

JOURNAL OF THE HOUSE

Sixty-second Legislative Assembly

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Bismarck, April 27, 2011

The House convened at 8:00 a.m., with Speaker Drovdal presiding.

The prayer was offered by Representative RaeAnn Kelsch, District 34, Mandan.

The roll was called and all members were present.

A quorum was declared by the Speaker.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. DAHL MOVED that the conference committee report on Engrossed SB 2004 as printed on HJ pages 2000-2001 be adopted, which motion prevailed on a voice vote.

Engrossed SB 2004, as amended, was placed on the Fourteenth order of business.

SECOND READING OF SENATE BILL

SB 2004: A BILL for an Act to provide an appropriation for defraying the expenses of the state auditor; to provide an appropriation to the legislative council; and to amend and reenact section 54-10-10 of the North Dakota Century Code, relating to the salary of the state auditor.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 92 YEAS, 2 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Beadle; Bellew; Belter; Boe; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delmore; Devlin; Dosch; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kreun; Kroeber; Louser; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Monson; Mueller; Nathe; Nelson, J.; Nelson, M.; Onstad; Owens; Paur; Pietsch; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Skarphol; Steiner; Streytle; Sukut; Thoreson; Trottier; Vigasaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovdal

NAYS: Delzer; Kasper

Engrossed SB 2004, as amended, passed.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. KLEIN MOVED that the conference committee report on Engrossed SB 2016 as printed on HJ pages 2001-2004 be adopted, which motion prevailed on a voice vote.

Engrossed SB 2016, as amended, was placed on the Fourteenth order of business.

SECOND READING OF SENATE BILL

SB 2016: A BILL for an Act to provide an appropriation for defraying the expenses of the office of the adjutant general; to provide appropriations; to provide for transfers; to provide exemptions; to amend and reenact section 37-17.3-08 of the North Dakota Century Code, relating to state radio fees; to provide legislative intent; and to declare an emergency.

ROLL CALL

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

YEAS: Amerman; Anderson; Beadle; Bellew; Belter; Boe; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delmore; Delzer; Devlin; Dosch; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kreun; Kroeber; Louser; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Monson; Mueller; Nathe; Nelson, J.; Nelson, M.; Onstad; Owens; Paur; Pietsch; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Skarphol; Steiner; Streyle; Sukut; Thoreson; Trottier; Vigesaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovdal

Engrossed SB 2016, as amended, passed and the emergency clause was declared carried.

ANNOUNCEMENT

SPEAKER DROVDAL ANNOUNCED that the House will stand in recess until 11:00 a.m.

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

ANNOUNCEMENT

SPEAKER DROVDAL ANNOUNCED that Rep. Schmidt replaces Rep. Devlin on the Conference Committee on SB 2276.

ANNOUNCEMENT

SPEAKER DROVDAL ANNOUNCED that the House will stand in recess until 1:00 p.m.

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

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

MR. SPEAKER: The Senate does not concur in the House amendments to SB 2276, and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2276: Sens. J. Lee; Uglem; Mathern

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

MR. PRESIDENT: The Speaker has appointed Rep. Schmidt to replace Rep. Devlin on the Conference Committee on SB 2276.

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

MR. PRESIDENT: The House has adopted the conference committee report and subsequently passed: SB 2004.

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

MR. PRESIDENT: The House has adopted the conference committee report, subsequently passed, and the emergency clause carried: SB 2016.

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

MR. SPEAKER: The Senate has adopted the conference committee report and subsequently passed: HB 1015.

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

MR. PRESIDENT: Your signature is respectfully requested on: HB 1001, HB 1057, HB 1206, HB 1229.

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

MR. SPEAKER: The President has signed: HB 1001, HB 1057, HB 1206, HB 1229.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The Speaker has signed: HB 1002, HB 1005, HB 1006, HB 1007, HB 1011, HB 1014, HB 1016, HB 1019, HB 1020, HB 1025, HB 1029, HB 1033, HB 1041, HB 1044, HB 1046, HB 1074, HB 1085, HB 1086, HB 1087, HB 1091, HB 1092, HB 1126, HB 1134, HB 1248, HB 1451.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bills were delivered to the Governor for approval on April 27, 2011: HB 1002, HB 1005, HB 1006, HB 1007, HB 1011, HB 1014, HB 1016, HB 1019, HB 1020, HB 1025, HB 1029, HB 1033, HB 1041, HB 1044, HB 1046, HB 1074, HB 1085, HB 1086, HB 1087, HB 1091, HB 1092, HB 1126, HB 1134, HB 1248, HB 1451.

REPORT OF CONFERENCE COMMITTEE

HB 1021, as engrossed: Your conference committee (Sens. Christmann, Fischer, Robinson and Reps. Thoreson, Pollert, Glassheim) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1418-1420, adopt amendments as follows, and place HB 1021 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1418-1420 of the House Journal and pages 1186-1188 of the Senate Journal and that Engrossed House Bill No. 1021 be amended as follows:

Page 1, line 2, remove "to provide legislative intent;"

Page 3, replace lines 1 through 5 with:

"SECTION 4. BANK OF NORTH DAKOTA TRANSFER. The industrial commission shall transfer, as requested by the health information technology office director, up to \$5,000,000 from the current earnings and accumulated profits of the Bank of North Dakota to the health information technology planning loan fund or to the health information technology loan fund, for the biennium beginning July 1, 2011, and ending June 30, 2013. The health information technology office director shall request transfers from the Bank only as necessary to meet cashflow needs of the fund and only upon certification by the health information technology office director of a demonstrated need for health information technology planning loans."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1021 - Summary of Conference Committee Action

	Executive Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Information Technology Department						
Total all funds	\$164,424,855	\$164,197,887	\$0	\$164,197,887	\$183,543,964	(\$19,346,077)
Less estimated income	145,303,651	145,076,683	0	145,076,683	164,422,760	(19,346,077)
General fund	\$19,121,204	\$19,121,204	\$0	\$19,121,204	\$19,121,204	\$0
Department of Human Services						
Total all funds	\$0	\$0	\$0	\$0	\$25,300,000	(\$25,300,000)
Less estimated income	0	0	0	0	16,100,000	(16,100,000)
General fund	\$0	\$0	\$0	\$0	\$9,200,000	(\$9,200,000)
Bill total						
Total all funds	\$164,424,855	\$164,197,887	\$0	\$164,197,887	\$208,843,964	(\$44,646,077)
Less estimated income	145,303,651	145,076,683	0	145,076,683	180,522,760	(35,446,077)
General fund	\$19,121,204	\$19,121,204	\$0	\$19,121,204	\$28,321,204	(\$9,200,000)

House Bill No. 1021 - Information Technology Department - Conference Committee Action

The conference committee amendment does not include funding or FTE positions added by the Senate relating to the Department of Human Services' eligibility system replacement project.

The conference committee amendment does remove the section of legislative intent added by the House to provide that the Bank of North Dakota PACE program is to be used to provide low-interest loans to finance health information technology projects and reinstates the section included in the bill as introduced which provides that the Industrial Commission transfer up to \$5 million from the current earnings and accumulated undivided profits of the Bank of North Dakota to the health information technology planning loan fund or to the health information technology loan fund for the 2011-13 biennium. This change was also made by the Senate.

House Bill No. 1021 - Department of Human Services - Conference Committee Action

The conference committee amendment does not include funding or the FTE position added by the Senate for the Department of Human Services' eligibility system replacement project.

Engrossed HB 1021 was placed on the Seventh order of business on the calendar.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. THORESON MOVED that the conference committee report on Engrossed HB 1021 be adopted, which motion prevailed on a voice vote.

Engrossed HB 1021, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1021: A BILL for an Act to provide an appropriation for defraying the expenses of the information technology department; to provide for various transfers; and to amend and reenact section 7 of chapter 49 and section 8 of chapter 519 of the 2009 Session Laws, relating to statewide longitudinal data system expenditures and health information technology.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 80 YEAS, 13 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Beadle; Belter; Boe; Boehning; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; Delmore; Delzer; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Hogan; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kempenich; Kilichowski; Kingsbury; Klein; Klemin; Kreidt; Kretschmar; Kreun; Kroeber; Louser; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Monson; Mueller; Nelson, J.; Nelson, M.; Owens; Paur; Pietsch; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schmidt; Skarphol; Steiner; Streyle; Sukut; Thoreson; Trottier; Vigesaa; Wall; Weisz; Williams; Winrich; Speaker Drovdal

NAYS: Bellew; Brabandt; DeKrey; Devlin; Dosch; Karls; Koppelman; Nathe; Onstad; Schatz; Weiler; Wieland; Wrangham

ABSENT AND NOT VOTING: Zaiser

Reengrossed HB 1021 passed.

ANNOUNCEMENT

SPEAKER DROVDAL ANNOUNCED that the House will stand in recess until 3:00 p.m.

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

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

MR. PRESIDENT: The House has adopted the conference committee report and subsequently passed: HB 1021.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has adopted the conference committee report, subsequently passed, and the emergency clause carried: SB 2019.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The Speaker has signed: HB 1001, HB 1057, HB 1206, HB 1229.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bills were delivered to the Governor for approval on April 27, 2011: HB 1001, HB 1057, HB 1206, HB 1229.

