01, 28-24-02, 28-24-03, 28-24-04, 28-24-05, 28-24-06, 28-24-07, 28-24-10, 28-24-13, and 28-24-14 of the North Dakota Century Code, relating to redemption of property.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of **DO PASS**, the roll was called and there were 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; Behm; Bowman; Christmann; Cook; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heckaman; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjem; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Andrist

Engrossed SB 2222 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2250: A BILL for an Act to amend and reenact section 20.1-04-07 of the North Dakota Century Code, relating to youth spring wild turkey hunting licenses.

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 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; Behm; Bowman; Christmann; Cook; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heckaman; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjerm; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Andrist

Engrossed SB 2250 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2256: A BILL for an Act to create and enact a new section to chapter 12.1-20 of the North Dakota Century Code, relating to sex offenders on school property; to amend and reenact subsection 14 of section 12.1-32-15 of the North Dakota Century Code, relating to sex offenders on school property; 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 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; Behm; Bowman; Christmann; Cook; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heckaman; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjerm; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Andrist

Engrossed SB 2256 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2271: A BILL for an Act to amend and reenact sections 11-33-01, 11-33.2-11, 40-47-04, 40-48-21, and 58-03-13 of the North Dakota Century Code, relating to requiring findings or statements upon which zoning requests and subdivision plat requests are disapproved.

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 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; Behm; Bowman; Christmann; Cook; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heckaman; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjerm; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Andrist

Engrossed SB 2271 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2285: A BILL for an Act to amend and reenact section 35-30-02 of the North Dakota Century Code, relating to notification of debtor of agricultural processor's lien.

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 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; Behm; Bowman; Christmann; Cook; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heckaman; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjem; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Andrist

Engrossed SB 2285 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2290: A BILL for an Act to create and enact a new section to chapter 20.1-05 of the North Dakota Century Code, relating to hunting big game on, over, or across roads or highways.

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 0 YEAS, 46 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

NAYS: Anderson; Bakke; Behm; Bowman; Christmann; Cook; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heckaman; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjem; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Andrist

Engrossed SB 2290 lost.

SECOND READING OF SENATE BILL

SB 2299: A BILL for an Act to amend and reenact section 57-02-27.1 of the North Dakota Century Code, relating to city governing body authority to adopt a standard of valuation that recognizes the supply of vacant lots; 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, 1 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; Behm; Bowman; Christmann; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heckaman; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjem; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

NAYS: Cook

ABSENT AND NOT VOTING: Andrist

Engrossed SB 2299 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2340: A BILL for an Act to amend and reenact sections 25-03.3-02, 25-03.3-03, 25-03.3-03.1, 25-03.3-04, 25-03.3-05, 25-03.3-06, 25-03.3-08, 25-03.3-09, 25-03.3-10, 25-03.3-13, 25-03.3-17, 25-03.3-18, 25-03.3-20, and 25-03.3-24 of the North Dakota Century Code, relating to the civil commitment of sexually dangerous individuals; and to provide an appropriation.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 31 YEAS, 15 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; Bowman; Christmann; Cook; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Heitkamp; Klein; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Nelson; Nething; O'Connell; Oehlke; Olafson; Potter; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Warner

NAYS: Behm; Grindberg; Hacker; Heckaman; Holmberg; Horne; Kilzer; Krauter; Krebsbach; Mathern; Pomeroy; Robinson; Seymour; Stenehjem; Wardner

ABSENT AND NOT VOTING: Andrist

SB 2340 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2345: A BILL for an Act to authorize the state water commission to issue bonds for the Red River valley water supply project; and to amend and reenact section 61-02.1-05 of the North Dakota Century Code, relating to the water development trust 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, 1 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; Behm; Bowman; Christmann; Cook; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heckaman; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Olafson; Pomeroy; Robinson; Seymour; Stenehjem; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

NAYS: Potter

ABSENT AND NOT VOTING: Andrist

Engrossed SB 2345 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2346: A BILL for an Act to create and enact a new subsection to section 57-39.2-04 of the North Dakota Century Code, relating to a sales and use tax exemption for sales by thrift stores owned and operated by nonprofit corporations; and to provide an effective date.

