

## JOURNAL OF THE SENATE

## Sixty-third Legislative Assembly

\* \* \* \* \*

Bismarck, April 23, 2013

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

The prayer was offered by Senator Dotzenrod, District 26.

The roll was called and all members were present except Senators Anderson and Berry.

A quorum was declared by the President.

## REPORT OF CONFERENCE COMMITTEE

**SB 2005:** Your conference committee (Sens. Carlisle, Bowman, Warner and Reps. J. Nelson, Kreidt, Holman) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1235-1236, adopt amendments as follows, and place SB 2005 on the Seventh order:

That the House recede from its amendments as printed on pages 1235 and 1236 of the Senate Journal and pages 1311-1313 of the House Journal and that Senate Bill No. 2005 be amended as follows:

Page 1, line 2, after "commission" insert "; and to provide for a report"

Page 1, replace lines 11 through 13 with:

"Salaries and wages	\$601,373	\$251,496	\$852,869
Accrued leave payments	0	8,421	8,421
Operating expenses	221,505	(55,237)	166,268
Total general fund	\$822,878	\$204,680	\$1,027,558"

Page 1, after line 14, insert:

**"SECTION 2. REPORT TO SIXTY-FOURTH LEGISLATIVE ASSEMBLY.**

The Indian affairs commission shall report to the appropriations committees of the sixty-fourth legislative assembly regarding the activities of the Native American health system program administrator."

Renumber accordingly

## STATEMENT OF PURPOSE OF AMENDMENT:

## Senate Bill No. 2005 - Indian Affairs Commission - Conference Committee Action

	Executive Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Salaries and wages	\$867,214	\$867,214	(\$14,345)	\$852,869	\$837,411	\$15,458
Operating expenses	166,268	166,268		166,268	166,268	
Accrued leave payments			8,421	8,421	8,421	
Total all funds	\$1,033,482	\$1,033,482	(\$5,924)	\$1,027,558	\$1,012,100	\$15,458
Less estimated income	0	0	0	0	0	0
General fund	\$1,033,482	\$1,033,482	(\$5,924)	\$1,027,558	\$1,012,100	\$15,458
FTE	5.00	5.00	0.00	5.00	5.00	0.00

## Department No. 316 - Indian Affairs Commission - Detail of Conference Committee Changes

Corrects	Adjusts State	Provides	Total
----------	---------------	----------	-------

	Executive Compensation Package <sup>1</sup>	Employee Compensation and Benefits Package <sup>2</sup>	Separate Line Item for Accrued Leave Payments <sup>3</sup>	Conference Committee Changes
Salaries and wages	\$4,777	(\$10,701)	(\$8,421)	(\$14,345)
Operating expenses				
Accrued leave payments			8,421	8,421
Total all funds	\$4,777	(\$10,701)	\$0	(\$5,924)
Less estimated income	0	0	0	0
General fund	\$4,777	(\$10,701)	\$0	(\$5,924)
FTE	0.00	0.00	0.00	0.00

<sup>1</sup> Funding is added due to a calculation error in the executive compensation package.

<sup>2</sup> This amendment adjusts the state employee compensation and benefits package as follows:

- Reduces the performance component from 3 to 5 percent per year to 3 to 5 percent for the first year of the biennium and 2 to 4 percent for the second year of the biennium.
- Reduces the market component from 2 to 4 percent per year to 1 to 2 percent per year for employees below the midpoint of their salary range.
- Reduces funding for retirement contribution increases to provide for a 1 percent state and 1 percent employee increase beginning in January 2014 and no increase in January 2015.

<sup>3</sup> A portion of salaries and wages funding from the general fund (\$8,421) for permanent employees compensation and benefits is reallocated to an accrued leave payments line item for paying annual leave and sick leave for eligible employees.

This amendment also adds a new section to provide for a report to the 64th Legislative Assembly on the activities of the Native American health system program administrator. The House added a section to designate funding for the Native American health system program administrator as one-time funding.

SB 2005 was placed on the Seventh order of business on the calendar.

#### REPORT OF CONFERENCE COMMITTEE

**SB 2006, as engrossed:** Your conference committee (Sens. Krebsbach, Grindberg, O'Connell and Reps. Kempenich, Sanford, Glassheim) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1310-1312, adopt amendments as follows, and place SB 2006 on the Seventh order:

That the House recede from its amendments as printed on pages 1310-1312 of the Senate Journal and pages 1371 and 1372 of the House Journal and that Senate Bill No. 2006 be amended as follows:

Page 1, replace line 12 with:

"Salaries and wages	\$1,005,639	\$129,967	\$1,135,606
Accrued leave payments	0	10,772	10,772"

Page 1, replace lines 15 through 18 with:

"Grants	<u>9,040,000</u>	<u>6,460,000</u>	<u>15,500,000</u>
Total all funds	\$13,083,688	\$5,929,739	\$19,013,427
Less estimated income	<u>12,533,688</u>	<u>(70,261)</u>	<u>12,463,427</u>
Total general fund	\$550,000	\$6,000,000	\$6,550,000"

Page 1, line 20, after "**FUNDING**" insert "**- EFFECT ON BASE BUDGET - REPORT TO SIXTY-FOURTH LEGISLATIVE ASSEMBLY**"

Page 1, line 21, after "biennium" insert "and the 2013-15 one-time funding items included in the appropriation in section 1 of this Act"

Page 1, replace lines 23 and 24 with:

"Anemometer tower database	\$4,500	\$0
Grants to airports	0	6,000,000
Total general fund	\$4,500	\$6,000,000

The 2013-15 one-time funding amounts are not a part of the entity's base budget for the 2015-17 biennium. The aeronautics commission shall report to the appropriations committees of the sixty-fourth legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2013, and ending June 30, 2015."

Page 2, remove lines 1 through 5

ReNUMBER accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

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

	Executive Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Salaries and wages	\$1,150,090	\$1,156,409	(\$20,803)	\$1,135,606	\$1,120,236	\$15,370
Operating expenses	1,977,049	1,977,049		1,977,049	1,977,049	
Capital assets	390,000	390,000		390,000	390,000	
Grants	9,500,000	9,500,000	6,000,000	15,500,000	15,500,000	
Additional airport grants		6,000,000	(6,000,000)			
Accrued leave payments			10,772	10,772	10,772	
Total all funds	\$13,017,139	\$19,023,458	(\$10,031)	\$19,013,427	\$18,998,057	\$15,370
Less estimated income	12,467,139	18,473,458	(6,010,031)	12,463,427	12,448,057	15,370
General fund	\$550,000	\$550,000	\$6,000,000	\$6,550,000	\$6,550,000	\$0
FTE	6.00	6.00	0.00	6.00	6.00	0.00

#### Department No. 412 - Aeronautics Commission - Detail of Conference Committee Changes

	Adjusts State Employee Compensation and Benefits Package <sup>1</sup>	Provides Separate Line Item for Accrued Leave Payments <sup>2</sup>	Changes Funding Source for Airport Grants <sup>3</sup>	Total Conference Committee Changes
Salaries and wages	(\$10,031)	(\$10,772)		(\$20,803)
Operating expenses				
Capital assets				
Grants			6,000,000	6,000,000
Additional airport grants			(6,000,000)	(6,000,000)
Accrued leave payments		10,772		10,772
Total all funds	(\$10,031)	\$0	\$0	(\$10,031)
Less estimated income	(10,031)	0	(6,000,000)	(6,010,031)
General fund	\$0	\$0	\$6,000,000	\$6,000,000
FTE	0.00	0.00	0.00	0.00

<sup>1</sup> This amendment adjusts the state employee compensation and benefits package as follows:

- Reduces the performance component from 3 to 5 percent per year to 3 to 5 percent for the first year of the biennium and 2 to 4 percent for the second year of the biennium.
- Reduces the market component from 2 to 4 percent per year to 1 to 2 percent per year for employees below the midpoint of their salary range.

- Reduces funding for retirement contribution increases to provide for a 1 percent state and 1 percent employee increase beginning in January 2014 and no increase in January 2015.

<sup>2</sup> A portion of salaries and wages funding from other funds (\$10,772) for permanent employees' compensation and benefits is reallocated to an accrued leave payments line item for paying annual leave and sick leave for eligible employees.

<sup>3</sup> This amendment changes the funding source for airport grants from the strategic investment and improvements fund to the general fund, the same as the House version. The Senate version added a section to provide a separate appropriation from the strategic investment and improvements fund for airport grants.

Engrossed SB 2006 was placed on the Seventh order of business on the calendar.