REPORT OF CONFERENCE COMMITTEE

SB 2019, as engrossed: Your conference committee (Sens. Krebsbach, Erbele, O'Connell and Reps. Martinson, Dosch, Williams) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1162-1164, adopt amendments as follows, and place SB 2019 on the Seventh order:

That the House recede from its amendments as printed on pages 1162-1164 of the Senate Journal and pages 1305-1308 of the House Journal and that Engrossed Senate Bill No. 2019 be amended as follows:

Page 2, replace lines 3 and 4 with:

"International Peace Garden	<u>\$736,854</u>	<u>\$303,845</u>	<u>\$1,040,699</u>
Total general fund	\$736,854	\$303,845	\$1,040,699"

Page 2, replace line 9 with:

"Grand total general fund	\$10,562,591	\$6,060,965	\$16,623,556"
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Page 2, replace line 11 with:

"Grand total all funds	\$22,710,645	\$6,582,443	\$29,293,088"
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Page 2, replace lines 24 and 25 with:

"International Peace Garden capital projects and deferred maintenance"	86,600	267,000	
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Page 2, replace line 28 with:

"Total all funds	\$5,571,368	\$4,749,210"	
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Page 2, replace line 30 with:

"Total general fund	\$4,771,368	\$4,749,210"	
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Page 3, after line 17, insert:

"SECTION 5. INTERNATIONAL PEACE GARDEN CONSERVATORY
ADDITION. The International Peace Garden line item in subdivision 2 of section 1 of this Act includes \$242,000 from the general fund for the state's share of the cost to build an expansion onto the conservatory for a cactus collection. The International Peace Garden must obtain the remaining funding of \$242,000 needed for the project from nonstate sources prior to beginning the project."

ReNUMBER accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2019 - Summary of Conference Committee Action

	Executive Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Parks and Recreation Department						
Total all funds	\$28,252,389	\$28,252,389	\$0	\$28,252,389	\$28,427,389	(\$175,000)
Less estimated income	12,669,532	12,669,532	0	12,669,532	12,669,532	0
General fund	\$15,582,857	\$15,582,857	\$0	\$15,582,857	\$15,757,857	(\$175,000)
International Peace Garden						
Total all funds	\$773,699	\$773,699	\$267,000	\$1,040,699	\$1,040,699	\$0
Less estimated income	0	0	0	0	0	0
General fund	\$773,699	\$773,699	\$267,000	\$1,040,699	\$1,040,699	\$0
Bill total						
Total all funds	\$29,026,088	\$29,026,088	\$267,000	\$29,293,088	\$29,468,088	(\$175,000)
Less estimated income	12,669,532	12,669,532	0	12,669,532	12,669,532	0
General fund	\$16,356,556	\$16,356,556	\$267,000	\$16,623,556	\$16,798,556	(\$175,000)

Senate Bill No. 2019 - International Peace Garden - Conference Committee Action

	Executive Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
International Peace Garden	\$773,699	\$773,699	\$267,000	\$1,040,699	\$1,040,699	
Total all funds	\$773,699	\$773,699	\$267,000	\$1,040,699	\$1,040,699	\$0
Less estimated income	0	0	0	0	0	0
General fund	\$773,699	\$773,699	\$267,000	\$1,040,699	\$1,040,699	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department No. 751 - International Peace Garden - Detail of Conference Committee Changes

	Adds Funding for Conservatory Addition ¹	Adds Funding for Memorial ²	Total Conference Committee Changes
International Peace Garden	\$242,000	\$25,000	\$267,000
Total all funds	\$242,000	\$25,000	\$267,000
Less estimated income	0	0	0
General fund	\$242,000	\$25,000	\$267,000
FTE	0.00	0.00	0.00

¹ This amendment adds funding for an addition to the conservatory to house a cactus collection. A section is added regarding additional funding from other nonstate sources, the same as the House version.

² This amendment adds funding for a memorial to victims of the September 11, 2001, terrorist attack on the World Trade Center, the same as the House version.

Engrossed SB 2019 was placed on the Seventh order of business on the calendar.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. WILLIAMS MOVED that the conference committee report on Engrossed SB 2019 be adopted, which motion prevailed on a voice vote.

Engrossed SB 2019, as amended, was placed on the Fourteenth order of business.

SECOND READING OF SENATE BILL

SB 2019: A BILL for an Act to provide an appropriation for defraying the expenses of the parks and recreation department and the International Peace Garden; to provide for a transfer; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 82 YEAS, 9 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Beadle; Bellew; Boe; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; Damschen; DeKrey; Delmore; Devlin; Dosch; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Heilman; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kelsh, S.; Kilichowski; Kingsbury; Klein; Klemm; Kreidt; Kretschmar; Kreun; Kroeber; Louser; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Monson; Mueller; Nathe; Nelson, J.; Nelson, M.; Onstad; Paur; Pietsch; Porter; Rohr; Ruby; Rust; Sanford; Schmidt; Skarphol; Steiner; Streytle; Sukut; Thoreson; Trottier; Vigasaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Speaker Drovdal

NAYS: Belter; Dahl; Delzer; Headland; Koppelman; Owens; Pollert; Schatz; Wrangham

ABSENT AND NOT VOTING: Hogan; Kempenich; Zaiser

Engrossed SB 2019, as amended, passed and the emergency clause was declared carried.

ANNOUNCEMENT

SPEAKER DROVDAL ANNOUNCED that the House will stand in recess until 5:15 p.m.

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

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

MR. PRESIDENT: The House has adopted the conference committee report, subsequently passed, and the emergency clause carried: SB 2019.

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

MR. SPEAKER: The Senate has adopted the conference committee report and subsequently passed: HB 1021.

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

MR. PRESIDENT: Your signature is respectfully requested on: HB 1015.

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

MR. PRESIDENT: Your signature is respectfully requested on: HB 1021.

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

MR. SPEAKER: Your signature is respectfully requested on: SB 2004, SB 2013, SB 2016, SB 2150.

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

MR. PRESIDENT: The Speaker has signed: SB 2004, SB 2013, SB 2016, SB 2150.

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

MR. SPEAKER: The President has signed: SB 2369.

CORRECTION AND REVISION OF THE JOURNAL

MR. SPEAKER: Your Committee on Correction and Revision of the Journal (Rep. Kretschmar, Chairman) has carefully examined the Journal of the Seventy-sixth Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 1946, lines 20 and 43, remove ", as amended,"

Page 1946, line 28, remove " amended"

Page 1992, line 4, after "2150" insert ", as amended,"

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

COMMUNICATION FROM GOVERNOR JACK DALRYMPLE

This is to inform you that on April 27, 2011, I have signed the following: HB 1047, HB 1094, HB 1095, HB 1099, HB 1103, HB 1112, HB 1124, HB 1127, HB 1133, HB 1138, HB 1142, HB 1144, HB 1152, HB 1174, HB 1194, HB 1199, HB 1252, HB 1266, HB 1269, and HB 1424.

REPORT OF CONFERENCE COMMITTEE

HB 1004, as engrossed: Your conference committee (Sens. Kilzer, Fischer, Robinson and Reps. Kreidt, J. Nelson, Kaldor) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1489-1491, adopt amendments as follows, and place HB 1004 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1489-1491 of the House Journal and pages 1241-1243 of the Senate Journal and that Engrossed House Bill No. 1004 be amended as follows:

Page 1, line 2, remove "to amend and reenact section 54-27-25 of the"

Page 1, line 3, remove "North Dakota Century Code, relating to the tobacco settlement trust fund;"

Page 1, line 4, remove "and"

Page 1, line 4, after "study" insert "; to provide for a performance audit; and to declare an emergency"

Page 1, replace lines 14 and 15 with:

"Salaries and wages	\$44,861,868	\$4,283,655	\$49,145,523
Operating expenses	44,635,794	3,957,372	48,593,166"

Page 1, replace line 17 with:

"Grants	62,160,510	(6,632,472)	55,528,038"
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Page 1, replace lines 21 through 23 with:

"Total all funds	\$187,614,500	\$1,463,033	\$189,077,533
Less estimated income	<u>164,609,206</u>	<u>(4,445,453)</u>	<u>160,163,753</u>
Total general fund	\$23,005,294	\$5,908,486	\$28,913,780"

Page 2, after line 9, insert:

"STEMI response program grant	0	600,000"
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Page 2, replace line 11 with:

"Total all funds	\$17,323,696	\$4,092,228"
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Page 2, replace line 13 with:

"Total general fund	\$4,076,371	\$600,000"
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Page 2, after line 23, insert:

	Adds Matching Funding for STEMI Response Program ⁷	Increases Grants to Local Public Health Units ⁸	Restores Funding for Injury Prevention ⁹	Restores Funding for Statewide Trauma Program ¹⁰	Adds Funding for Public Water System Operator Training ¹¹	Adds Funding for Performance Audit ¹²
Salaries and wages			\$125,557	\$112,434		
Operating expenses			9,960	387,366	180,000	100,000
Capital assets						
Grants	600,000	200,000		(300,000)		
Tobacco prevention						
WIC food payments						
Federal stimulus funds						
Contingency						
Total all funds	\$600,000	\$200,000	\$135,517	\$199,800	\$180,000	\$100,000
Less estimated income	0	0	0	124,800	0	100,000
General fund	\$600,000	\$200,000	\$135,517	\$75,000	\$180,000	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	Total Conference Committee Changes
Salaries and wages	\$237,991
Operating expenses	23,578,066
Capital assets	
Grants	34,718
Tobacco prevention	
WIC food payments	
Federal stimulus funds	
Contingency	
Total all funds	\$23,850,775
Less estimated income	21,798,476
General fund	\$2,052,299
FTE	0.00

¹ Funding of \$19.4 million included in the executive recommendation, but removed by the House, for operating expenses related to the purchase of vaccines under a vaccine ordering program is restored, the same as the Senate. In addition, the conference committee increased the funding by \$3.6 million to provide the level of spending authority identified in Senate Bill No. 2276.

² Funding provided by the House from the community health trust fund for Women's Way care coordination, including operating expenses (\$99,260) and grants (\$400,740), is removed, the same as the Senate.

³ Funding from the community health trust fund for heart disease and stroke prevention grants included in the executive recommendation is changed to the general fund, the same as the Senate. The House did not change this funding.

⁴ The source of funding for certain state stroke registry operating expenses (\$78,500) and grants (\$172,200) is changed from the community health trust fund to the general fund, the same as the Senate. The executive recommendation provided the funding for this program from the general fund, and the House changed the funding source to the community health trust fund.

⁵ Funding from the community health trust fund provided by the House for grants to implement the Go Red North Dakota risk awareness and action grants program is removed, the same as the Senate. The executive recommendation did not include funding for this program.