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, 25 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; Behm; Fiebiger; Heckaman; Heitkamp; Horne; Krauter; Lindaas; Marcellais; Mathern; Nelson; O'Connell; Pomeroy; Robinson; Seymour; Tallackson; Taylor; Triplett; Wardner; Warner

NAYS: Bowman; Christmann; Cook; Dever; Erbele; Fischer; Flakoll; Freborg; Grindberg; Hacker; Holmberg; Kilzer; Klein; Krebsbach; Lee, G.; Lee, J.; Lyson; Nething; Oehlke; Olafson; Potter; Stenehjem; Tollefson; Urlacher; Wanzek

ABSENT AND NOT VOTING: Andrist

SB 2346 lost.

SECOND READING OF SENATE BILL

SB 2368: A BILL for an Act to create and enact a new section to chapter 49-16 of the North Dakota Century Code, relating to a choice-of-laws clause in an indemnification provision of a railroad right of way agreement.

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 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; Behm; Bowman; Christmann; Cook; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heckaman; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjerm; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Andrist

Engrossed SB 2368 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2371: A BILL for an Act to amend and reenact sections 15.1-23-01, 15.1-23-02, 15.1-23-03, 15.1-23-04, 15.1-23-05, 15.1-23-06, 15.1-23-07, 15.1-23-09, 15.1-23-10, 15.1-23-11, 15.1-23-12, 15.1-23-13, 15.1-23-14, 15.1-23-15, 15.1-23-16, 15.1-23-17, and 15.1-23-18 of the North Dakota Century Code, relating to the provision of home education.

REQUEST

SEN. FLAKOLL REQUESTED that the Senate divide Engrossed SB 2371, which request was granted on a voice vote.

DIVISION A: Section 1 of the bill.

DIVISION B: The remainder of the bill.

ROLL CALL

The question being on the final adoption of Division A of Engrossed SB 2371, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; Behm; Bowman; Christmann; Cook; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heckaman; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjerm; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Warner

ABSENT AND NOT VOTING: Andrist; Wardner

Division A of Engrossed SB 2371 passed.

ROLL CALL

The question being on the final adoption of Division B of Engrossed SB 2371, the roll was called and there were 3 YEAS, 43 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Erbele; Nelson; Triplett

NAYS: Anderson; Bakke; Behm; Bowman; Christmann; Cook; Dever; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heckaman; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nething; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjerm; Tallackson; Taylor; Tollefson; Urlacher; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Andrist

Division B of Engrossed SB 2371 lost.

Therefore, the bill now includes Section 1 and excludes the remainder of the bill.

SECOND READING OF SENATE BILL

SB 2371: A BILL for an Act to amend and reenact section 15.1-23-01 of the North Dakota Century Code, relating to the provision of home education.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; Behm; Bowman; Christmann; Cook; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heckaman; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjem; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Andrist

Reengrossed SB 2371 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2384: A BILL for an Act to provide for an appropriation to the state department of health for the purpose of providing health care access grants to local public health units and community-based nonprofit organizations.

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 40 YEAS, 6 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; Behm; Cook; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heckaman; Heitkamp; Horne; Klein; Krauter; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

NAYS: Bowman; Christmann; Holmberg; Kilzer; Krebsbach; Stenehjem

ABSENT AND NOT VOTING: Andrist

Engrossed SB 2384 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2387: A BILL for an Act to create and enact a new section to chapter 43-15 of the North Dakota Century Code, relating to pharmacist license requirements; to amend and reenact sections 43-15-03 and 43-15-12 of the North Dakota Century Code, relating to the membership of the state board of pharmacy and annual reports of the state board of pharmacy; to repeal sections 43-15-13.1, 43-15-13.2, 43-15-13.3, 43-15-13.4, 43-15-13.5, 43-15-13.6, 43-15-16, and 43-15-30 of the North Dakota Century Code, relating to the North Dakota pharmacists association; to provide for application; and to provide an effective date.

MOTION

SEN. COOK MOVED that SB 2387 be amended as follows, which motion failed on a verification vote.