#### REPORT OF CONFERENCE COMMITTEE

**SB 2010:** Your conference committee (Sens. G. Lee, Carlisle, Mathern and Reps. Kreidt, J. Nelson, Holman) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1312-1313, adopt amendments as follows, and place SB 2010 on the Seventh order:

That the House recede from its amendments as printed on pages 1312 and 1313 of the Senate Journal and pages 1377 and 1378 of the House Journal and that Senate Bill No. 2010 be further amended as follows:

Page 1, line 2, after "arts" insert "; and to provide a matching requirement"

Page 1, replace line 11 with:

"Salaries and wages	\$741,580	\$49,176	\$790,756
Accrued leave payments	0	7,933	7,933"

Page 1, replace line 14 with:

"Total all funds	\$3,218,462	\$30,557	\$3,249,019"
------------------	-------------	----------	--------------

Page 1, replace line 16 with:

"Total general fund	\$1,363,602	\$140,500	\$1,504,102"
---------------------	-------------	-----------	--------------

Page 2, after line 7, insert:

**"SECTION 4. MATCHING REQUIREMENT - INSTITUTIONAL SERVICES GRANT PROGRAM.** The grants line item in section 1 of this Act includes the sum of \$50,000 from the general fund for increased funding from the general fund to replace an anticipated reduction in federal funding for the institutional services grant program, for the biennium beginning July 1, 2013, and ending June 30, 2015. The council on the arts may not award grants from the funds appropriated from the general fund referred to in this section unless grant recipients provide matching funds from nonstate sources on a dollar-for-dollar basis."

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### Senate Bill No. 2010 - Council on the Arts - Conference Committee Action

	Executive Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Salaries and wages	\$808,731	\$808,731	(\$17,975)	\$790,756	\$774,804	\$15,952

Operating expenses	348,023	348,023		348,023	348,023	
Grants	2,102,307	2,102,307		2,102,307	2,102,307	
Accrued leave payments			7,933	7,933	7,933	
Total all funds	\$3,259,061	\$3,259,061	(\$10,042)	\$3,249,019	\$3,233,067	\$15,952
Less estimated income	1,744,917	1,744,917	0	1,744,917	1,744,917	0
General fund	\$1,514,144	\$1,514,144	(\$10,042)	\$1,504,102	\$1,488,150	\$15,952
FTE	5.00	5.00	0.00	5.00	5.00	0.00

### Department No. 709 - Council on the Arts - Detail of Conference Committee Changes

	Corrects Executive Compensation Package <sup>1</sup>	Adjusts State Employee Compensation and Benefits Package <sup>2</sup>	Provides Separate Line Item for Accrued Leave Payments <sup>3</sup>	Total Conference Committee Changes
Salaries and wages	\$4,546	(\$14,588)	(\$7,933)	(\$17,975)
Operating expenses				
Grants				
Accrued leave payments			7,933	7,933
Total all funds	\$4,546	(\$14,588)	\$0	(\$10,042)
Less estimated income	0	0	0	0
General fund	\$4,546	(\$14,588)	\$0	(\$10,042)
FTE	0.00	0.00	0.00	0.00

<sup>1</sup> Funding is added due to a calculation error in the executive compensation package.

<sup>2</sup> This amendment adjusts the state employee compensation and benefits package as follows:

- Reduces the performance component from 3 to 5 percent per year to 3 to 5 percent for the first year of the biennium and 2 to 4 percent for the second year of the biennium.
- Reduces the market component from 2 to 4 percent per year to 1 to 2 percent per year for employees below the midpoint of their salary range.
- Reduces funding for retirement contribution increases to provide for a 1 percent state and 1 percent employee increase beginning in January 2014 and no increase in January 2015.

<sup>3</sup> A portion of salaries and wages funding from the general fund (\$7,933) for permanent employees' compensation and benefits is reallocated to an accrued leave payments line item for paying annual leave and sick leave for eligible employees.

This amendment also adds a new section to provide matching requirements for the institutional services grant program, the same as the House version.

SB 2010 was placed on the Seventh order of business on the calendar.

### REPORT OF CONFERENCE COMMITTEE

**SB 2017, as engrossed:** Your conference committee (Sens. Kilzer, Carlisle, Warner and Reps. Kreidt, Wieland, Holman) recommends that the **HOUSE RECEDE** from the

House amendments as printed on SJ pages 1313-1314, adopt amendments as follows, and place SB 2017 on the Seventh order:

That the House recede from its amendments as printed on pages 1313 and 1314 of the Senate Journal and pages 1378 and 1379 of the House Journal and that Engrossed Senate Bill No. 2017 be amended as follows:

Page 1, replace line 10 with:

"Salaries and wages	\$978,182	\$80,993	\$1,059,175
Accrued leave payments	0	10,698	10,698"

Page 1, replace line 12 with:

"Total special funds	\$1,827,199	\$991,697	\$2,818,896"
----------------------	-------------	-----------	--------------

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### Senate Bill No. 2017 - Office of Administrative Hearings - Conference Committee Action

	Executive Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Salaries and wages	\$1,075,272	\$1,082,165	(\$22,990)	\$1,059,175	\$1,038,433	\$20,742
Operating expenses	1,749,023	1,749,023		1,749,023	1,749,023	
Accrued leave payments			10,698	10,698	10,698	
Total all funds	\$2,824,295	\$2,831,188	(\$12,292)	\$2,818,896	\$2,798,154	\$20,742
Less estimated income	2,824,295	2,831,188	(12,292)	2,818,896	2,798,154	20,742
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	5.00	5.00	0.00	5.00	5.00	0.00

#### Department No. 140 - Office of Administrative Hearings - Detail of Conference Committee Changes

	Adjusts State Employee Compensation and Benefits Package <sup>1</sup>	Provides Separate Line Item for Accrued Leave Payments <sup>2</sup>	Total Conference Committee Changes
Salaries and wages	(\$12,292)	(\$10,698)	(\$22,990)
Operating expenses			
Accrued leave payments		10,698	10,698
Total all funds	(\$12,292)	\$0	(\$12,292)
Less estimated income	(12,292)	0	(12,292)
General fund	\$0	\$0	\$0
FTE	0.00	0.00	0.00

<sup>1</sup> This amendment adjusts the state employee compensation and benefits package as follows:

- Reduces the performance component from 3 to 5 percent per year to 3 to 5 percent for the first year of the biennium and 2 to 4 percent for the second year of the biennium.
- Reduces the market component from 2 to 4 percent per year to 1 to 2 percent per year for employees below the midpoint of their salary range.
- Reduces funding for retirement contribution increases to provide for a 1 percent state and 1 percent employee increase beginning in January 2014 and no increase in January 2015.

<sup>2</sup> A portion of salaries and wages funding from other funds for permanent employees' compensation and benefits is reallocated to an accrued leave payments line item for paying

annual leave and sick leave for eligible employees.

Engrossed SB 2017 was placed on the Seventh order of business on the calendar.

### REPORT OF CONFERENCE COMMITTEE

**SB 2023:** Your conference committee (Sens. Erbele, Bowman, Warner and Reps. Sanford, Thoreson, Guggisberg) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1253-1254, adopt amendments as follows, and place SB 2023 on the Seventh order:

That the House recede from its amendments as printed on pages 1253 and 1254 of the Senate Journal and pages 1336 and 1337 of the House Journal and that Senate Bill No. 2023 be amended as follows:

Page 1, replace lines 12 through 14 with:

"Racing commission	\$447,501	\$104,361	\$551,862
Accrued leave payments	<u>0</u>	<u>3,789</u>	<u>3,789</u>
Total all funds	\$447,501	108,150	\$555,651
Less estimated income	<u>130,000</u>	<u>36,407</u>	<u>166,407</u>
Total general fund	\$317,501	\$71,743	\$389,244"

ReNUMBER accordingly

### STATEMENT OF PURPOSE OF AMENDMENT:

#### Senate Bill No. 2023 - Racing Commission - Conference Committee Action

	Executive Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Racing Commission	\$563,967	\$563,967	(\$12,105)	\$551,862	\$546,185	\$5,677
Accrued leave payments			<u>3,789</u>	<u>3,789</u>	<u>3,789</u>	
Total all funds	\$563,967	\$563,967	(\$8,316)	\$555,651	\$549,974	\$5,677
Less estimated income	<u>166,407</u>	<u>166,407</u>	<u>0</u>	<u>166,407</u>	<u>166,407</u>	<u>0</u>
General fund	\$397,560	\$397,560	(\$8,316)	\$389,244	\$383,567	\$5,677
FTE	2.00	2.00	0.00	2.00	2.00	0.00

#### Department No. 670 - Racing Commission - Detail of Conference Committee Changes

	Adjusts State Employee Compensation and Benefits Package <sup>1</sup>	Provides Separate Line Item for Accrued Leave Payments <sup>2</sup>	Total Conference Committee Changes
Racing Commission	(\$8,316)	(\$3,789)	(\$12,105)
Accrued leave payments		<u>3,789</u>	<u>3,789</u>
Total all funds	(\$8,316)	\$0	(\$8,316)
Less estimated income	<u>0</u>	<u>0</u>	<u>0</u>
General fund	(\$8,316)	\$0	(\$8,316)
FTE	0.00	0.00	0.00

<sup>1</sup> This amendment adjusts the state employee compensation and benefits package as follows:

- Reduces the performance component from 3 to 5 percent per year to 3 to 5 percent for the first year of the biennium and 2 to 4 percent for the second year of the biennium.
- Reduces the market component from 2 to 4 percent per year to 1 to 2 percent per year for employees below the midpoint of their salary range.
- Reduces funding for retirement contribution increases to provide for a 1 percent state and 1 percent employee increase beginning in January 2014 and no increase

in January 2015.