⁶ Funding for prenatal alcohol screening and intervention grants removed by the House is restored to the level recommended by the Governor, the same as the Senate.

⁷ This amendment adds funding to provide one-time funding from the general fund to the

State Department of Health to provide matching funds for an ST-elevated myocardial infarction (STEMI) response program, \$575,000 more than the Senate. The executive recommendation and the House did not provide funding for this program.

⁸ Grants to local public health units are increased to provide a total of \$3 million from the general fund, \$600,000 more than the executive recommendation. The House and the Senate provided for an increase of \$400,000 from the general fund.

⁹ Funding relating to 1 FTE position (\$125,557) and operating expenses (\$9,960) for injury prevention, removed in both the House and Senate versions, is restored. The FTE position is not restored, and the department may transfer 1 FTE position from tobacco prevention.

¹⁰ Funding from the general fund of \$523,900 added in the executive budget to replace reduced federal funding available through the Department of Transportation for services provided to ambulances and for the statewide trauma program, removed by the House, is partially restored as follows:

Transfer from EMS grants line	\$300,000
Department of Transportation	124,800
General fund	<u>75,000</u>
Total	\$499,800

The Senate did not provide this funding.

¹¹ This amendment adds funding to provide for a public water system operator certification and training program and to reimburse operators of eligible public water systems in communities with a population of 3,300 or less for certification and training expenses. Funding for this program was not included in the House or the Senate versions nor in the executive recommendation.

¹² Funding from special or federal funds is added for a performance audit of the Family Health Division of the State Department of Health. The department may also use other funds available from within its operating expenses line item for costs of the audit. A section is added requiring the State Auditor to contract for the performance audit and authorizing the State Auditor to bill the State Department of Health for the cost of the audit.

In addition, this amendment:

- Removes Section 5 which amended Section 54-27-25 relating to the tobacco settlement trust fund and use of moneys in the community health trust fund for tobacco prevention and control, the same as the Senate. This amendment was not included in the executive recommendation but was added by the House.
- Provides that funding available for the Safe Havens program is available for centers meeting current standards. The House and the Senate did not include this language.
- Adds a section to declare the contingent appropriation and Bank of North Dakota line of credit provided for litigation and administrative proceedings costs in the bill is an emergency measure, the same as the Senate.

Funding for health care reform totaling \$1,795,112, removed by the House and restored by the Senate, was not restored by the conference committee.

Engrossed HB 1004 was placed on the Seventh order of business on the calendar.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. KREIDT MOVED that the conference committee report on Engrossed HB 1004 be adopted, which motion prevailed on a voice vote.

Engrossed HB 1004, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1004: A BILL for an Act to provide an appropriation for defraying the expenses of the state department of health; to provide a contingent appropriation; to provide legislative intent; to provide for reports; to provide for a legislative management study; to provide for a performance audit; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 82 YEAS, 10 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Beadle; Bellew; Belter; Boe; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; Damschen; DeKrey; Delmore; Devlin; Frantsovog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kempenich; Kilichowski; Kingsbury; Klein; Klemin; Kreidt; Kretschmar; Kreun; Kroeber; Louser; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Monson; Mueller; Nathe; Nelson, J.; Onstad; Paur; Pietsch; Pollert; Porter; Rohr; Rust; Sanford; Schmidt; Skarphol; Steiner; Streyle; Sukut; Thoreson; Trottier; Vigesaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Speaker Drovdal

NAYS: Dahl; Delzer; Dosch; Koppelman; Nelson, M.; Owens; Ruby; Schatz; Wrangham; Zaiser

ABSENT AND NOT VOTING: Hogan; Kelsh, S.

Reengrossed HB 1004 passed and the emergency clause was declared carried.

ANNOUNCEMENT

SPEAKER DROVDAL ANNOUNCED that the House will stand in recess until 7:00 p.m.

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

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

MR. PRESIDENT: The House has adopted the conference committee report, subsequently passed, and the emergency clause carried: HB 1004.

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

MR. SPEAKER: Your signature is respectfully requested on: SB 2019.

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

MR. PRESIDENT: The Speaker has signed: SB 2019.

REPORT OF CONFERENCE COMMITTEE

HB 1003, as engrossed: Your conference committee (Sens. Holmberg, Krebsbach, O'Connell and Reps. Skarphol, Martinson, Williams) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1606-1620, adopt amendments as follows, and place HB 1003 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1606-1620 of the House Journal and pages 1226-1241 of the Senate Journal and that Engrossed House Bill No. 1003 be amended as follows:

Page 1, line 2, after "system" insert "; to provide borrowing authority"

Page 1, line 3, after "projects" insert "; to amend and reenact sections 15-10-08 and 15-70-04, subsection 3 of section 43-12.2-03, and subsection 3 of section 43-17.2-03 of the North Dakota Century Code, relating to state board of higher education member compensation, eligibility for the medical personnel loan repayment program, eligibility for the physician loan repayment program, and grants for nonbeneficiary students enrolled in tribally controlled community colleges; to provide legislative intent; to provide for a report; to provide for legislative management studies"

Page 1, remove lines 13 through 24

Page 2, remove lines 1 through 31

Page 3, remove lines 1 through 31

Page 4, remove lines 1 through 31

Page 5, remove lines 1 through 30

Page 6, remove lines 1 through 29

Page 7, replace lines 1 through 5 with:

"Subdivision 1.

NORTH DAKOTA UNIVERSITY SYSTEM OFFICE

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Capital assets	\$12,014,048	\$190,721	\$12,204,769
Competitive research program	7,050,000	0	7,050,000
System governance	7,185,612	(308,340)	6,877,272
Title II	695,600	0	695,600
System information technology	30,230,038	5,776,629	36,006,667
services			
Professional liability insurance	1,100,000	(300,000)	800,000
Student financial assistance grants	19,374,022	0	19,374,022
Professional student exchange program	3,337,100	(15,662)	3,321,438
Academic and technical education	3,000,000	(3,000,000)	0
scholarships			
Two-year campus marketing	800,000	0	800,000
Scholars program	2,113,584	0	2,113,584
Native American scholarships	381,292	192,975	574,267
Tribally controlled community college	700,000	300,000	1,000,000
grants			
Security and emergency preparedness	750,000	(750,000)	0
Education incentive programs	3,176,344	0	3,176,344
Science, technology, engineering, and	1,500,000	(1,500,000)	0
mathematics teacher education			
enhancement			
Equity and student affordability	0	15,240,565	15,240,565
Grants	100,000	(100,000)	0

Total all funds	\$93,507,640	\$15,726,888	\$109,234,528
Less estimated income	<u>4,748,958</u>	<u>(1,994,240)</u>	<u>2,754,718</u>
Total general fund	\$88,758,682	\$17,721,128	\$106,479,810
Full-time equivalent positions	23.30	0.00	23.30

Subdivision 2.

BISMARCK STATE COLLEGE

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$24,204,005	\$2,256,082	\$26,460,087
Capital assets	<u>243,481</u>	<u>13,767,125</u>	<u>14,010,606</u>
Total all funds	\$24,447,486	\$16,023,207	\$40,470,693
Less estimated income	<u>0</u>	<u>8,535,000</u>	<u>8,535,000</u>
Total general fund	\$24,447,486	\$7,488,207	\$31,935,693
Full-time equivalent positions	111.51	0.00	111.51

Subdivision 3.

LAKE REGION STATE COLLEGE

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$7,956,210	\$663,033	\$8,619,243
Capital assets	<u>43,662</u>	<u>977,705</u>	<u>1,021,367</u>
Total all funds	\$7,999,872	\$1,640,738	\$9,640,610
Less estimated income	<u>0</u>	<u>0</u>	<u>0</u>
Total general fund	\$7,999,872	\$1,640,738	\$9,640,610
Full-time equivalent positions	37.50	0.00	37.50

Subdivision 4.

WILLISTON STATE COLLEGE

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$7,696,999	\$803,898	\$8,500,897
Capital assets	<u>86,475</u>	<u>5,156,326</u>	<u>5,242,801</u>
Total all funds	\$7,783,474	\$5,960,224	\$13,743,698
Less estimated income	<u>0</u>	<u>2,225,000</u>	<u>2,225,000</u>
Total general fund	\$7,783,474	\$3,735,224	\$11,518,698
Full-time equivalent positions	43.42	0.00	43.42

Subdivision 5.

UNIVERSITY OF NORTH DAKOTA

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$125,036,783	\$11,557,009	\$136,593,792
Capital assets	<u>2,300,545</u>	<u>45,158,167</u>	<u>47,458,712</u>
Total all funds	\$127,337,328	\$56,715,176	\$183,052,504
Less estimated income	<u>0</u>	<u>30,450,000</u>	<u>30,450,000</u>
Total general fund	\$127,337,328	\$26,265,176	\$153,602,504
Full-time equivalent positions	651.91	0.00	651.91

Subdivision 6.

NORTH DAKOTA STATE UNIVERSITY

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$108,367,622	\$10,567,076	\$118,934,698
Capital assets	<u>1,692,225</u>	<u>37,412,702</u>	<u>39,104,927</u>
Total all funds	\$110,059,847	\$47,979,778	\$158,039,625
Less estimated income	<u>0</u>	<u>36,100,000</u>	<u>36,100,000</u>
Total general fund	\$110,059,847	\$11,879,778	\$121,939,625
Full-time equivalent positions	584.88	0.00	584.88

Subdivision 7.

NORTH DAKOTA STATE COLLEGE OF SCIENCE

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$31,607,155	\$2,006,991	\$33,614,146
Capital assets	<u>753,332</u>	<u>21,317,713</u>	<u>22,071,045</u>
Total all funds	\$32,360,487	\$23,324,704	\$55,685,191
Less estimated income	<u>0</u>	<u>10,700,000</u>	<u>10,700,000</u>
Total general fund	\$32,360,487	\$12,624,704	\$44,985,191
Full-time equivalent positions	164.87	0.00	164.87

Subdivision 8.