Page 1, line 2, replace "sections" with "section"

Page 1, line 3, remove "43-15-03 and" and remove "membership of the"

Page 1, line 4, remove "state board of pharmacy and"

Page 1, remove lines 9 through 14

ReNUMBER accordingly

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 15 YEAS, 31 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Cook; Dever; Fischer; Flakoll; Grindberg; Krebsbach; Lee, G.; Lee, J.; Oehlke; Olafson; Stenehjem; Triplett; Urlacher; Wanzek; Wardner

NAYS: Anderson; Bakke; Behm; Bowman; Christmann; Erbele; Fiebiger; Freborg; Hacker; Heckaman; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Pomeroy; Potter; Robinson; Seymour; Tallackson; Taylor; Tollefson; Warner

ABSENT AND NOT VOTING: Andrist

SB 2387 lost.

SECOND READING OF SENATE BILL

SB 2389: A BILL for an Act to amend and reenact section 65-05-12.2 of the North Dakota Century Code, relating to workers' compensation permanent impairment awards; and to provide for application.

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: Anderson; Bakke; Behm; Bowman; Christmann; Cook; Dever; Erbele; Fiebiger; Fischer; Flakoll; Grindberg; Hacker; Heckaman; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjem; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Andrist; Freborg

Engrossed SB 2389 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2392: A BILL for an Act to amend and reenact subsection 2 of section 40-05-06 of the North Dakota Century Code, relating to the imposition of fees by home rule cities for certain vehicle and traffic violations; 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 44 YEAS, 2 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Anderson; Bakke; Behm; Bowman; Christmann; Cook; Dever; Erbele; Fiebiger; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heckaman; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjem; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

NAYS: Heitkamp; O'Connell

ABSENT AND NOT VOTING: Andrist

Engrossed SB 2392 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF SENATE BILL

SB 2394: A BILL for an Act to amend and reenact section 44-08-01 of the North Dakota Century Code, relating to bidding preferences.

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 1 YEAS, 44 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: O'Connell

NAYS: Anderson; Bakke; Behm; Bowman; Christmann; Cook; Dever; Erbele; Fiebigler; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heckaman; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Andrist; Stenehjem

SB 2394 lost.

SECOND READING OF SENATE BILL

SB 2395: A BILL for an Act to amend and reenact section 57-51.1-07 of the North Dakota Century Code, relating to allocation of moneys in the resources trust fund; and to provide a continuing appropriation.

MOTION

SEN. TRIPLETT MOVED that SB 2395 be amended as follows, which motion failed on a verification vote.

Page 1, line 22, replace "ten" with "two"

Page 2, line 8, overstrike "and renewable energy sources; for studies for"

Page 2, overstrike lines 9 through 11

Page 2, line 12, overstrike "loans in connection therewith"

Renumber accordingly

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 15 YEAS, 31 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Bakke; Behm; Fiebigler; Heckaman; Horne; Lindaas; Marcellais; Mathern; Nelson; Pomeroy; Potter; Seymour; Taylor; Triplett; Warner

NAYS: Anderson; Bowman; Christmann; Cook; Dever; Erbele; Fischer; Flakoll; Freborg; Grindberg; Hacker; Heitkamp; Holmberg; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lyson; Nething; O'Connell; Oehlke; Olafson; Robinson; Stenehjem; Tallackson; Tollefson; Urlacher; Wanzek; Wardner

ABSENT AND NOT VOTING: Andrist

SB 2395 lost.

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 2217, SB 2239, SB 2243, SB 2251, SB 2261, SB 2278, SB 2293, SB 2308, SB 2321, SB 2326, SB 2338, SB 2342, SB 2348, SB 2353, SB 2354.

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 2260, SB 2310.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)

MR. PRESIDENT: The House has passed unchanged: SCR 4010.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)

MR. PRESIDENT: The House has passed and your favorable consideration is requested on: HB 1121, HB 1129, HB 1130, HB 1138, HB 1146, HB 1164, HB 1166, HB 1171, HB 1195, HB 1200, HB 1241, HB 1249, HB 1309, HB 1322, HB 1331, HB 1340, HB 1360, HB 1381, HB 1384, HB 1394, HB 1399, HB 1414, HB 1423, HB 1425, HB 1434, HB 1439, HB 1445, HB 1451, HB 1455, HB 1456, HB 1469, HB 1471, HB 1474, HB 1477, HB 1479.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)

MR. PRESIDENT: The House has passed and your favorable consideration is requested on: HCR 3020, HCR 3022, HCR 3023, HCR 3024, HCR 3026, HCR 3028, HCR 3030, HCR 3032, HCR 3034, HCR 3035, HCR 3036, HCR 3037, HCR 3039, HCR 3041, HCR 3042, HCR 3043, HCR 3044.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)

MR. PRESIDENT: The House has passed and your favorable consideration is requested on: HB 1483.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)

MR. PRESIDENT: The House has passed, the emergency clause carried, and your favorable consideration is requested on: HB 1030, HB 1031, HB 1032.