<sup>2</sup> A portion of salaries and wages funding from the general fund (\$3,661) and from other funds (\$128) for permanent employees' compensation and benefits is reallocated to an accrued leave payments line item for paying annual leave and sick leave for eligible employees.

SB 2023 was placed on the Seventh order of business on the calendar.

#### **REPORT OF CONFERENCE COMMITTEE**

**SB 2072:** Your conference committee (Sens. Miller, Klein, Heckaman and Reps. D. Johnson, Kiefert, Boschee) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1086-1087, adopt amendments as follows, and place SB 2072 on the Seventh order:

That the House recede from its amendments as printed on pages 1086 and 1087 of the Senate Journal and pages 1171-1173 of the House Journal and that Senate Bill No. 2072 be amended as follows:

Page 1, line 1, after "to" insert "create and enact a new subsection to section 4-30-01 and two new sections to chapter 4-30 of the North Dakota Century Code, relating to shared animal ownership agreements; to"

Page 1, line 3, after "regulations" insert "; and to provide for a legislative management study"

Page 1, after line 9, insert:

**"SECTION 2.** A new subsection to section 4-30-01 of the North Dakota Century Code is created and enacted as follows:

"Shared animal ownership agreement" means any contractual arrangement under which an individual:

- a. Acquires an ownership interest in a milk-producing animal;
- b. Agrees to pay another for, reimburse another for, or otherwise accept financial responsibility for the care and boarding of the milk-producing animal at the dairy farm; and
- c. Is entitled to receive a proportionate share of the animal's raw milk production as a condition of the contractual arrangement."

Page 2, after line 10, insert:

**"SECTION 6.** A new section to chapter 4-30 of the North Dakota Century Code is created and enacted as follows:

#### **Shared animal ownership agreement - Raw milk.**

It is not a violation of this chapter to transfer or obtain raw milk under a shared animal ownership agreement. However, a person may not resell raw milk or raw milk products obtained under a shared animal ownership agreement.

**SECTION 7.** A new section to chapter 4-30 of the North Dakota Century Code is created and enacted as follows:

#### **Commissioner - Rulemaking authority - Limitation.**

Notwithstanding chapter 28-32, the commissioner may not adopt any rule that restricts, limits, or imposes additional requirements on any individual transferring or obtaining raw milk in accordance with the terms of a shared animal ownership agreement.

**SECTION 8. LEGISLATIVE MANAGEMENT STUDY - RAW MILK.** During the 2013-14 interim, the legislative management shall consider studying the



availability of raw or unpasteurized milk, for human consumption, in this state. The study should examine the nature and extent of governmental oversight with respect to the safety of the milk; the health of the animals used to produce the milk; and the conditions under which the product is produced, transferred, or obtained. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-fourth legislative assembly."

Renumber accordingly

SB 2072 was placed on the Seventh order of business on the calendar.

#### REPORT OF CONFERENCE COMMITTEE

**SB 2267, as engrossed:** Your conference committee (Sens. Poolman, Flakoll, Marcellais and Reps. Dosch, Monson, Boe) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1387-1498, adopt amendments as follows, and place SB 2267 on the Seventh order:

That the House recede from its amendments as printed on page 1387 of the Senate Journal and page 1498 of the House Journal and that Engrossed Senate Bill No. 2267 be amended as follows:

Page 1, line 1, remove "and deferred maintenance"

Page 1, line 4, remove "**CONTINGENT**"

Page 1, line 4, remove "**AND**"

Page 1, line 5, remove "**DEFERRED MAINTENANCE**"

Page 1, line 7, replace "\$10,000,000" with "\$3,000,000"

Page 1, line 9, remove "and deferred maintenance"

Page 1, line 12, remove "If the office of management and budget determines by April 30, 2014, that the"

Page 1, remove lines 13 and 14

Page 1, line 15, replace "budget at the conclusion of the 2013 legislative session, the" with "The"

Page 1, line 17, replace "Twenty-five" with "Ten"

Page 1, remove lines 20 through 23

Page 2, remove lines 1 through 5

Page 2, line 6, replace "4." with "3."

Page 2, line 6, remove "at least fifty"

Page 2, line 7, remove "percent of"

Page 2, line 7, remove "safety. Any remaining funds may be dedicated to"

Page 2, line 8, replace "deferred maintenance" with "projects that improve safety"

Page 2, line 9, remove the colon

Page 2, line 10, replace "(1) Submit" with "submit"

Page 2, line 11, remove "; or"

Page 2, remove line 12

Page 2, line 13, remove "state general fund"

Page 2, line 21, replace "5." with "4."

Page 2, line 22, remove "and"

Page 2, line 23, after "section" insert "; and

- c. As of June 30, 2013, has an ending general fund balance that does not exceed twenty-five percent of the district's total general fund expenditures."

Renumber accordingly

Engrossed SB 2267 was placed on the Seventh order of business on the calendar.

#### **REPORT OF CONFERENCE COMMITTEE**

**SB 2354:** Your conference committee (Sens. J. Lee, Larsen, Axness and Reps. Hofstad, Fehr, Mooney) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ page 1242 and place SB 2354 on the Seventh order.

SB 2354 was placed on the Seventh order of business on the calendar.

#### **REPORT OF CONFERENCE COMMITTEE**

**SB 2160, as engrossed:** Your conference committee (Sens. Poolman, Luick, Heckaman and Reps. Schatz, Wall, J. Kelsh) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ page 941, adopt amendments as follows, and place SB 2160 on the Seventh order:

That the House recede from its amendments as printed on page 941 of the Senate Journal and page 1088 of the House Journal and that Engrossed Senate Bill No. 2160 be amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for a North Dakota university system study of professional student exchange programs; and to provide for a report to the legislative management.

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

**SECTION 1. STUDY OF PROFESSIONAL STUDENT EXCHANGE PROGRAMS - REPORT TO THE LEGISLATIVE MANAGEMENT.** The North Dakota university system shall study the out-of-state programs in veterinary medicine, optometry, and dentistry, and in particular the accessibility of North Dakota students to the programs; the provision of state funding for students attending the programs; the amount of debt incurred by students attending the programs; and the state's short-term and long-term needs for dentists, optometrists, and veterinarians. Before November 15, 2013, the North Dakota university system shall report its findings to the legislative management."

Renumber accordingly

Engrossed SB 2160 was placed on the Seventh order of business on the calendar.

#### **MOTION**

**SEN. KLEIN MOVED** that the Senate resolve itself into a Confirmation Session, which motion prevailed.

#### **REPORT OF SELECT COMMITTEE**

**MR. PRESIDENT:** Your **Select Committee (Sen. Lyson, Chairman)** appointed to consider the nomination to North Dakota Gaming Commission, do advise and consent to the appointment of Sandi Lang Frenzel.

#### **MOTION**

**SEN. ARMSTRONG MOVED** that the report be adopted.

**ROLL CALL**

The question being, "will the Senate advise and consent to the appointment of Sandi Lang Frenzel to North Dakota Gaming Commission," the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Armstrong; Axness; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Anderson; Berry

The Senate advises and consents to the appointment of Sandi Lang Frenzel to North Dakota Gaming Commission.

**REPORT OF SELECT COMMITTEE**

**MR. PRESIDENT:** Your **Select Committee (Sen. Lyson, Chairman)** appointed to consider the nomination to North Dakota Gaming Commission, do advise and consent to the appointment of Lois Ivers Altenburg.