DICKINSON STATE UNIVERSITY

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$20,123,737	\$2,682,639	\$22,806,376
Capital assets	<u>383,690</u>	<u>25,388</u>	<u>409,078</u>
Total all funds	\$20,507,427	\$2,708,027	\$23,215,454
Less estimated income	<u>0</u>	<u>0</u>	<u>0</u>
Total general fund	\$20,507,427	\$2,708,027	\$23,215,454

Full-time equivalent positions	92.96	0.00	92.96
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Subdivision 9.

MAYVILLE STATE UNIVERSITY

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$11,629,616	\$1,010,207	\$12,639,823
Capital assets	<u>208,991</u>	<u>234,514</u>	<u>443,505</u>
Total all funds	\$11,838,607	\$1,244,721	\$13,083,328
Less estimated income	<u>0</u>	<u>0</u>	<u>0</u>
Total general fund	\$11,838,607	\$1,244,721	\$13,083,328
Full-time equivalent positions	58.72	0.00	58.72

Subdivision 10.

MINOT STATE UNIVERSITY

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$34,623,707	\$2,647,646	\$37,271,353
Capital assets	<u>596,870</u>	<u>21,187,305</u>	<u>21,784,175</u>
Total all funds	\$35,220,577	\$23,834,951	\$59,055,528
Less estimated income	<u>0</u>	<u>16,034,555</u>	<u>16,034,555</u>
Total general fund	\$35,220,577	\$7,800,396	\$43,020,973
Full-time equivalent positions	187.83	0.00	187.83

Subdivision 11.

VALLEY CITY STATE UNIVERSITY

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$16,368,001	\$1,037,737	\$17,405,738
Capital assets	<u>258,416</u>	<u>11,513,319</u>	<u>11,771,735</u>
Total all funds	\$16,626,417	\$12,551,056	\$29,177,473
Less estimated income	<u>0</u>	<u>1,015,000</u>	<u>1,015,000</u>
Total general fund	\$16,626,417	\$11,536,056	\$28,162,473
Full-time equivalent positions	90.37	0.00	90.37

Subdivision 12.

DAKOTA COLLEGE AT BOTTINEAU

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$5,862,372	\$378,063	\$6,240,435
Capital assets	<u>109,725</u>	<u>705,782</u>	<u>815,507</u>

Total all funds	\$5,972,097	\$1,083,845	\$7,055,942
Less estimated income	<u>0</u>	<u>0</u>	<u>0</u>
Total general fund	\$5,972,097	\$1,083,845	\$7,055,942
Full-time equivalent positions	34.81	0.00	34.81

Subdivision 13.

UNIVERSITY OF NORTH DAKOTA SCHOOL OF MEDICINE AND HEALTH SCIENCES

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	<u>\$40,890,401</u>	<u>\$5,892,620</u>	<u>\$46,783,021</u>
Total all funds	\$40,890,401	\$5,892,620	\$46,783,021
Less estimated income	<u>0</u>	<u>0</u>	<u>0</u>
Total general fund	\$40,890,401	\$5,892,620	\$46,783,021
Full-time equivalent positions	137.43	0.00	137.43

Subdivision 14.

NORTH DAKOTA FOREST SERVICE

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$4,471,040	\$641,127	\$5,112,167
Capital assets	<u>36,638</u>	<u>67,153</u>	<u>103,791</u>
Total all funds	\$4,507,678	\$708,280	\$5,215,958
Less estimated income	<u>997,486</u>	<u>6,000</u>	<u>1,003,486</u>
Total general fund	\$3,510,192	\$702,280	\$4,212,472
Full-time equivalent positions	26.00	0.00	26.00

Subdivision 15.

BILL TOTAL

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Grand total all funds	\$539,059,338	\$215,394,215	\$754,453,553
Grand total special funds	<u>5,746,444</u>	<u>103,071,315</u>	<u>108,817,759</u>
Grand total general fund	\$533,312,894	\$112,322,900	\$645,635,794"

Page 7, replace line 12 with:

"Dickinson state university operating funds	350,000	900,000
Mayville state university drainage study	0	55,000
UND school of medicine space utilization study	0	100,000"

Page 7, replace lines 17 through 21 with:

"Capital projects - General fund	39,008,248	47,136,000
Capital projects - Other funds	166,958,000	105,065,555
Capital projects - Permanent oil tax trust fund	10,400,000	0
Special assessments payments	0	819,357"

Page 7, replace lines 23 through 25 with:

"Total all funds	\$257,001,168	\$154,325,912
Total other funds	<u>197,017,920</u>	<u>105,065,555</u>
Total general fund	\$59,983,248	\$49,260,357"

Page 7, remove lines 30 and 31

Page 8, replace lines 1 through 4 with:

"SECTION 3. TRANSFER - PERMANENT OIL TAX TRUST FUND - 2009-11 BIENNIUM. The office of management and budget shall transfer any unexpended funds appropriated from the permanent oil tax trust fund in chapter 31 of the 2009 Session Laws to the appropriate higher education institution's special fund at the end of the biennium beginning July 1, 2009, and ending June 30, 2011. For the purposes of this section, "end of the biennium" means thirty days after the close of the biennial period but prior to the cancellation of unexpended appropriations under section 54-44.1-11.

SECTION 4. BORROWING AUTHORITY - WILLISTON STATE COLLEGE - WORKFORCE TRAINING BUILDING PROJECT. Williston state college may borrow the sum of \$1,725,000, or so much of the sum as may be necessary, from the Bank of North Dakota for the workforce training building project for the period beginning with the effective date of this Act and ending June 30, 2013."

Page 8, remove lines 5 through 9

Page 8, line 10, replace "\$12,254,769" with "\$12,204,769"

Page 8, after line 12, insert:

"SECTION 6. EQUITY AND STUDENT AFFORDABILITY FUNDING POOL TRANSFERS. The equity and student affordability line item in subdivision 1 of section 1 of this Act includes the sum of \$15,240,565 which must be transferred by the state board of higher education to institutions under its control based on existing formulas for equity and student affordability distributions.

SECTION 7. NORTH DAKOTA UNIVERSITY SYSTEM AND UNIVERSITY OF NORTH DAKOTA JOINT INFORMATION TECHNOLOGY BUILDING PROJECT - BUDGET SECTION REPORT. The capital assets line item in subdivision 5 of section 1 of this Act includes the sum of \$20,500,000 for the North Dakota university system and university of North Dakota joint information technology building project. The state board of higher education may spend additional funds on the project of up to \$5,000,000 that are made available from the university of North Dakota, North Dakota state university, and North Dakota university system 2011-13 biennium information technology services funding resulting from one-time savings or efficiencies. The North Dakota university system shall provide a report to the budget section of the legislative management regarding any funds expended pursuant to this section.

SECTION 8. NORTH DAKOTA STATE UNIVERSITY - MINARD HALL - BUDGET SECTION REPORT. North Dakota state university may use unspent funding from the \$5,000,000 appropriation received during the biennium beginning July 1, 2007, and ending June 30, 2009, and unspent funding from the \$13,000,000 appropriation received during the biennium beginning July 1, 2009, and ending

June 30, 2011, for the Minard hall project, for the biennium beginning July 1, 2011, and ending June 30, 2013. North Dakota state university shall report to the budget section regarding the status of the Minard hall project and may request increased spending authorization from the budget section for the project."

Page 10, replace line 4 with:

"Williston state college workforce training center 1,725,000"

Page 10, replace line 10 with:

"Total special funds \$40,225,000

SECTION 16. AMENDMENT. Section 15-10-08 of the North Dakota Century Code is amended and reenacted as follows:

15-10-08. Compensation of board members - Expenses - Legislative appropriations.

Each member of the state board of higher education, except the student member, is entitled to receive as compensation one hundred ~~forty-eight~~ dollars per day for each calendar day actually spent devoted to the duties of office, and necessary expenses in the same manner and amounts as other state officials for attending meetings and performing other functions of office. The legislative assembly shall provide adequate funds to carry out the functions and duties of the board.

SECTION 17. AMENDMENT. Section 15-70-04 of the North Dakota Century Code is amended and reenacted as follows:

15-70-04. Submission of grant application - Distribution of grants.

1. In order to qualify for a grant under this chapter, ~~an institutiona tribally controlled community college~~ shall submit an application at the time and in the manner required by the state board of higher education. The application must document:
 - a. Include the name and address of each student who qualifies for financial assistance under this chapter; and
 - b. Document the enrollment status of each student ~~on whose account~~ who qualifies for financial assistance under this chapter is sought.
2. If an application is approved, the state board of higher education shall distribute to ~~each the~~ tribally controlled community college, during each year of the biennium, ~~five thousand three hundred four dollars per full-time equivalent nonbeneficiary student~~ an amount equivalent to the most recent per student payment provided in accordance with the Tribally Controlled Colleges and Universities Assistance Act of 1978 [25 U.S.C. 20] for each nonbeneficiary student who is a resident of the state. If the amount appropriated is insufficient to meet the requirements of this section, the board shall distribute ~~a prorated amount per full-time equivalent nonbeneficiary student~~ prorate the amount to be distributed.
3. If after meeting the requirements of this section any amount remains available for distribution at the conclusion of each year of the biennium, the state board of higher education shall provide prorated distribution based on criteria set forth in this section.
4. At the time and in the manner determined by the state board of higher education, each tribally controlled community college receiving assistance under this section shall file a report indicating:
 - a. The graduation rate of nonbeneficiary students; and

- b. The ratio between the amount of funding received by the tribally controlled community college under this section and the college's annual budget.