COMMUNICATION FROM GOVERNOR JOHN HOEVEN

This is to inform you that on February 14, 2007, I have signed the following: SB 2024.

MOTION

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

MOTION

SEN. CHRISTMANN MOVED that the Senate be on the Fourth, Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 8:00 a.m., Thursday, February 15, 2007, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2015: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2015 was placed on the Sixth order on the calendar.

Page 1, line 2, after the semicolon insert "and" and replace "for" with "an exemption."

Page 1, remove lines 3 through 6

Page 2, line 1, replace "1,625,058" with "125,058"

Page 2, line 2, replace "221,030" with "(954,970)"

Page 2, line 4, replace "(165,000)" with "(388,000)"

Page 2, line 5, replace "686,000" with "(1,337,138)"

Page 2, line 7, replace "(10,700,000)" with "(36,000,000)"

Page 2, remove line 8

Page 2, line 9, replace "\$2,163,107" with "(\$38,059,031)"

Page 2, line 10, replace "(27,754,959)" with "(39,749,959)"

Page 2, line 11, replace "29,918,066" with "1,690,928"

Page 2, line 18, replace "15,220,144" with "13,720,144"

Page 2, line 19, replace "11,562,136" with "10,386,136"

Page 2, line 21, replace "224,000" with "1,000"

Page 2, remove lines 22 through 24

Page 2, line 25, replace "68,974,437" with "28,752,299"

Page 2, line 26, replace "18,900,360" with "6,905,360"

Page 2, line 27, replace "50,074,077" with "21,846,939"

Page 3, remove lines 3 through 30

Page 4, remove lines 1 through 5

Page 4, remove lines 10 through 30

Page 5, remove lines 1 through 31

Page 6, remove lines 1 through 31

Page 7, remove lines 1 through 10

ReNUMBER accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2015 - Office of Management and Budget - Senate Action

| | EXECUTIVE BUDGET | SENATE CHANGES | SENATE VERSION |
|-----------------------------|---------------------|---------------------|-------------------|
| Salaries and wages | \$15,220,144 | (\$1,500,000) | \$13,720,144 |
| Operating expenses | 11,562,136 | (1,176,000) | 10,386,136 |
| Capital assets | 4,645,019 | | 4,645,019 |
| Grants | 224,000 | (223,000) | 1,000 |
| Prairie Public Broadcasting | 2,023,138 | (2,023,138) | |
| Centers of excellence | 25,300,000 | (25,300,000) | |
| Statewide equity pool | <u>10,000,000</u> | <u>(10,000,000)</u> | |
| Total all funds | \$68,974,437 | (\$40,222,138) | \$28,752,299 |
| Less estimated income | <u>18,900,360</u> | <u>(11,995,000)</u> | <u>6,905,360</u> |
| General fund | \$50,074,077 | (\$28,227,138) | \$21,846,939 |
| FTE | 132.50 | 0.00 | 132.50 |