**MOTION**

**SEN. LAFFEN MOVED** that the report be adopted.

**ROLL CALL**

The question being, "will the Senate advise and consent to the appointment of Lois Ivers Altenburg to North Dakota Gaming Commission," the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Armstrong; Axness; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Anderson; Berry

The Senate advises and consents to the appointment of Lois Ivers Altenburg to North Dakota Gaming Commission.

**REPORT OF SELECT COMMITTEE**

**MR. PRESIDENT:** Your **Select Committee (Sen. Lyson, Chairman)** appointed to consider the nomination to North Dakota Gaming Commission, do advise and consent to the appointment of Charles Axtman.

**MOTION**

**SEN. GRABINGER MOVED** that the report be adopted.

**ROLL CALL**

The question being, "will the Senate advise and consent to the appointment of Charles Axtman to North Dakota Gaming Commission," the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Armstrong; Axness; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Anderson; Berry

The Senate advises and consents to the appointment of Charles Axtman to North Dakota Gaming Commission.

**REPORT OF SELECT COMMITTEE**

**MR. PRESIDENT:** Your **Select Committee (Sen. Lyson, Chairman)** appointed to consider the nomination to North Dakota Gaming Commission, do advise and consent to the appointment of Blake Krabseth.

**MOTION**

**SEN. CARLISLE MOVED** that the report be adopted.

**ROLL CALL**

The question being, "will the Senate advise and consent to the appointment of Blake Krabseth to North Dakota Gaming Commission," the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Armstrong; Axness; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Anderson; Berry

The Senate advises and consents to the appointment of Blake Krabseth to North Dakota Gaming Commission.

**MOTION**

**SEN. KLEIN MOVED** that the Confirmation Session be dissolved, which motion prevailed.

**APPOINTMENT OF CONFERENCE COMMITTEE**

**SEN. KLEIN MOVED** that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on Engrossed HB 1422, which motion prevailed.

**THE PRESIDENT APPOINTED** as a Conference Committee on:

**Engrossed HB 1422:** Sens. Anderson, J. Lee, Axness

**MOTION**

**SEN. KLEIN MOVED** that Sen. Cook replace Sen. Burckhard on the Conference Committee on HB 1290, which motion prevailed on a voice vote.

**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**SEN. DEVER MOVED** that the conference committee report on Engrossed SB 2210 as printed on SJ pages 1555-1556 be adopted, which motion prevailed on a voice vote.

Engrossed SB 2210, as amended, was placed on the Eleventh order of business.

**SECOND READING OF SENATE BILL**

**SB 2210:** A BILL for an Act to provide for the publishing of a book of veterans.

**ROLL CALL**

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

**YEAS:** Andrist; Armstrong; Axness; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Anderson; Berry

Reengrossed SB 2210 passed.

\*\*\*\*\*

**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**SEN. COOK MOVED** that the conference committee report on Engrossed SB 2338 as printed on SJ pages 1539-1540 be adopted, which motion prevailed on a voice vote.

Engrossed SB 2338, as amended, was placed on the Eleventh order of business.

**SECOND READING OF SENATE BILL**

**SB 2338:** A BILL for an Act to create and enact a new subsection to section 57-02-08 of the North Dakota Century Code, relating to a conditional exemption and payments in lieu of taxes for affordable rental residential property; to amend and reenact subsection 8 of section 57-02-08 of the North Dakota Century Code, relating to the property tax exemption for property owned by institutions of public charity; and to provide an effective date.

**ROLL CALL**

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

**YEAS:** Andrist; Armstrong; Axness; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Anderson; Berry

Reengrossed SB 2338 passed.

\*\*\*\*\*

**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**SEN. DEVER MOVED** that the conference committee report on Engrossed SB 2243 as printed on SJ page 1622 be adopted, which motion prevailed on a voice vote.

Engrossed SB 2243, as amended, was placed on the Eleventh order of business.

**SECOND READING OF SENATE BILL**

**SB 2243:** A BILL for an Act to provide for a legislative management study of behavioral health needs.

**ROLL CALL**

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

**YEAS:** Andrist; Armstrong; Axness; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Anderson; Berry

Reengrossed SB 2243 passed.

\*\*\*\*\*

**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**SEN. J. LEE MOVED** that the conference committee report on SB 2030 as printed on SJ pages 1611-1615 be adopted, which motion prevailed on a voice vote.

SB 2030, as amended, was placed on the Eleventh order of business.

**SECOND READING OF SENATE BILL**

**SB 2030:** A BILL for an Act to create and enact a new section to chapter 23-35 of the North Dakota Century Code, relating to tribal health districts; to amend and reenact section 23-35-01, subsection 2 of section 23-35-03, subsection 1 of section 23-35-04, sections 23-35-06, 23-35-07, 23-35-08, 23-35.1-01, 23-35.1-02, 23-35.1-03, and 23-35.1-04 of the North Dakota Century Code, relating to health districts, regional public health network definitions, joint powers agreement review, annual plan, and receipt and use of moneys; to provide a report to the legislative management; 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 42 YEAS, 3 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Armstrong; Axness; Bowman; Burckhard; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Wanzek; Wardner; Warner

**NAYS:** Campbell; Kilzer; Unruh

**ABSENT AND NOT VOTING:** Anderson; Berry

Engrossed SB 2030 passed.

\*\*\*\*\*

**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**SEN. MARCELLAIS MOVED** that the conference committee report on Engrossed SB 2094 as printed on SJ pages 1616-1617 be adopted, which motion prevailed on a voice vote.

Engrossed SB 2094, as amended, was placed on the Eleventh order of business.

**SECOND READING OF SENATE BILL**

**SB 2094:** A BILL for an Act to amend and reenact section 15-10.3-03 of the North Dakota Century Code, relating to mandatory fees assessed by institutions of higher education; 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 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Armstrong; Axness; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Anderson; Berry

Reengrossed SB 2094 passed and the emergency clause was declared carried.

\*\*\*\*\*

**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**SEN. G. LEE MOVED** that the conference committee report on Engrossed SB 2008 as printed on SJ page 1610 be adopted, which motion prevailed on a voice vote.

Engrossed SB 2008, as amended, was placed on the Eleventh order of business.

**SECOND READING OF SENATE BILL**

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

**ROLL CALL**

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

**YEAS:** Andrist; Armstrong; Axness; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Anderson; Berry

Reengrossed SB 2008 passed.

\*\*\*\*\*

**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**SEN. ARMSTRONG MOVED** that the conference committee report on Engrossed SB 2074 as printed on SJ pages 1615-1616 be adopted, which motion prevailed on a voice vote.

Engrossed SB 2074, as amended, was placed on the Eleventh order of business.

**SECOND READING OF SENATE BILL**

**SB 2074:** A BILL for an Act to amend and reenact subsection 1 of section 26.1-02.1-05 of the North Dakota Century Code, relating to penalties for insurance fraud; and to provide a penalty.

**ROLL CALL**

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

**YEAS:** Andrist; Armstrong; Axness; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Anderson; Berry

Reengrossed SB 2074 passed.

\*\*\*\*\*

**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**SEN. MARCELLAIS MOVED** that the conference committee report on Engrossed HB 1272 be adopted, which motion prevailed on a voice vote.

Engrossed HB 1272, as amended, was placed on the Fourteenth order of business.

**SECOND READING OF HOUSE BILL**

**HB 1272:** A BILL for an Act to amend and reenact section 15-10-19.1 of the North Dakota Century Code, relating to resident tuition for spouses and dependents of veterans.

**ROLL CALL**

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

**YEAS:** Andrist; Armstrong; Axness; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Anderson; Berry

Engrossed HB 1272, as amended, passed.

\*\*\*\*\*

#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**SEN. SCHAIBLE MOVED** that the conference committee report on Reengrossed HB 1289 be adopted, which motion prevailed on a voice vote.

Reengrossed HB 1289, as amended, was placed on the Fourteenth order of business.

#### SECOND READING OF HOUSE BILL

**HB 1289:** A BILL for an Act to provide an appropriation for veterans' higher education assistance programs.

#### ROLL CALL

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

**YEAS:** Andrist; Armstrong; Axness; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Anderson; Berry

Reengrossed HB 1289, as amended, passed.

\*\*\*\*\*

#### MOTION

**SEN. KLEIN MOVED** that HB 1300 be moved to the bottom of the calendar, which motion prevailed.

#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**SEN. SCHAIBLE MOVED** that the conference committee report on Engrossed HB 1405 be adopted, which motion prevailed on a voice vote.

Engrossed HB 1405, as amended, was placed on the Fourteenth order of business.