SECTION 18. AMENDMENT. Subsection 3 of section 43-12.2-03 of the North Dakota Century Code is amended and reenacted as follows:

3. A nurse practitioner, physician assistant, or certified nurse midwife who receives loan repayment under this chapter:
- a. Must be a graduate of an accredited program, located in the United States or Canada, for the preparation of nurse practitioners, physician assistants, or certified nurse midwives;
 - b. ~~Must be enrolled in or have graduated from an accredited training program for nurse practitioners, physician assistants, or certified nurse midwives prior to or within one year after submitting an application to participate in the loan repayment program and may not have practiced full time as a nurse practitioner, physician assistant, or certified nurse midwife in this state for more than one year before the date of the application;~~
 - e. Must be licensed or registered to practice as a nurse practitioner, physician assistant, or certified nurse midwife in this state;
 - ~~d.c.~~ Shall submit an application to participate in the loan repayment program; and
 - e.d. Must have entered into an agreement with a selected community to provide full-time services for a minimum of two years at the selected community if the applicant receives a loan repayment program contract.

SECTION 19. AMENDMENT. Subsection 3 of section 43-17.2-03 of the North Dakota Century Code is amended and reenacted as follows:

3. A physician who receives loan repayment under this chapter:
- a. Must be a graduate of an accredited four-year allopathic or osteopathic medical school located in the United States, its possessions, territories, or Canada and approved by the state board of medical examiners or by an accrediting body approved by the board;
 - b. ~~Must not have practiced full time medicine in this state for more than one year before the date of the application;~~
 - e. Must have a full and unrestricted license to practice medicine in this state;
 - ~~d.c.~~ Shall submit an application to participate in the loan repayment program; and
 - e.d. Must have entered into an agreement with a selected community to provide full-time medical services for a minimum of two years at the selected community if the applicant receives a loan repayment program contract.

SECTION 20. LEGISLATIVE INTENT - NORTH DAKOTA UNIVERSITY SYSTEM BUDGET REQUEST. It is the intent of the sixty-second legislative assembly that the state board of higher education develop a budget request for the North Dakota university system for the 2013-15 biennium that does not include a funding component for student affordability to limit student tuition increases or a funding component for equity distributions to institutions based on a peer institution comparison. The budget request may be based on a funding method that

incorporates a tiered system of funding distributions based on institution type or other funding method that addresses the needs of the North Dakota university system.

SECTION 21. LEGISLATIVE INTENT - ENROLLMENT REPORTING. It is the intent of the sixty-second legislative assembly that North Dakota university system enrollment reports detailing fall semester enrollment information only include data for full-time students that are physically present on campus.

SECTION 22. LEGISLATIVE MANAGEMENT STUDY - PROGRAM TUITION RATES - WORKFORCE NEEDS. During the 2011-12 interim, the legislative management shall consider studying programs offered by North Dakota university system institutions that address the workforce needs of the state, including a review of the use of graduated tuition rates to increase enrollment in programs that address workforce needs. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-third legislative assembly.

SECTION 23. LEGISLATIVE MANAGEMENT STUDY - UNIVERSITY OF NORTH DAKOTA SCHOOL OF MEDICINE AND HEALTH SCIENCES. During the 2011-12 interim, the legislative management chairman shall consider appointing a separate committee to study the ability of the university of North Dakota school of medicine and health sciences to meet the health care needs of the state. The study, if conducted, must include a review of the health care needs of the state, options to address the health care needs of the state, and the feasibility and desirability of expanding the school of medicine and health sciences to meet the health care needs of the state. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-third legislative assembly."

Page 10, line 12, remove "3,"

Page 10, line 12, remove the second comma

Page 10, line 12, replace "12" with "15"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1003 - Summary of Conference Committee Action

	Executive Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Legislative Council						
Total all funds	\$0	\$0	\$0	\$0	\$100,000	(\$100,000)
Less estimated income	0	0	0	0	0	0
General fund	\$0	\$0	\$0	\$0	\$100,000	(\$100,000)
University System Office						
Total all funds	\$103,926,168	\$94,711,963	\$14,522,565	\$109,234,528	\$95,511,963	\$13,722,565
Less estimated income	3,754,718	2,754,718	0	2,754,718	3,754,718	(1,000,000)
General fund	\$100,171,450	\$91,957,245	\$14,522,565	\$106,479,810	\$91,757,245	\$14,722,565
Bismarck State College						
Total all funds	\$38,053,301	\$36,102,760	\$4,367,933	\$40,470,693	\$41,746,234	(\$1,275,541)
Less estimated income	7,500,000	7,500,000	1,035,000	8,535,000	8,835,000	(300,000)
General fund	\$30,553,301	\$28,602,760	\$3,332,933	\$31,935,693	\$32,911,234	(\$975,541)
Lake Region State College						
Total all funds	\$9,314,859	\$8,895,180	\$745,430	\$9,640,610	\$9,314,859	\$325,751
Less estimated income	0	0	0	0	0	0
General fund	\$9,314,859	\$8,895,180	\$745,430	\$9,640,610	\$9,314,859	\$325,751
Williston State College						
Total all funds	\$11,920,096	\$13,764,268	(\$20,570)	\$13,743,698	\$14,145,096	(\$401,398)
Less estimated income	2,820,000	4,820,000	(2,595,000)	2,225,000	4,820,000	(2,595,000)
General fund	\$9,100,096	\$8,944,268	\$2,574,430	\$11,518,698	\$9,325,096	\$2,193,602
University of North Dakota						
Total all funds	\$178,573,093	\$177,102,504	\$6,950,000	\$184,052,504	\$191,189,226	(\$7,136,722)

Less estimated income	21,700,000	21,700,000	8,750,000	30,450,000	31,650,000	(1,200,000)
General fund	\$156,873,093	\$155,402,504	(\$1,800,000)	\$153,602,504	\$159,539,226	(\$5,936,722)
UND Medical Center						
Total all funds	\$46,653,406	\$45,490,630	\$1,292,391	\$46,783,021	\$46,045,797	\$737,224
Less estimated income	0	0	0	0	0	0
General fund	\$46,653,406	\$45,490,630	\$1,292,391	\$46,783,021	\$46,045,797	\$737,224
North Dakota State University						
Total all funds	\$166,286,316	\$157,432,016	\$607,609	\$158,039,625	\$164,596,908	(\$6,557,283)
Less estimated income	36,100,000	36,100,000	0	36,100,000	36,100,000	0
General fund	\$130,186,316	\$121,332,016	\$607,609	\$121,939,625	\$128,496,908	(\$6,557,283)
State College of Science						
Total all funds	\$54,203,080	\$63,865,998	(\$8,180,807)	\$55,685,191	\$56,455,895	(\$770,704)
Less estimated income	10,500,000	10,500,000	200,000	10,700,000	10,500,000	200,000
General fund	\$43,703,080	\$53,365,998	(\$8,380,807)	\$44,985,191	\$45,955,895	(\$970,704)
Dickinson State University						
Total all funds	\$31,757,019	\$22,186,024	\$1,029,430	\$23,215,454	\$23,657,019	(\$441,565)
Less estimated income	0	0	0	0	0	0
General fund	\$31,757,019	\$22,186,024	\$1,029,430	\$23,215,454	\$23,657,019	(\$441,565)
Mayville State University						
Total all funds	\$13,685,384	\$12,918,898	\$164,430	\$13,083,328	\$13,377,404	(\$294,076)
Less estimated income	0	0	0	0	0	0
General fund	\$13,685,384	\$12,918,898	\$164,430	\$13,083,328	\$13,377,404	(\$294,076)
Minot State University						
Total all funds	\$43,860,736	\$42,990,973	\$16,064,555	\$59,055,528	\$59,695,291	(\$639,763)
Less estimated income	5,050,000	5,050,000	10,984,555	16,034,555	15,884,555	150,000
General fund	\$38,810,736	\$37,940,973	\$5,080,000	\$43,020,973	\$43,810,736	(\$789,763)
Valley City State University						
Total all funds	\$27,259,465	\$18,487,763	\$10,689,710	\$29,177,473	\$29,553,314	(\$375,841)
Less estimated income	815,000	815,000	200,000	1,015,000	815,000	200,000
General fund	\$26,444,465	\$17,672,763	\$10,489,710	\$28,162,473	\$28,738,314	(\$575,841)
Dakota College at Bottineau						
Total all funds	\$6,748,729	\$6,476,512	\$579,430	\$7,055,942	\$7,448,729	(\$392,787)
Less estimated income	0	0	0	0	0	0
General fund	\$6,748,729	\$6,476,512	\$579,430	\$7,055,942	\$7,448,729	(\$392,787)
Forest Service						
Total all funds	\$5,209,958	\$5,209,958	\$6,000	\$5,215,958	\$5,209,958	\$6,000
Less estimated income	997,486	997,486	6,000	1,003,486	997,486	6,000
General fund	\$4,212,472	\$4,212,472	\$0	\$4,212,472	\$4,212,472	\$0
Bill total						
Total all funds	\$737,451,610	\$705,635,447	\$48,818,106	\$754,453,553	\$758,047,693	(\$3,594,140)
Less estimated income	89,237,204	90,237,204	18,580,555	108,817,759	113,356,759	(4,539,000)
General fund	\$648,214,406	\$615,398,243	\$30,237,551	\$645,635,794	\$644,690,934	\$944,860

House Bill No. 1003 - North Dakota University System - General Fund Summary

	Executive Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Legislative Council					\$100,000	(\$100,000)
University System Office	100,171,450	91,957,245	14,522,565	106,479,810	91,757,245	14,722,565
Bismarck State College	30,553,301	28,602,760	3,332,933	31,935,693	32,911,234	(975,541)
Lake Region State College	9,314,859	8,895,180	745,430	9,640,610	9,314,859	325,751
Williston State College	9,100,096	8,944,268	2,574,430	11,518,698	9,325,096	2,193,602
University of North Dakota	156,873,093	155,402,504	(1,800,000)	153,602,504	159,539,226	(5,936,722)
UND Medical Center	46,653,406	45,490,630	1,292,391	46,783,021	46,045,797	737,224
North Dakota State University	130,186,316	121,332,016	607,609	121,939,625	128,496,908	(6,557,283)
State College of Science	43,703,080	53,365,998	(8,380,807)	44,985,191	45,955,895	(970,704)
Dickinson State University	31,757,019	22,186,024	1,029,430	23,215,454	23,657,019	(441,565)
Mayville State University	13,685,384	12,918,898	164,430	13,083,328	13,377,404	(294,076)
Minot State University	38,810,736	37,940,973	5,080,000	43,020,973	43,810,736	(789,763)
Valley City State University	26,444,465	17,672,763	10,489,710	28,162,473	28,738,314	(575,841)
Dakota College at Bottineau	6,748,729	6,476,512	579,430	7,055,942	7,448,729	(392,787)
Forest Service	4,212,472	4,212,472		4,212,472	4,212,472	
Total general fund	\$648,214,406	\$615,398,243	\$30,237,551	\$645,635,794	\$644,690,934	\$944,860