Dept. 110 - Office of Management and Budget - Detail of Senate Changes

| | REMOVES FUNDING FOR UNEMPLOYMENT INSURANCE ¹ | REMOVES FUNDING FOR GRANTS ² | REMOVES FUNDING FOR OPERATING EXPENSES ³ | REMOVES FUNDING FOR CENTERS OF EXCELLENCE ⁴ | REMOVES FUNDING FOR PRAIRIE PUBLIC BROADCASTING ⁵ | REMOVES FUNDING FOR STATEWIDE EQUITY POOL ⁶ |
|-----------------------------|--|---|--|---|--|--|
| Salaries and wages | (\$1,500,000) | | | | | |
| Operating expenses | | | (\$1,176,000) | | | |
| Capital assets | | | | | | |
| Grants | | (\$223,000) | | | | |
| Prairie Public Broadcasting | | | | | (\$2,023,138) | |
| Centers of excellence | | | | (\$25,300,000) | | |
| Statewide equity pool | | | | | | <u>(\$10,000,000)</u> |
| Total all funds | (\$1,500,000) | (\$223,000) | (\$1,176,000) | (\$25,300,000) | (\$2,023,138) | (\$10,000,000) |
| Less estimated income | <u>(1,500,000)</u> | <u>(170,000)</u> | <u>(25,000)</u> | <u>(5,300,000)</u> | | <u>(5,000,000)</u> |
| General fund | \$0 | (\$53,000) | (\$1,151,000) | (\$20,000,000) | (\$2,023,138) | (\$5,000,000) |
| FTE | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| | TOTAL SENATE CHANGES | | | | | |
| Salaries and wages | (\$1,500,000) | | | | | |
| Operating expenses | (1,176,000) | | | | | |
| Capital assets | | | | | | |
| Grants | | (223,000) | | | | |
| Prairie Public Broadcasting | | (2,023,138) | | | | |
| Centers of excellence | | (25,300,000) | | | | |
| Statewide equity pool | | | | | | |
| Total all funds | (\$40,222,138) | | | | | |
| Less estimated income | <u>(11,995,000)</u> | | | | | |
| General fund | (\$28,227,138) | | | | | |
| FTE | 0.00 | | | | | |

¹ This amendment removes \$1,500,000 from the salaries and wages line item for unemployment insurance.

² This amendment removes \$53,000 in general fund grants for the boys and girls clubwork and \$170,000 in special funds for the firefighters association.

³ This amendment removes \$500,000 from the general fund for state contingencies, \$531,000 from the general fund for state memberships and related expenses, \$120,000 from the general fund for a state consultant, and \$25,000 in special funds for the Capitol Grounds Planning Commission.

⁴ This amendment removes funding for centers of excellence and loan and interest repayment for centers of excellence.

⁵ This amendment removes funding for Prairie Public Broadcasting.

⁶ This amendment removes funding for the statewide equity pool funded in Senate Bill No. 2189.

This amendment removes Sections 5, 6, 7, 8, 9, 11, 12, 13, 14, 15, 16, and 17.

REPORT OF STANDING COMMITTEE

SB 2020: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2020 was placed on the Sixth order on the calendar.

Page 1, line 2, after "commission" insert "; to create and enact a new section to chapter 61-02.1 of the North Dakota Century Code, relating to funding for Grand Forks flood control; to provide legislative intent"

Page 1, line 18, replace "48,263,767" with "48,463,767"

Page 1, line 19, replace "48,539,617" with "48,739,617"

Page 1, line 21, replace "12,676,286" with "12,876,286"

Page 2, line 4, replace "172,154,260" with "172,354,260"

Page 2, line 5, replace "174,610,555" with "174,810,555"

Page 2, line 7, replace "13,687,506" with "13,887,506"

Page 3, after line 10, insert:

"SECTION 9. A new section to chapter 61-02.1 of the North Dakota Century Code is created and enacted as follows:

Grand Forks flood control project. Notwithstanding any other provision of law or policy, any existing caps may not be construed to limit access to total state funding of up to fifty-two million dollars for the Grand Forks flood control project.

SECTION 10. LEGISLATIVE INTENT - SOUTHWEST PIPELINE PROJECT FUNDING. It is the intent of the sixtieth legislative assembly that the state water commission dedicate \$7,000,000 for work on the southwest pipeline project in Oliver and Mercer Counties."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2020 - Water Commission - Senate Action

| | EXECUTIVE BUDGET | SENATE CHANGES | SENATE VERSION |
|-------------------------------------|---------------------|-------------------|--------------------|
| Administrative and support services | \$2,456,295 | | \$2,456,295 |
| Water and atmospheric resources | <u>172,154,260</u> | <u>\$200,000</u> | <u>172,354,260</u> |
| Total all funds | \$174,610,555 | \$200,000 | \$174,810,555 |
| Less estimated income | <u>160,923,049</u> | | <u>160,923,049</u> |
| General fund | \$13,687,506 | \$200,000 | \$13,887,506 |
| FTE | 84.00 | 0.00 | 84.00 |

Dept. 770 - Water Commission - Detail of Senate Changes

| | |
|-------------------------|-------|
| PROVIDES FUNDING FOR | TOTAL |
|-------------------------|-------|

| | MAPPING PROJECT 1 | SENATE CHANGES |
|-------------------------------------|----------------------|-------------------|
| Administrative and support services | | |
| Water and atmospheric resources | \$200,000 | \$200,000 |
| Total all funds | \$200,000 | \$200,000 |
| Less estimated income | | |
| General fund | \$200,000 | \$200,000 |
| FTE | 0.00 | 0.00 |

¹ This amendment provides a \$200,000 general fund appropriation to the State Water Commission for a mapping project.