#### SECOND READING OF HOUSE BILL

**HB 1405:** A BILL for an Act to provide an appropriation for the identification of and provision of services to veterans exposed to agent orange; and to provide for a report to the budget section.

#### ROLL CALL

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

**YEAS:** Andrist; Armstrong; Axness; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Anderson; Berry

Engrossed HB 1405, as amended, passed.

\*\*\*\*\*

#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**SEN. SCHAIBLE MOVED** that the conference committee report on Reengrossed HB 1033 be adopted, which motion prevailed on a voice vote.



Reengrossed HB 1033, as amended, was placed on the Fourteenth order of business.

### SECOND READING OF HOUSE BILL

**HB 1033:** A BILL for an Act to require authorization of the purchase or lease of aircraft; to provide for the use of department of transportation airplanes; to provide for the disposition of airplanes; to provide legislative intent; to provide for budget section approval; to provide for a report to the sixty-fourth legislative assembly; 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 43 YEAS, 2 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Armstrong; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**NAYS:** Axness; Grabinger

**ABSENT AND NOT VOTING:** Anderson; Berry

Reengrossed HB 1033, as amended, passed.

\*\*\*\*\*

### CONSIDERATION OF CONFERENCE COMMITTEE REPORT

**SEN. HOGUE MOVED** that the conference committee report on HB 1136 be adopted, which motion prevailed on a voice vote.

HB 1136, as amended, was placed on the Fourteenth order of business.

### SECOND READING OF HOUSE BILL

**HB 1136:** A BILL for an Act to amend and reenact sections 11-18-01, 11-18-05, 35-13-02, 35-17-04, 35-17-07, 35-17-08, 35-20-15.1, 35-20-16, 35-29-02, 35-29-04, 35-29-05, 35-30-02, 35-30-05, 35-30-06, 35-31-02, 35-31-05, 35-31-06, 35-34-04, 35-34-06, 35-35-03, 35-37-04, 41-09-72, 41-09-73, and 41-09-84, subsection 2 of section 41-09-87, sections 41-09-94 and 41-09-96, subsection 3 of section 41-09-135, sections 41-10-01, 41-10-05, 47-16-03, 54-09-08, 54-09-09, 54-09-10, and 54-09-11, subsection 5 of section 57-34-10, subsection 4 of section 57-36-09.5, section 57-38-49, subsection 4 of section 57-39.2-13, subsection 4 of section 57-40.2-16, subsection 3 of section 57-40.3-07.1, subsection 4 of section 57-43.1-17.4, subsection 4 of section 57-43.2-16.3, subsection 4 of section 57-43.3-22, subsection 2 of section 57-51-11, and subsection 4 of section 57-63-10 of the North Dakota Century Code, relating to filing liens and security interests electronically; to repeal section 57-28-29 of the North Dakota Century Code, relating to filing tax liens; to provide for application; to provide for a report to the legislative assembly; and to provide a contingent effective date.

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 42 YEAS, 3 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Armstrong; Axness; Bowman; Burckhard; Campbell; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**NAYS:** Carlisle; Cook; Lee, G.

**ABSENT AND NOT VOTING:** Anderson; Berry

HB 1136, as amended, passed.

\*\*\*\*\*

**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**SEN. SCHAIBLE MOVED** that the conference committee report on Engrossed HB 1291 be adopted, which motion prevailed on a voice vote.

Engrossed HB 1291, as amended, was placed on the Fourteenth order of business.

**SECOND READING OF HOUSE BILL**

**HB 1291:** A BILL for an Act to amend and reenact sections 15.1-21-02.4, 15.1-21-02.5, and 15.1-21-02.6 of the North Dakota Century Code, relating to the provision of North Dakota scholarships to students who receive home education; 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 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Armstrong; Axness; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Anderson; Berry

Engrossed HB 1291, as amended, passed and the emergency clause was declared carried.

\*\*\*\*\*

**MOTION**

**SEN. KLEIN MOVED** that HCR 3011 be moved to the bottom of the calendar, which motion prevailed.

**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**SEN. MILLER MOVED** that the conference committee report on Reengrossed HB 1306 be adopted, which motion prevailed on a voice vote.

Reengrossed HB 1306, as amended, was placed on the Fourteenth order of business.

**SECOND READING OF HOUSE BILL**

**HB 1306:** A BILL for an Act to amend and reenact section 57-02-08.8 of the North Dakota Century Code, relating to disabled veteran's eligibility for a homestead tax credit and a renter credit; and to provide an effective date.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 37 YEAS, 8 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Axness; Bowman; Burckhard; Campbell; Carlisle; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Klein; Krebsbach; Larsen; Lee, G.; Lee, J.; Lyson; Marcellais; Mathern; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schneider; Sinner; Sitte; Sorvaag; Triplett; Wanzek; Wardner; Warner

**NAYS:** Armstrong; Cook; Kilzer; Laffen; Luick; Miller; Schaible; Unruh

**ABSENT AND NOT VOTING:** Anderson; Berry

Reengrossed HB 1306, as amended, passed.

\*\*\*\*\*

**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**SEN. HOGUE MOVED** that the conference committee report on HB 1128 be adopted, which

motion prevailed on a voice vote.

HB 1128, as amended, was placed on the Fourteenth order of business.

#### **SECOND READING OF HOUSE BILL**

**HB 1128:** A BILL for an Act to create and enact chapter 14-03.2 of the North Dakota Century Code, relating to the Uniform Premarital and Marital Agreements Act and the abrogation of common law regarding premarital and marital agreements; to repeal chapter 14-03.1 and section 30.1-05-07 of the North Dakota Century Code, relating to the Uniform Premarital Agreement Act and the waiver of right to elect of a surviving spouse; and to provide for a legislative management study.

#### **ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 30 YEAS, 15 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Armstrong; Bowman; Burckhard; Campbell; Cook; Dever; Erbele; Flakoll; Grindberg; Hogue; Holmberg; Klein; Krebsbach; Laffen; Larsen; Lee, J.; Luick; Lyson; Mathern; Miller; Poolman; Robinson; Schaible; Schneider; Sitte; Sorvaag; Unruh; Wanzek; Wardner

**NAYS:** Axness; Carlisle; Dotzenrod; Grabinger; Heckaman; Kilzer; Lee, G.; Marcellais; Murphy; Nelson; O'Connell; Oehlke; Sinner; Triplett; Warner

**ABSENT AND NOT VOTING:** Anderson; Berry

HB 1128, as amended, passed.

\*\*\*\*\*

#### **MOTION**

**SEN. KLEIN MOVED** that the Senate stand in recess until 1:00 p.m., which motion prevailed.

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

**THE SENATE RECOGNIZED THE PRESENCE OF:**

Former Senator Hank Weber

#### **CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**SEN. MILLER MOVED** that the conference committee report on Engrossed SB 2211 as printed on SJ pages 1542-1544 be adopted, which motion prevailed on a voice vote.

Engrossed SB 2211, as amended, was placed on the Eleventh order of business.

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

**SB 2211:** A BILL for an Act to create and enact two new sections to chapter 36-01 and chapter 36-21.2 of the North Dakota Century Code, relating to the duties of the state board of animal health and the treatment of animals; to repeal sections 36-21.1-01, 36-21.1-02, 36-21.1-03, 36-21.1-03.1, 36-21.1-04, 36-21.1-06, 36-21.1-12, and 36-21.1-13 of the North Dakota Century Code, relating to the treatment of animals; to provide a penalty; and to provide for reports to the legislative management.

#### **ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 43 YEAS, 3 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Armstrong; Axness; Bowman; Burckhard; Campbell; Carlisle; Cook; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**NAYS:** Anderson; Dever; Lyson

**ABSENT AND NOT VOTING:** Berry

Reengrossed SB 2211 passed.

\*\*\*\*\*

**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**SEN. ARMSTRONG MOVED** that the conference committee report on Engrossed HCR 3006 be adopted, which motion prevailed on a voice vote.

**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**SEN. CAMPBELL MOVED** that the conference committee report on Engrossed HB 1300 be adopted, which motion prevailed on a voice vote.

Engrossed HB 1300, as amended, was placed on the Fourteenth order of business.

**SECOND READING OF HOUSE BILL**

**HB 1300:** A BILL for an Act to amend and reenact subsection 9 of section 57-02-08 of the North Dakota Century Code, relating to the property tax exemption for property of churches; and to provide for retroactive application.

**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; Andrist; Armstrong; Axness; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Berry

Engrossed HB 1300, as amended, passed.

\*\*\*\*\*

**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**SEN. FLAKOLL MOVED** that the conference committee report on Engrossed SB 2267 be adopted, which motion prevailed on a voice vote.