Detail of Conference Committee changes to the General Fund

Adds Funding for Equity and Student	Reduces Funding for University	Removes Funding for Expanding	Reduces Funding for Capital Bond	Restores Funding for Tribal College	Removes Funding for Student Mental
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	Affordability Funding Pool ¹	System Office Operations ²	Program Fund ³	Payments ⁴	Assistance Grants ⁵	Health Services ⁶
Legislative Council						
University System Office	15,240,565	(500,000)	(1,000,000)	(50,000)	1,000,000	(168,000)
Bismarck State College						
Lake Region State College						(120,570)
Williston State College						(120,570)
University of North Dakota						
UND Medical Center						
North Dakota State University						
State College of Science						
Dickinson State University						(120,570)
Mayville State University						(140,570)
Minot State University						(20,000)
Valley City State University						(60,290)
Dakota College at Bottineau						(120,570)
Forest Service						
Total general fund	\$15,240,565	(\$500,000)	(\$1,000,000)	(\$50,000)	\$1,000,000	(\$871,140)

	Restores STEM Teacher Education Enhancement Funding ⁷	Adjusts Funding for Special Assessment Payments ⁸	Adjusts Funding for Master's Degree in Public Health Program ⁹	Adds Funding to Increase Medical School Enrollment ¹⁰	Adds Funding for Space Utilization Study of School of Medicine ¹¹	Adds One-Time Funding for Dickinson State University Operations ¹²
Legislative Council						
University System Office						
Bismarck State College		32,933				
Lake Region State College						
Williston State College						
University of North Dakota						
UND Medical Center			(607,609)	1,800,000	100,000	
North Dakota State University			607,609			
State College of Science		(807)				
Dickinson State University	250,000					900,000
Mayville State University	250,000					
Minot State University	250,000					
Valley City State University	250,000					
Dakota College at Bottineau						
Forest Service						
Total general fund	\$1,000,000	\$32,126	\$0	\$1,800,000	\$100,000	\$900,000

	Adds Funding for Campus Security ¹³	Adjusts Funding Source for Williston State College Capital Projects ¹⁴	Adds Funding for Campus Drainage Study ¹⁵	Adjusts Funding for Capital Projects ¹⁶	Total General Fund Changes
Legislative Council					
University System Office					14,522,565
Bismarck State College				3,300,000	3,332,933
Lake Region State College				866,000	745,430
Williston State College	100,000	2,320,000		275,000	2,574,430
University of North Dakota				(1,800,000)	(1,800,000)
UND Medical Center					1,292,391
North Dakota State University					607,609
State College of Science				(8,380,000)	(8,380,807)
Dickinson State University					1,029,430
Mayville State University			55,000		164,430
Minot State University				4,850,000	5,080,000
Valley City State University				10,300,000	10,489,710
Dakota College at Bottineau				700,000	579,430
Forest Service					
Total general fund	\$100,000	\$2,320,000	\$55,000	\$10,111,000	\$30,237,551

House Bill No. 1003 - North Dakota University System - Other Funds Summary

	Executive Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Legislative Council						
University System Office	3,754,718	2,754,718		2,754,718	3,754,718	(1,000,000)
Bismarck State College	7,500,000	7,500,000	1,035,000	8,535,000	8,835,000	(300,000)
Lake Region State College						
Williston State College	2,820,000	4,820,000	(2,595,000)	2,225,000	4,820,000	(2,595,000)
University of North Dakota	21,700,000	21,700,000	8,750,000	30,450,000	31,650,000	(1,200,000)
UND Medical Center						
North Dakota State University	36,100,000	36,100,000		36,100,000	36,100,000	
State College of Science	10,500,000	10,500,000	200,000	10,700,000	10,500,000	200,000
Dickinson State University						

Mayville State University						
Minot State University	5,050,000	5,050,000	10,984,555	16,034,555	15,884,555	150,000
Valley City State University	815,000	815,000	200,000	1,015,000	815,000	200,000
Dakota College at Bottineau						
Forest Service	997,486	997,486	6,000	1,003,486	997,486	6,000
Total other funds	\$89,237,204	\$90,237,204	\$18,580,555	\$108,817,759	\$113,356,759	(\$4,539,000)

Detail of Conference Committee changes to Other Funds

	Adds Funding for Equity and Student Affordability Funding Pool ¹	Reduces Funding for University System Office Operations ²	Removes Funding for Expanding Program Fund ³	Reduces Funding for Capital Bond Payments ⁴	Restores Funding for Tribal College Assistance Grants ⁵	Removes Funding for Student Mental Health Services ⁶
Legislative Council						
University System Office						
Bismarck State College						
Lake Region State College						
Williston State College						
University of North Dakota						
UND Medical Center						
North Dakota State University						
State College of Science						
Dickinson State University						
Mayville State University						
Minot State University						
Valley City State University						
Dakota College at Bottineau						
Forest Service						
Total other funds	\$0	\$0	\$0	\$0	\$0	\$0

	Restores STEM Teacher Education Enhancement Funding ⁷	Adjusts Funding for Special Assessment Payments ⁸	Adjusts Funding for Master's Degree in Public Health Program ⁹	Adds Funding to Increase Medical School Enrollment ¹⁰	Adds Funding for Space Utilization Study of School of Medicine ¹¹	Adds One-Time Funding for Dickinson State University Operations ¹²
Legislative Council						
University System Office						
Bismarck State College						
Lake Region State College						
Williston State College						
University of North Dakota						
UND Medical Center						
North Dakota State University						
State College of Science						
Dickinson State University						
Mayville State University						
Minot State University						
Valley City State University						
Dakota College at Bottineau						
Forest Service						
Total other funds	\$0	\$0	\$0	\$0	\$0	\$0

	Adds Funding for Campus Security ¹³	Adjusts Funding Source for Williston State College Capital Projects ¹⁴	Adds Funding for Campus Drainage Study ¹⁵	Adjusts Funding for Capital Projects ¹⁶	Total Other Funds Changes
Legislative Council					
University System Office					
Bismarck State College				1,035,000	1,035,000
Lake Region State College					
Williston State College		(2,320,000)		(275,000)	(2,595,000)
University of North Dakota				8,750,000	8,750,000
UND Medical Center					
North Dakota State University					
State College of Science				200,000	200,000
Dickinson State University					
Mayville State University					
Minot State University				10,984,555	10,984,555
Valley City State University				200,000	200,000
Dakota College at Bottineau					
Forest Service				6,000	6,000
Total other funds	\$0	(\$2,320,000)	\$0	\$20,900,555	\$18,580,555

House Bill No. 1003 - North Dakota University System - All Funds Summary

	Executive Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Legislative Council					\$100,000	(\$100,000)
University System Office	103,926,168	94,711,963	14,522,565	109,234,528	95,511,963	13,722,565
Bismarck State College	38,053,301	36,102,760	4,367,933	40,470,693	41,746,234	(1,275,541)
Lake Region State College	9,314,859	8,895,180	745,430	9,640,610	9,314,859	325,751
Williston State College	11,920,096	13,764,268	(20,570)	13,743,698	14,145,096	(401,398)
University of North Dakota	178,573,093	177,102,504	6,950,000	184,052,504	191,189,226	(7,136,722)
UND Medical Center	46,653,406	45,490,630	1,292,391	46,783,021	46,045,797	737,224
North Dakota State University	166,286,316	157,432,016	607,609	158,039,625	164,596,908	(6,557,283)
State College of Science	54,203,080	63,865,998	(8,180,807)	55,685,191	56,455,895	(770,704)
Dickinson State University	31,757,019	22,186,024	1,029,430	23,215,454	23,657,019	(441,565)
Mayville State University	13,685,384	12,918,898	164,430	13,083,328	13,377,404	(294,076)
Minot State University	43,860,736	42,990,973	16,064,555	59,055,528	59,695,291	(639,763)
Valley City State University	27,259,465	18,487,763	10,689,710	29,177,473	29,553,314	(375,841)
Dakota College at Bottineau	6,748,729	6,476,512	579,430	7,055,942	7,448,729	(392,787)
Forest Service	5,209,958	5,209,958	6,000	5,215,958	5,209,958	6,000
Total all funds	\$737,451,610	\$705,635,447	\$48,818,106	\$754,453,553	\$758,047,693	(\$3,594,140)
FTE	2245.51	2245.51	0.00	2245.51	2245.51	0.00