This amendment provides legislative intent for the State Water Commission to dedicate \$7 million for work on the Southwest Pipeline Project in Oliver and Mercer Counties.

This amendment increases the eligible cost-share for the Grand Forks flood control program in order for the city to access the entire \$52 million state share dedicated for the project.

REPORT OF STANDING COMMITTEE

SB 2070, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2070 was placed on the Sixth order on the calendar.

Page 1, line 14, replace ", which must be provided" with ". The duties of the aging and disability resource center must include all duties required to receive federal funds, including providing information about the full range of long-term care service and support options available in the state to assure that consumers may make informed decisions about their care. The resource center must be free from a conflict of interest which would inappropriately influence or bias the actions of a contractor, staff member, board member, or volunteer of the resource center to limit the information given to a consumer to steer the consumer to services that may also be provided by the resource center"

Page 1, line 15, remove "without a conflict of interest"

Page 1, line 21, replace "biennium beginning July 1, 2007," with "period beginning with the effective date of this Act"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2115: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2115 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2180, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2180 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2186, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2186 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2215, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2215 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2245, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2245 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2282, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO NOT PASS** (8 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2282 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2283: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (8 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). SB 2283 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2288, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2288 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2314: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (8 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). SB 2314 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2324, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2324 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2341, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2341 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 a statement of legislative intent, legislative support, and legislative participation in the heritage center expansion project.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. LEGISLATIVE INTENT - FUTURE FUNDING FOR HERITAGE CENTER EXPANSION. It is the intent of the legislative assembly that the office of management and budget favorably consider providing funding to the state historical society for the heritage center expansion project in the 2009-11 executive budget recommendation if the state historical society is able to demonstrate progress toward fundraising goals and federal funding is secured for the project. The sixty-first legislative assembly shall favorably consider appropriating funding to the state historical society for the heritage center expansion project if the state historical society is able to demonstrate progress toward fundraising goals and federal funding is secured for the project.

SECTION 2. HERITAGE CENTER EXPANSION - LEGISLATIVE SUPPORT. The sixtieth legislative assembly supports the efforts of the state historical society in fundraising and securing federal funding for the heritage center expansion during the 2007-09 biennium.

SECTION 3. LEGISLATIVE PARTICIPATION - BUDGET SECTION REPORTS. The chairman of the legislative council may appoint up to four legislators to a North Dakota heritage center planning and fundraising committee formed to assist in securing federal and private funding. The committee shall provide information to the budget section on the status of the project's planning and fundraising at budget section meetings in the fall of 2007 and 2008."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2349, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2349 was placed on the Sixth order on the calendar.

Page 1, line 8, replace "\$25,000" with "\$30,000"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment increases the appropriation for the Medal of Honor monument from \$25,000 to \$30,000 from the general fund.

REPORT OF STANDING COMMITTEE

SB 2356: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2356 was placed on the Sixth order on the calendar.

Page 1, line 1, after "the" insert "Bank of North Dakota, the" and after "system" insert a comma

Page 1, line 6, after "2008" insert "or November 2008"

Page 1, line 8, replace "\$150,000,000" with "\$200,000,000"

Page 1, after line 12, insert:

| | | |
|-----------------------|--------------------------|---------------|
| "Bank of North Dakota | Elementary and secondary | \$50,000,000" |
| | education adequacy fund | |

Page 1, line 13, replace "\$50,000,000" with "50,000,000"

Page 1, line 16, replace "\$150,000,000" with "\$200,000,000"

Page 1, line 18, after the period insert "Funds deposited in the elementary and secondary education adequacy fund are to be used by the sixty-first legislative assembly to address adequacy for elementary and secondary education in the 2009-11 biennium. The university system office may use the funds only for extraordinary repairs at higher education institutions."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2361, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO NOT PASS** (10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2361 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2362, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO NOT PASS** (8 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2362 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2363, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (8 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2363 was placed on the Sixth order on the calendar.