Engrossed SB 2267, as amended, was placed on the Eleventh order of business.

**SECOND READING OF SENATE BILL**

**SB 2267:** A BILL for an Act to provide an appropriation for school district safety grants.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 25 YEAS, 21 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Armstrong; Axness; Burckhard; Dotzenrod; Flakoll; Grabinger; Heckaman; Laffen; Lee, J.; Luick; Lyson; Marcellais; Mathern; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sorvaag; Triplett; Wardner; Warner

**NAYS:** Anderson; Bowman; Campbell; Carlisle; Cook; Dever; Erbele; Grindberg; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Larsen; Lee, G.; Miller; Murphy; Sinner; Sitte; Unruh; Wanzek

**ABSENT AND NOT VOTING:** Berry

Reengrossed SB 2267 passed.

\*\*\*\*\*

**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**SEN. ERBELE MOVED** that the conference committee report on SB 2023 be adopted, which motion prevailed on a voice vote.

SB 2023, as amended, was placed on the Eleventh order of business.

**SECOND READING OF SENATE BILL**

**SB 2023:** A BILL for an Act to provide an appropriation for defraying the expenses of the North Dakota racing commission.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 43 YEAS, 3 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Armstrong; Axness; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**NAYS:** Andrist; Larsen; Schaible

**ABSENT AND NOT VOTING:** Berry

Engrossed SB 2023 passed.

\*\*\*\*\*

**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**SEN. HECKAMAN MOVED** that the conference committee report on Engrossed SB 2160 be adopted, which motion prevailed on a voice vote.

Engrossed SB 2160, as amended, was placed on the Eleventh order of business.

**SECOND READING OF SENATE BILL**

**SB 2160:** A BILL for an Act to provide for a North Dakota university system study of professional student exchange programs; and to provide for a report to the legislative management.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 43 YEAS, 3 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Armstrong; Axness; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Lee, G.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**NAYS:** Andrist; Larsen; Lee, J.

**ABSENT AND NOT VOTING:** Berry

Reengrossed SB 2160 passed.

\*\*\*\*\*

**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**SEN. CARLISLE MOVED** that the conference committee report on SB 2005 be adopted, which motion prevailed on a voice vote.

SB 2005, as amended, was placed on the Eleventh order of business.

**SECOND READING OF SENATE BILL**

**SB 2005:** A BILL for an Act to provide an appropriation for defraying the expenses of the Indian affairs commission; 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 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Andrist; Armstrong; Axness; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Berry

Engrossed SB 2005 passed.

\*\*\*\*\*

**MOTION**

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

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

**CORRECTION AND REVISION OF THE JOURNAL**

**MR. PRESIDENT:** Your **Committee on Correction and Revision of the Journal (Sen. Andrist, Chairman)** recommends that the Journal of the Seventy-first Day be corrected as follows and when so corrected, recommends that it be approved:

Page 1686, line 46, remove "and the emergency clause was declared carried"

Page 1688, line 47-48 be replaced with:

**"MOTION**

**SEN. HOGUE MOVED** that the vote by which HCR 3047 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed on a voice vote."

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

**APPOINTMENT OF CONFERENCE COMMITTEE**

**SEN. KLEIN MOVED** that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on HB 1250, HB 1258, and Reengrossed HB 1358, which motion prevailed.

**THE PRESIDENT APPOINTED** as a Conference Committee on:

**HB 1250:** Sens. Miller, Campbell, Triplett

**HB 1258:** Sens. Flakoll, Poolman, Heckaman

**Reengrossed HB 1358:** Sens. Cook, Oehlke, Dotzenrod

**CONSIDERATION OF MESSAGE FROM THE HOUSE**

**SEN. HOLMBERG MOVED** that the Senate do not concur in the House amendments to Reengrossed SB 2003 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed on a voice vote.

**APPOINTMENT OF CONFERENCE COMMITTEE**

**THE PRESIDENT APPOINTED** as a Conference Committee on Reengrossed SB 2003: Sens. Holmberg, Krebsbach, Robinson.

**CONSIDERATION OF MESSAGE FROM THE HOUSE**

**SEN. FLAKOLL MOVED** that the Senate do not concur in the House amendments to SB 2200 and that a conference committee be appointed to meet with a like committee from

the House, which motion prevailed on a voice vote.

#### **APPOINTMENT OF CONFERENCE COMMITTEE**

**THE PRESIDENT APPOINTED** as a Conference Committee on SB 2200: Sens. Flakoll, Holmberg, Heckaman.

#### **MOTION**

**SEN. KLEIN MOVED** that SB 2354 be moved to the bottom of the Seventh order, which motion prevailed.

#### **CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**SEN. LAFFEN MOVED** that the conference committee report on SB 2298 as printed on SJ page 1623 be adopted.

#### **REQUEST**

**SEN. MILLER REQUESTED** a verification vote, which request was granted.

The question being on the motion to adopt the conference committee report on SB 2298, the conference committee report on SB 2298 was rejected on a verification vote.

#### **CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**SEN. MILLER MOVED** that the conference committee report on SB 2072 be adopted, which motion prevailed on a voice vote.

SB 2072, as amended, was placed on the Eleventh order of business.

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

**SB 2072:** A BILL for an Act to create and enact a new subsection to section 4-30-01 and two new sections to chapter 4-30 of the North Dakota Century Code, relating to shared animal ownership agreements; to amend and reenact subsection 21 of section 4-30-01 and sections 4-30-36.2, 4-30-36.3, and 4-30-36.4 of the North Dakota Century Code, relating to dairy products regulations; and to provide for a legislative management study.

#### **ROLL CALL**

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 42 YEAS, 4 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Armstrong; Axness; Bowman; Burckhard; Campbell; Carlisle; Cook; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**NAYS:** Anderson; Dever; Lee, J.; Sinner

**ABSENT AND NOT VOTING:** Berry

Engrossed SB 2072 passed.

\*\*\*\*\*

#### **CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**SEN. G. LEE MOVED** that the conference committee report on SB 2010 be adopted, which motion prevailed on a voice vote.

SB 2010, as amended, was placed on the Eleventh order of business.

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

**SB 2010:** A BILL for an Act to provide an appropriation for defraying the expenses of the council on the arts; and to provide a matching requirement.

#### **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; Andrist; Armstrong; Axness; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Berry

Engrossed SB 2010 passed.

\*\*\*\*\*

#### **CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**SEN. KILZER MOVED** that the conference committee report on Engrossed SB 2017 be adopted, which motion prevailed on a voice vote.

Engrossed SB 2017, as amended, was placed on the Eleventh order of business.

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

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

#### **ROLL CALL**

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

**YEAS:** Anderson; Andrist; Armstrong; Axness; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Berry

Reengrossed SB 2017 passed.

\*\*\*\*\*

#### **CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**SEN. KREBSBACH MOVED** that the conference committee report on Engrossed SB 2006 be adopted, which motion prevailed on a voice vote.

Engrossed SB 2006, as amended, was placed on the Eleventh order of business.

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

**SB 2006:** A BILL for an Act to provide an appropriation for defraying the expenses of the North Dakota aeronautics commission.

#### **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; Andrist; Armstrong; Axness; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Berry

Reengrossed SB 2006 passed.



\*\*\*\*\*

**MOTION**

**SEN. KLEIN MOVED** that SB 2354 be moved to the top of the Seventh order, which motion prevailed.

**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**SEN. J. LEE MOVED** that the conference committee report on SB 2354 be adopted, which motion prevailed on a voice vote.

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

**MR. PRESIDENT:** The House has amended and subsequently passed: SB 2200.

**HOUSE AMENDMENTS TO SENATE BILL NO. 2200**

Page 1, line 2, after the semicolon insert "to provide an appropriation; to provide for a legislative management study;"

Page 5, after line 1, insert:

"1."

Page 5, line 5, replace "1." with "a."

Page 5, line 5, replace "\$72.70." with "\$67.00"

Page 5, line 7, replace "2." with "b."

Page 5, line 7, replace "\$110.80" with "\$97.00"

Page 5, line 9, replace "3." with "c."

Page 5, line 9, replace "\$117.60" with "\$101.00"

Page 5, line 9, replace "lake region" with "Lake Region"

Page 5, after line 10, insert:

"2. Beginning on July 1, 2013, and each year thereafter, the state board shall incorporate an inflationary factor equal to 0.01 multiplied by the base amount listed in subsection 1 for each respective institution."