Detail of Conference Committee changes to All Funds

	Adds Funding for Equity and Student Affordability Funding Pool ¹	Reduces Funding for University System Office Operations ²	Removes Funding for Expanding Program Fund ³	Reduces Funding for Capital Bond Payments ⁴	Restores Funding for Tribal College Assistance Grants ⁵	Removes Funding for Student Mental Health Services ⁶
Legislative Council						
University System Office	15,240,565	(500,000)	(1,000,000)	(50,000)	1,000,000	(168,000)
Bismarck State College						
Lake Region State College						(120,570)
Williston State College						(120,570)
University of North Dakota						
UND Medical Center						
North Dakota State University						
State College of Science						
Dickinson State University						(120,570)
Mayville State University						(140,570)
Minot State University						(20,000)
Valley City State University						(60,290)
Dakota College at Bottineau						(120,570)
Forest Service						
Total all funds	\$15,240,565	(\$500,000)	(\$1,000,000)	(\$50,000)	\$1,000,000	(\$871,140)
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	Restores STEM Teacher Education Enhancement Funding ⁷	Adjusts Funding for Special Assessment Payments ⁸	Adjusts Funding for Master's Degree in Public Health Program ⁹	Adds Funding to Increase Medical School Enrollment ¹⁰	Adds Funding for Space Utilization Study of School of Medicine ¹¹	Adds One-Time Funding for Dickinson State University Operations ¹²
Legislative Council						
University System Office						
Bismarck State College		32,933				
Lake Region State College						
Williston State College						
University of North Dakota						
UND Medical Center			(607,609)	1,800,000	100,000	
North Dakota State University			607,609			
State College of Science		(807)				
Dickinson State University	250,000					900,000
Mayville State University	250,000					
Minot State University	250,000					
Valley City State University	250,000					
Dakota College at Bottineau						
Forest Service						
Total all funds	\$1,000,000	\$32,126	\$0	\$1,800,000	\$100,000	\$900,000
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Adds Funding for Campus Security ¹³	Adjusts Funding Source for Williston State College Capital Projects ¹⁴	Adds Funding for Campus Drainage Study ¹⁵	Adjusts Funding for Capital Projects ¹⁶	Total All Funds Changes

Legislative Council					14,522,565
University System Office					4,367,933
Bismarck State College			4,335,000		866,000
Lake Region State College					745,430
Williston State College	100,000				(20,570)
University of North Dakota			6,950,000		6,950,000
UND Medical Center					1,292,391
North Dakota State University					607,609
State College of Science			(8,180,000)		(8,180,807)
Dickinson State University					1,029,430
Mayville State University			55,000		164,430
Minot State University			15,834,555		16,064,555
Valley City State University			10,500,000		10,689,710
Dakota College at Bottineau			700,000		579,430
Forest Service			6,000		6,000
Total all funds	\$100,000	\$0	\$55,000	\$31,011,555	\$48,818,106
FTE	0.00	0.00	0.00	0.00	0.00

¹ Funding of \$15,240,565 from the general fund is added for an equity and student affordability funding pool. A section is also added to provide that the funding be distributed to campuses based on existing funding distribution formulas.

² Operations funding from the general fund for the University System office is reduced by \$500,000. The Senate reduced operations funding for the University System office by \$200,000.

³ A pool of funding for expanding academic and technical programs is removed.

⁴ Funding for capital bond payments is reduced by \$50,000.

⁵ Funding removed by the House for grants to tribally controlled community colleges is restored. The executive recommendation and Senate versions provided funding from the permanent oil tax trust fund and this amendment provides funding from the general fund.

⁶ Ongoing funding of \$715,140 and one-time funding of \$156,000 included in the executive recommendation for student mental health services is removed.

⁷ Funding removed by the House for STEM teacher education enhancement is restored for nonresearch institutions. The Senate also restored this funding.

⁸ Funding for 2011-13 special assessment payments is adjusted to reflect updated calculations for Bismarck State College and the State College of Science. The Senate version also included the special assessment payment adjustments.

⁹ Funding is transferred from the University of North Dakota School of Medicine and Health Sciences to North Dakota State University for the new joint master's degree in public health program to be administered by both institutions. The executive recommendation provided all funding for the program to the University of North Dakota School of Medicine and Health Sciences. The Senate also provided for the transfer of funding for the program.

¹⁰ Funding is added to allow the University of North Dakota School of Medicine and Health Sciences to increase program enrollment and to increase the number of available student medical residency positions available. The Senate had authorized the State Board of Higher Education to transfer \$1.8 million from the joint North Dakota University System/University of North Dakota information technology building project to the School of Medicine and Health Sciences to increase program enrollment.

¹¹ One-time funding of \$100,000 is added for a space utilization study of the University of North Dakota School of Medicine and Health Sciences.

¹² One-time funding from the general fund of \$750,000 is added for Dickinson State University for the digitization of documents related to the Theodore Roosevelt Center and \$150,000 is added for programs that have experienced a loss of funding due to decreased revenues from oil royalties. The Senate provided \$700,000 from the general fund for programs at Dickinson State University that have been affected by decreased revenue from oil royalties.

¹³ Funding of \$100,000 is added for campus security at Williston State College.

¹⁴ The funding source for campus improvements (\$1,000,000) and additional funding for the science center project (\$1,320,000) at Williston State College is changed from the permanent oil tax trust fund to the general fund as a result of the provisions of House Bill No. 1451. The executive recommendation, House version, and Senate version provided funding for these projects from the permanent oil tax trust fund.

¹⁵ One-time funding of \$55,000 from the general fund is added for a campus drainage study at Mayville State University.

¹⁶ Funding is adjusted for the following capital projects:

- **Bismarck State College National Energy Center of Excellence** - Funding of \$3,300,000 from the general fund and \$1,035,000 from other funds is added for the National Energy Center of Excellence fourth floor project. The House provided funding of \$4,335,000 for the project from unspent 2009-11 general fund appropriations relating to the Great Plains Applied Energy Research Center project. The Senate provided funding of \$3 million from the general fund and \$1,335,000 from other funds for the project.
- **Lake Region State College roof replacement projects** - Funding of \$866,000 from the general fund is added for roof replacement projects at Lake Region State College.
- **Williston State College workforce training building** - Funding of \$500,000 from the general fund and \$1,725,000 from other funds is provided for the Williston State College workforce training building project. The House provided funding of \$225,000 from the general fund and \$2 million of other funds for the project which was not changed by the Senate. A section is also added to allow Williston State College to borrow up to \$1,725,000 from the Bank of North Dakota for the project in addition to revenue bonding authorization for the project which was added by the House.
- **North Dakota University System/University of North Dakota joint information technology building project** - General fund support for the project is reduced by \$1.8 million and special fund authority of \$8 million is added to provide total funding of \$20.5 million, of which \$12.5 million is from the general fund. The executive recommendation included \$11.2 million of funding from the general fund for the project, and the House increased the general fund amount to \$14.3 million. The Senate added special fund authority of \$7.7 million for the project and provided authorization for the State Board of Higher Education to transfer \$1.8 million of funding from the general fund for the project to the School of Medicine and Health Sciences to increase the enrollment of the school. A section is also added to authorize an additional \$5 million for the project from information technology savings.
- **University of North Dakota flight operations center** - Special fund authority of \$750,000 is provided for the University of North Dakota flight operations center renovation project. The Senate provided special fund authority of \$1.5 million for the project.
- **State College of Science Old Main project** - Funding from the general fund of \$8,180,000 for the State College of Science Old Main project is removed. The Senate also removed this funding.
- **State College of Science Bisek Hall project** - Funding from the general fund for the project is reduced by \$200,000 to provide total general fund support of

\$10,300,000. Special fund authority of \$200,000 is also added for the project. The House and Senate provided \$10,500,000 from the general fund for the project.

- **Minot State University geothermal project** - Funding of \$4,850,000 from the general fund and \$8,884,555 from other funds including federal funds, private funds, and energy performance contracts is added for the geothermal energy project. The Senate also added this funding.
- **Minot State University food service project** - Special fund authority is added for a food service remodeling project. The Senate also provided the special fund authority for this project.
- **Minot State University Physical Plant Building** - Special fund authorization is added for the physical plant building project from Bank of North Dakota loan proceeds (\$600,000). The physical plant building project is also estimated to use \$650,000 of unspent 2009-11 biennium general fund appropriations. The Senate also authorized this funding.
- **Valley City State University Rhoades Science Center** - Funding of \$10.3 million from the general fund and \$200,000 of special funds is provided for the Rhoades Science Center project. The executive recommendation provided funding of \$7,971,000 from the general fund which was removed by the House. The Senate provided \$10.5 million from the general fund for the project.
- **Dakota College at Bottineau campus improvements** - Funding of \$700,000 from the general fund is added for campus improvements. The Senate also added this funding.
- **Forest Service Towner State Nursery greenhouse project** - Additional special fund authorization of \$6,000 is added for the Towner State Nursery greenhouse project that was originally authorized by the 2009 Legislative Assembly. The additional spending authorization is related to funding received from an insurance claim that resulted from wind damage to the project.

House Bill No. 1003 - Other Changes - Conference Committee Action

This amendment also:

- Provides North Dakota State University with authority to use 2007-09 and 2009-11 biennium funding for the Minard Hall project in the 2011-13 biennium and requires Budget Section reports on the status of the project. The Senate also added this section.
- Adjusts Section 15 regarding the revenue bonding authorization of the Williston State College workforce training building project.
- Adds a section to amend Section 15-10-08 to increase the daily compensation of members of the State Board of Higher Education from \$100 per day to \$148 per day. The Senate also added this section.
- Adds two sections to amend Sections 43-12.2-03 and 43-17.2-03 relating to the eligibility requirements for the medical personnel loan repayment program and the physician loan repayment program. The Senate also added these sections.
- Adds a section to amend Section 15-70-04 relating to grants to tribally controlled community colleges for nonbeneficiary students. The Senate also added this section.
- Adds a section of legislative intent regarding the future budget requests of the University System.
- Adds a section of legislative intent regarding the North Dakota University System fall enrollment report.
- Provides for a Legislative Management study of the use of graduated tuition rates for programs that address workforce needs. The Senate also added this study section.
- Provides for a Legislative Management study of the University of North Dakota School of Medicine and Health Sciences. The Senate also added the study and provided a \$100,000 appropriation from the general fund to the Legislative Council

for expenses related to the study. The conference committee did not provide the funding for the Legislative Management study.

Engrossed HB 1003 was placed on the Seventh order of business on the calendar.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. SKARPHOL MOVED that the conference committee report on Engrossed HB 1003 be adopted.

REQUEST

REP. DOSCH REQUESTED a verification vote, which request was granted.

The question being on the motion to adopt the conference committee report on Engrossed HB 1003, the conference committee report on Engrossed HB 1003 was adopted on a verification vote.