Page 4, line 21, replace "the present value of the aggregate amount" with "a charitable gift"

Page 4, line 22, remove "of the gift portion of planned gifts"

Page 4, line 27, remove ", or forty percent of the present value of the aggregate amount of the"

Page 4, line 28, remove "charitable gift portion of planned gifts, made" and remove "qualified nonprofit organization or"

Page 5, line 8, replace "the present" with "a"

Page 5, line 9, remove "value of the aggregate amount of the" and remove "portion of planned gifts, made"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2374: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO NOT PASS** (8 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). SB 2374 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2385, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (8 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2385 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2391: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO NOT PASS** (8 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). SB 2391 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2397, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2397 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2401, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO NOT PASS** (8 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2401 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2408, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO NOT PASS** (9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2408 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2413: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO NOT PASS** (7 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). SB 2413 was placed on the Eleventh order on the calendar.

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Sens. Hacker, Holmberg, Robinson and Reps. DeKrey, R. Kelsch, Owens introduced:

SCR 4028: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of establishing a paternity registry.

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

Sens. Mathern, Nething introduced:

SCR 4029: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of transferring the facilities and property of the State Hospital from the Department of Human Services to the Department of Corrections and Rehabilitation.

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

Sen. Heckaman introduced:

SCR 4030: A concurrent resolution directing the Legislative Council to study school district reorganizations and dissolutions.

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

Sens. Cook, J. Lee, Stenehjem and Reps. Belter, Kasper, Weiler introduced:

SCR 4031: A concurrent resolution directing the Legislative Council to study political subdivisions that receive property tax revenue and any changes that may increase efficiencies and reduce property taxes.

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

Sen. Dever introduced:

SCR 4032: A concurrent resolution directing the Legislative Council to study ways in which schools and school districts can better identify high-risk students and provide programs designed to reduce the incidences of high-risk behaviors that can lead to suicide attempts.

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

Sen. Potter and Rep. Glassheim introduced:

SCR 4033: A concurrent resolution directing the Legislative Council to study federal-state initiatives to aid the energy industry in its efforts to control carbon emissions and pollutants to maintain North Dakota's good air quality.

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

FIRST READING OF HOUSE BILLS

HB 1061: A BILL for an Act to amend and reenact section 6-09.7-09 of the North Dakota Century Code, relating to the maximum amount of Bank of North Dakota agricultural real estate loans; and to provide an effective date.

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

HB 1066: A BILL for an Act to amend and reenact section 4-19-01.2 of the North Dakota Century Code, relating to the balance in the state forester reserve account.

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

HB 1090: A BILL for an Act to amend and reenact sections 24-02-03.5, 39-02-05, 39-05-30, 39-18-02.1, 39-22.1-02.1, 39-24-05, and 39-29-05 of the North Dakota Century Code, relating to deposit of fleet services and highway tax distribution funds.

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

HB 1174: A BILL for an Act to create and enact a new section to chapter 54-06 of the North Dakota Century Code, relating to prohibiting executive branch agencies from funding salary increases through the use of funds due to vacancies.

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

HB 1429: A BILL for an Act to provide a transfer and appropriation from the general fund; to amend and reenact section 54-27.2-01 of the North Dakota Century Code, relating to the budget stabilization fund; and to provide an effective date.

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

HB 1461: A BILL for an Act to create and enact a new section to chapter 15-10 and a new subsection to section 54-35-15.2 of the North Dakota Century Code, relating to higher education information technology and powers and duties of the information technology committee; and to amend and reenact sections 54-59-05, 54-59-09, and 54-59-11 of the North Dakota Century Code, relating to the information technology department, information technology standards, and information technology plans.

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

FIRST READING OF HOUSE CONCURRENT RESOLUTION

HCR 3001: A concurrent resolution authorizing the Budget Section of the Legislative Council to hold the required legislative hearings on state plans for the receipt and expenditure of new or revised block grants passed by Congress.

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

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

William R. Horton, Secretary