Page 5, after line 18, insert:

**"15-18.1-08. Tuition - Limitation.**

1. The tuition rate in effect for the 2013-14 academic year may not exceed that in effect for the 2012-13 academic year by more than:
  - a. 3.0 percent in the case of Dakota college at Bottineau and Lake Region state college;
  - b. 4.0 percent in the case of Bismarck state college, Dickinson state university, Mayville state university, North Dakota state college of science, and Valley City state university;
  - c. 4.5 percent in the case of Minot state university, North Dakota state university, and the university of North Dakota;
  - d. 5.0 percent in the case of Williston state college; and
  - e. 5.0 percent in the case of the university of North Dakota school of medicine and health sciences.

2. The tuition rate in effect for the 2014-15 academic year may not exceed that in effect for the 2013-14 academic year by more than:
  - a. 3.0 percent in the case of Dakota college at Bottineau and Lake Region state college;
  - b. 4.0 percent in the case of Bismarck state college, Dickinson state university, Mayville state university, North Dakota state college of science, and Valley City state university;
  - c. 4.5 percent in the case of Minot state university, North Dakota state university, and the university of North Dakota;
  - d. 5.0 percent in the case of Williston state college; and
  - e. 5.0 percent in the case of the university of North Dakota school of medicine and health sciences."

Page 5, after line 22, insert:

**"SECTION 3. LEGISLATIVE MANAGEMENT STUDY - HIGHER EDUCATION FUNDING.** During the 2013-14 interim, the legislative management shall appoint an interim committee to study higher education funding methods.

1. The committee shall review higher education funding methods and recommend for the North Dakota university system a new funding method that is not based on existing levels of funding.
2. The committee shall consult with representatives of the state board of higher education, the North Dakota university system office, higher education institutions, and other appropriate entities.
3. The committee shall consider:
  - a. The inclusion of tuition revenue as a component of the funding method;
  - b. The level of nonresident tuition rates, including whether the rates charged should provide for the entire cost of a student's education and whether state funding should be provided to offset the educational costs of nonresident students;
  - c. Options to address unique institution needs due to program facility requirements, local costs of goods and labor, and other extraordinary needs;
  - d. The appropriateness of including remedial education and dual-credit course completions in the funding method and which entity should be responsible for paying course costs;
  - e. Facilities required to meet an institution's mission, including the utilization of existing institution facilities and additional facilities needs as identified in the university system campus master plan and space utilization study;
  - f. Administrative costs at institutions, including the appropriateness of providing separate funding allocations to institutions for instructional and administrative costs;
  - g. Options to provide enhanced funding for programs that address state priorities and workforce needs;
  - h. Options to provide performance funding distributions to campuses for meeting specified goals such as on-time graduation rates and job placements; and

- i. Any other issues the committee deems appropriate.
- 4. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-fourth legislative assembly.

**SECTION 4. APPROPRIATION.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$150,000, or so much of the sum as may be necessary, to the legislative council for the purpose of defraying expenses associated with the study of higher education funding as provided for in section 3 of this Act, for the biennium beginning July 1, 2013, and ending June 30, 2015."

Renumber accordingly

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has amended, subsequently passed, and the emergency clause failed: SB 2003.

#### HOUSE AMENDMENTS TO REENGROSSED SENATE BILL NO. 2003

Page 1, line 2, remove "to provide an appropriation to the state board of higher education for a"

Page 1, line 3, replace "settlement payment for the termination of the contract of the commissioner of higher education" with "to create and enact six new sections to chapter 15-10 of the North Dakota Century Code, relating to provisions of matching grants for the advancement of postsecondary academics"

Page 1, line 4, after "15-10-47" insert ", 15-52-01, 15-52-03, 15-52-04, 15-52-05, 15-52-09, 15-52-31,"

Page 1, line 6, after the first comma insert "the state medical center,"

Page 1, line 9, after "reports" insert "; to provide for a legislative management report; to provide an expiration date"

Page 1, remove lines 19 through 24

Page 2, remove lines 1 through 31

Page 3, remove lines 1 through 30

Page 4, remove lines 1 through 30

Page 5, remove lines 1 through 30

Page 6, remove lines 1 through 31

Page 7, replace lines 1 through 3 with:

#### "NORTH DAKOTA UNIVERSITY SYSTEM OFFICE

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Capital assets - bond payments	\$12,204,769	(\$1,768,724)	\$10,436,045
Competitive research program	7,050,000	0	7,050,000
System governance	7,349,806	4,400,363	11,750,169
Title II	1,006,472	0	1,006,472
System information technology services	36,006,667	2,375,831	38,382,498
Professional liability insurance	800,000	(800,000)	0
Student financial assistance grants	19,025,594	2,220,085	21,245,679
Professional student exchange program	3,321,438	953,577	4,275,015
Academic and technical education scholarships	10,000,000	3,700,000	13,700,000

Two-year campus marketing	800,000	0	800,000
Scholars program	2,113,584	0	2,113,584
Native American scholarships	574,267	75,000	649,267
Tribally controlled community college grants	1,000,000	0	1,000,000
Education incentive programs	3,176,344	172,656	3,349,000
Deferred maintenance pool	0	10,000,000	10,000,000
Master plan and space utilization study	0	1,000,000	1,000,000
Student mental health	0	282,520	282,520
Education challenge fund	0	30,000,000	30,000,000
Campus security pool	0	2,500,000	2,500,000
Performance funding pool	0	5,000,000	5,000,000
Capital projects pool	0	176,000,000	176,000,000
Total all funds	\$104,428,941	\$236,111,308	\$340,540,249
Less estimated income	3,056,229	15,243,683	18,299,912
Total general fund	\$101,372,712	\$220,867,625	\$322,240,337
Full-time equivalent positions	100.31	12.60	112.91

Subdivision 2.

#### BISMARCK STATE COLLEGE

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$27,628,314	\$3,577,868	\$31,206,182
Capital assets	417,673	6,000,000	6,417,673
Total all funds	\$28,045,987	\$9,577,868	\$37,623,855
Less estimated income	0	6,600,000	6,600,000
Total general fund	\$28,045,987	\$2,977,868	\$31,023,855
Full-time equivalent positions	126.96	0.00	126.96

Subdivision 3.

#### LAKE REGION STATE COLLEGE

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$9,003,614	\$2,588,035	\$11,591,649
Capital assets	155,367	0	155,367
Total all funds	\$9,158,981	\$2,588,035	\$11,747,016
Less estimated income	0	0	0
Total general fund	\$9,158,981	\$2,588,035	\$11,747,016
Full-time equivalent positions	40.22	0.00	40.22

Subdivision 4.

#### WILLISTON STATE COLLEGE

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$8,849,685	\$839,482	\$9,689,167
Capital assets	197,801	0	197,801
Total all funds	\$9,047,486	\$839,482	\$9,886,968
Less estimated income	0	0	0
Total general fund	\$9,047,486	\$839,482	\$9,886,968
Full-time equivalent positions	44.15	0.00	44.15

Subdivision 5.

#### UNIVERSITY OF NORTH DAKOTA

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$140,457,484	\$4,458,585	\$144,916,069
Capital assets	4,411,566	97,237,262	101,648,828
Total all funds	\$144,869,050	\$101,695,847	\$246,564,897

Less estimated income	0	96,487,262	96,487,262
Total general fund	\$144,869,050	\$5,208,585	\$150,077,635
Full-time equivalent positions	642.20	(8.60)	633.60

Subdivision 6.

## NORTH DAKOTA STATE UNIVERSITY

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$125,015,305	\$9,496,422	\$134,511,727
Capital assets	2,732,244	39,819,356	42,551,600
Total all funds	\$127,747,549	\$49,315,778	\$177,063,327
Less estimated income	0	39,819,356	39,819,356
Total general fund	\$127,747,549	\$9,496,422	\$137,243,971
Full-time equivalent positions	495.21	(4.00)	491.21

Subdivision 7.

## NORTH DAKOTA STATE COLLEGE OF SCIENCE

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$34,186,542	\$1,585,812	\$35,772,354
Capital assets	1,012,379	1,350,000	2,362,379
Total all funds	\$35,198,921	\$2,935,812	\$38,134,733
Less estimated income	0	1,350,000	1,350,000
Total general fund	\$35,198,921	\$1,585,812	\$36,784,733
Full-time equivalent positions	171.87	0.00	171.87

Subdivision 8.

## DICKINSON STATE UNIVERSITY

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$22,383,539	\$3,084,221	\$25,467,760
Capital assets	409,078	0	409,078
Total all funds	\$22,792,617	\$3,084,221	\$25,876,838
Less estimated income	0	0	0
Total general fund	\$22,792,617	\$3,084,221	\$25,876,838
Full-time equivalent positions	100.32	0.00	100.32

Subdivision 9.