Engrossed HB 1003, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1003: A BILL for an Act to provide an appropriation for defraying the expenses of the North Dakota university system; to provide borrowing authority; to provide an exemption; to provide for transfer of funds; to authorize the state board of higher education to issue and sell bonds for capital projects; to amend and reenact sections 15-10-08 and 15-70-04, subsection 3 of section 43-12.2-03, and subsection 3 of section 43-17.2-03 of the North Dakota Century Code, relating to state board of higher education member compensation, eligibility for the medical personnel loan repayment program, eligibility for the physician loan repayment program, and grants for nonbeneficiary students enrolled in tribally controlled community colleges; to provide legislative intent; to provide for reports; to provide for legislative management studies; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 69 YEAS, 23 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Beadle; Bellew; Boe; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delmore; Frantsvog; Froseth; Glasheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Heilman; Hofstad; Holman; Hunskor; Johnson, D.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kilichowski; Kingsbury; Klein; Klemin; Kreidt; Kretschmar; Kreun; Kroeber; Louser; Maragos; Martinson; Metcalf; Mock; Monson; Mueller; Nelson, J.; Nelson, M.; Onstad; Owens; Paur; Pollert; Ruby; Rust; Sanford; Schmidt; Skarphol; Steiner; Sukut; Thoreson; Trottier; Wall; Weisz; Williams; Winrich

NAYS: Belter; Delzer; Devlin; Dosch; Headland; Heller; Johnson, N.; Kempenich; Koppelman; Meier, L.; Meyer, S.; Nathe; Pietsch; Porter; Rohr; Schatz; Streyle; Vigasaa; Weiler; Wieland; Wrangham; Zaiser; Speaker Drovdal

ABSENT AND NOT VOTING: Hogan; Kelsh, S.

Reengrossed HB 1003 passed and the emergency clause was declared carried.

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

MR. SPEAKER: The Senate has adopted the conference committee report and subsequently passed: SB 2276.

REPORT OF CONFERENCE COMMITTEE

SB 2276, as reengrossed: Your conference committee (Sens. J. Lee, Uglem, Mathern and Reps. Weisz, Schmidt, Holman) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1022-1024, adopt amendments as

follows, and place SB 2276 on the Seventh order:

That the House recede from its amendments as printed on pages 1022-1024 of the Senate Journal and pages 1135-1137 of the House Journal and that Reengrossed Senate Bill No. 2276 be amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new section to chapter 23-01 of the North Dakota Century Code, relating to the North Dakota immunization program; to amend and reenact section 23-01-05.3 of the North Dakota Century Code, relating to reporting immunization data; and to provide an appropriation.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 23-01-05.3 of the North Dakota Century Code is amended and reenacted as follows:

23-01-05.3. Immunization data.

1. The state department of health may establish an immunization information system and may require the childhood immunizations specified in subsection 1 of section 23-07-17.1 and other information be reported to the department. The state department of health may only require the reporting of childhood immunizations and other data upon completion of the immunization information reporting system. A health care provider who administers a childhood immunization shall report the patient's identifying information, the immunization that is administered, and other required information to the department. The report must be submitted using electronic media, and must contain the data content and use the format and codes specified by the department.
2. If a health care provider fails to submit an immunization report required under this section within four weeks of vaccination:
 - a. That health care provider may not order or receive any vaccine from the North Dakota immunization program until that provider submits all reports required under this section.
 - b. The state department of health shall make a report to that health care provider's occupational licensing entity outlining that provider's failure to comply with the reporting requirements under this section.
3. Notwithstanding any other provision of law, a health care provider, elementary or secondary school, early childhood facility, public or private postsecondary educational institution, city or county board of health, district health unit, and the state health officer may exchange immunization data in any manner with one another. Immunization data that may be exchanged under this section is limited to the date and type of immunization administered to a patient and may be exchanged regardless of the date of the immunization.

SECTION 2. A new section to chapter 23-01 of the North Dakota Century Code is created and enacted as follows:

Immunization program - Provider choice - Purchasing.

1. As used in this section:
 - a. "Department" means the state department of health.
 - b. "North Dakota immunization advisory committee" means the group of private health care providers, local public health units, department staff, and other applicable individuals which makes immunization and vaccine selection recommendations to the North Dakota immunization program.

- c. "North Dakota immunization program" means the program administered by the department to provide vaccinations to North Dakota children consistent with state and federal law.
 - d. "Program-eligible child" means any child, who is under nineteen years of age, whose custodial parent or legal guardian resides in this state.
 - e. "Vaccine" means any vaccine recommended by the federal advisory committee on immunization practices of the centers for disease control and prevention.
 - f. "Vaccines for children program" is a federally funded program that provides vaccines at no cost to eligible children pursuant to section 1928 of the Social Security Act [42 U.S.C. 1396s].
2. As part of the North Dakota immunization program:
- a. The department shall implement a provider choice system as part of the state's implementation of the vaccines for children program. This provider choice system must provide a health care provider participating in the state's vaccines for children program or in any other immunization program for children, adolescents, or adults which is administered through the state using federal or state funds, may select any licensed vaccine, including combination vaccines, and any dosage forms that have in effect a recommendation from the federal advisory committee on immunization practices. This subsection does not apply in the event of a disaster, public health emergency, terrorist attack, hostile military or paramilitary action, or extraordinary law enforcement emergency.
 - b. The department shall establish a program through which the department purchases vaccines through the federal vaccine purchasing contract.
 - (1) The department shall supply public health units with the purchased vaccines. A public health unit that receives vaccines under this subdivision shall administer the vaccines to program-eligible children.
 - (2) A public health unit that receives vaccines under this purchasing program may not bill an insurer for the cost of the vaccine but may charge an administration fee.
 - (3) The department shall fund this purchasing program through participation in the vaccines for children program, the federal section 317 vaccine program, and state funds appropriated for this purpose. If it appears there will be inadequate funds to fund this purchasing program, the department shall petition the emergency commission for a transfer from the state contingency fund. The emergency commission may grant the transfer request, or so much thereof as may be necessary, to fund this purchasing program.

SECTION 3. APPROPRIATION. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$1,500,000, or so much of the sum as may be necessary, to the state department of health for the purpose of funding the program through which the department purchases vaccines through the federal vaccine purchasing contract, for the biennium beginning July 1, 2011, and ending June 30, 2013."

Renumber accordingly

Reengrossed SB 2276 was placed on the Seventh order of business on the calendar.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

REP. WEISZ MOVED that the conference committee report on Reengrossed SB 2276 be adopted.

REQUEST

REP. KALDOR REQUESTED a recorded roll call vote, which request was granted.

ROLL CALL

The question being on the motion to adopt the conference committee report on Reengrossed SB 2276, the roll was called and there were 62 YEAS, 30 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Belter; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delzer; Devlin; Dosch; Frantsvog; Froseth; Grande; Hatlestad; Hawken; Headland; Heller; Hofstad; Johnson, D.; Karls; Kasper; Keiser; Kelsch, R.; Kempenich; Kilichowski; Klein; Klemin; Koppelman; Kreidt; Kreun; Louser; Maragos; Martinson; Meier, L.; Metcalf; Monson; Owens; Paur; Pietsch; Pollert; Porter; Rohr; Ruby; Rust; Sanford; Schatz; Schmidt; Skarphol; Steiner; Streyle; Sukut; Thoreson; Trottier; Vigesaa; Wall; Weisz; Wieland; Wrangham; Speaker Drovda

NAYS: Amerman; Anderson; Beadle; Bellew; Boe; Delmore; Glassheim; Gruchalla; Guggisberg; Hanson; Heilman; Holman; Hunskor; Johnson, N.; Kaldor; Kelsh, J.; Kingsbury; Kretschmar; Kroeber; Meyer, S.; Mock; Mueller; Nathe; Nelson, J.; Nelson, M.; Onstad; Weiler; Williams; Winrich; Zaiser

ABSENT AND NOT VOTING: Hogan; Kelsh, S.

The conference committee report on Reengrossed SB 2276 was adopted on a recorded roll call vote.

Reengrossed SB 2276, as amended, was placed on the Fourteenth order of business.

SECOND READING OF SENATE BILL

SB 2276: A BILL for an Act to create and enact a new section to chapter 23-01 of the North Dakota Century Code, relating to the North Dakota immunization program; to amend and reenact section 23-01-05.3 of the North Dakota Century Code, relating to reporting immunization data; and to provide an appropriation.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 88 YEAS, 4 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Amerman; Anderson; Beadle; Belter; Boe; Boehning; Brabandt; Brandenburg; Carlson; Clark; Conklin; Dahl; Damschen; DeKrey; Delmore; Devlin; Dosch; Frantsvog; Froseth; Glassheim; Grande; Gruchalla; Guggisberg; Hanson; Hatlestad; Hawken; Headland; Heilman; Heller; Hofstad; Holman; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, J.; Kempenich; Kilichowski; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kreun; Kroeber; Louser; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Mock; Monson; Mueller; Nathe; Nelson, J.; Onstad; Owens; Paur; Pietsch; Pollert; Porter; Rohr; Rust; Sanford; Schatz; Schmidt; Skarphol; Steiner; Streyle; Sukut; Thoreson; Trottier; Vigesaa; Wall; Weiler; Weisz; Wieland; Williams; Winrich; Wrangham; Zaiser; Speaker Drovda

NAYS: Bellew; Delzer; Nelson, M.; Ruby

ABSENT AND NOT VOTING: Hogan; Kelsh, S.

Reengrossed SB 2276, as amended, passed.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has not adopted the conference committee report on: SB 2017.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has adopted the conference committee report and subsequently passed: SB 2276.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has adopted the conference committee report, subsequently passed, and the emergency clause carried: HB 1003.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has adopted the conference committee report, subsequently passed, and the emergency clause carried: HB 1004.

MOTION

REP. VIGESAA MOVED that the House be on the Fourth, Fifth, Seventh, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 8:00 a.m., Thursday, April 28, 2011, which motion prevailed.

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

Buell J. Reich, Chief Clerk