## MAYVILLE STATE UNIVERSITY

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$12,775,788	\$931,742	\$13,707,530
Capital assets	358,992	0	358,992
Total all funds	\$13,134,780	\$931,742	\$14,066,522
Less estimated income	0	0	0
Total general fund	\$13,134,780	\$931,742	\$14,066,522
Full-time equivalent positions	62.78	0.00	62.78

Subdivision 10.

## MINOT STATE UNIVERSITY

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$37,838,974	\$2,073,490	\$39,912,464
Capital assets	899,620	11,801,785	12,701,405
Total all funds	\$38,738,594	\$13,875,275	\$52,613,869

Less estimated income	0	11,801,785	11,801,785
Total general fund	\$38,738,594	\$2,073,490	\$40,812,084
Full-time equivalent positions	201.76	0.00	201.76

Subdivision 11.

#### VALLEY CITY STATE UNIVERSITY

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$17,694,741	\$2,000,411	\$19,695,152
Capital assets	408,319	4,806,837	5,215,156
Total all funds	\$18,103,060	\$6,807,248	\$24,910,308
Less estimated income	0	4,806,837	4,806,837
Total general fund	\$18,103,060	\$2,000,411	\$20,103,471
Full-time equivalent positions	97.29	0.00	97.29

Subdivision 12.

#### DAKOTA COLLEGE AT BOTTINEAU

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$6,489,750	\$833,843	\$7,323,593
Capital assets	115,507	7,600,789	7,716,296
Total all funds	\$6,605,257	\$8,434,632	\$15,039,889
Less estimated income	0	7,600,789	7,600,789
Total general fund	\$6,605,257	\$833,843	\$7,439,100
Full-time equivalent positions	36.12	0.00	36.12

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	\$47,747,971	\$8,214,806	\$55,962,777
Total all funds	\$47,747,971	\$8,214,806	\$55,962,777
Less estimated income	0	0	0
Total general fund	\$47,747,971	\$8,214,806	\$55,962,777
Full-time equivalent positions	156.55	0.00	156.55

Subdivision 14.

#### NORTH DAKOTA FOREST SERVICE

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Operations	\$5,514,681	\$686,643	\$6,201,324
Capital assets	97,791	788,419	886,210
Total all funds	\$5,612,472	\$1,475,062	\$7,087,534
Less estimated income	1,650,000	0	1,650,000
Total general fund	\$3,962,472	\$1,475,062	\$5,437,534
Full-time equivalent positions	28.00	1.00	29.00

Subdivision 15.

#### BILL TOTAL

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Grand total all funds	\$611,231,666	\$445,887,116	\$1,057,118,782
Grand total special funds	4,706,229	183,709,712	188,415,941
Grand total general fund	\$606,525,437	\$262,177,404	\$868,702,841"

Page 7, replace lines 9 and 10 with:

"Capital projects - general fund	\$47,136,000	\$1,535,000
Capital projects - other funds	105,065,555	167,866,029
Capital projects funding pool - general fund	0	160,000,000
Capital projects funding pool - other funds	0	16,000,000"

Page 7, replace lines 12 and 13 with:

"Minot state university flood recovery	0	2,000,000"
--	---	------------

Page 7, replace line 17 with:

"Williston state college operating funds	2,000,000	1,000,000"
--	-----------	------------

Page 7, replace lines 21 through 24 with:

"Health care workforce initiative	0	7,414,806
Master plan and space utilization study	0	1,000,000
Total all funds	\$156,325,912	\$397,615,835
Total other funds	105,065,555	183,866,029
Total general fund	\$51,260,357	\$213,749,806"

Page 7, remove lines 29 through 31

Page 8, remove lines 1 through 14

Page 9, after line 12, insert:

**"SECTION 4.** A new section to chapter 15-10 of the North Dakota Century Code is created and enacted as follows:

**Advancement of academics - Matching grants - University of North Dakota and North Dakota state university.**

1. a. During the period beginning July 1, 2013, and ending December 31, 2014, the state board of higher education shall award one dollar in matching grants for every two dollars raised by the institutional foundations of the university of North Dakota and North Dakota state university for projects dedicated exclusively to the advancement of academics.
- b. To be eligible for a matching grant, an institution must demonstrate that:
  - (1) Its foundation has raised at least fifty thousand dollars in cash or monetary pledges for a qualifying project; and
  - (2) The project has been approved by the grant review committee established in section 7 of this Act.
- c. The board may award up to ten million dollars in matching grants to each institution.
2. a. If any available dollars have not been awarded by the board before January 1, 2015, in accordance with subsection 1, either the university of North Dakota or North Dakota state university may apply for an additional matching grant.
- b. An application submitted under this subsection must meet the same criteria as an original application.
- c. The board shall consider each application submitted under this subsection in chronological order.

- d. If the remaining dollars are insufficient to provide a matching grant in the amount of one dollar for every two dollars raised by the institutional foundation, the board shall award a lesser amount.

**SECTION 5.** A new section to chapter 15-10 of the North Dakota Century Code is created and enacted as follows:

**Advancement of academics - Matching grants - Two-year and four-year institutions of higher education.**

1. a. During the period beginning July 1, 2013, and ending December 31, 2014, the state board of higher education shall award one dollar in matching grants for every two dollars raised by the institutional foundations of Bismarck state college, Dakota college at Bottineau, Dickinson state university, Lake Region state college, Mayville state university, Minot state university, North Dakota state college of science, Valley City state university, and Williston state college for projects dedicated exclusively to the advancement of academics.
  - b. To be eligible for a matching grant, an institution must demonstrate that:
    - (1) Its foundation has raised at least twenty-five thousand dollars in cash or monetary pledges for a qualifying project; and
    - (2) The project has been approved by the grant review committee established in section 7 of this Act.
  - c. The board may award up to one million dollars in matching grants to each institution.
2. a. If any available dollars have not been awarded by the board before January 1, 2015, in accordance with subsection 1, any institution listed in subsection 1 may apply for an additional matching grant.
  - b. An application submitted under this subsection must meet the same criteria as an original application.
  - c. The board shall consider each application submitted under this subsection in chronological order.
  - d. If the remaining dollars are insufficient to provide a matching grant in the amount of one dollar for every two dollars raised by the institutional foundation, the board shall award a lesser amount.

**SECTION 6.** A new section to chapter 15-10 of the North Dakota Century Code is created and enacted as follows:

**Liability for pledged amount.**

If the state board of higher education provides grant funds under this Act to an institution on the basis of a monetary pledge and if the amount forthcoming is less than the amount pledged, the institutional foundation is liable to the institution for any shortfall.

**SECTION 7.** A new section to chapter 15-10 of the North Dakota Century Code is created and enacted as follows:

**Grant review committee.**

1. There is created a grant review committee consisting of:
  - a. The governor, or the governor's designee, who shall serve as the chairman;



- b. Two members of the house of representatives appropriations committee, selected by the majority leader of the house of representatives;
  - c. Two members of the senate appropriations committee, selected by the majority leader of the senate;
  - d. Two members appointed by the governor, with the consent of the legislative management; and
  - e. Two members appointed by the state board of higher education, with the consent of the legislative management.
- 2. The gubernatorial appointees must have an understanding of higher education's role in advancing agriculture, the arts, commerce and finance, manufacturing, mineral extraction, natural resources, and the professions.
  - 3. The grant review committee shall establish its rules of operation and procedure and shall develop and publish the criteria upon which all requests for matching grants will be reviewed.
  - 4. A request for a matching grant must be presented to the committee by the president of the institution. The president may be accompanied by other individuals having an expertise with respect to the project.

**SECTION 8.** A new section to chapter 15-10 of the North Dakota Century Code is created and enacted as follows:

**Grant review committee - Compensation.**

Each member of the grant review committee is entitled to receive compensation in the amount of one hundred thirty-five dollars per day plus reimbursement for expenses as provided by law for state officers if the member is attending meetings or performing duties directed by the committee. The compensation provided for in this section may not be paid to any member of the committee who receives a salary or other compensation as an employee or official of this state if the individual is serving on the committee by virtue of the individual's state office or state employment.

**SECTION 9.** A new section to chapter 15-10 of the North Dakota Century Code is created and enacted as follows:

**Definition.**

For purposes of this Act, projects dedicated to the advancement of enhanced academics include investments in research, scholarships, technology, endowed chairs, and investments in educational infrastructure, including new capital construction projects that conform with the university system campus master plan and space utilization study.

**SECTION 10. AMENDMENT.** Section 15-52-01 of the North Dakota Century Code is amended and reenacted as follows:

**15-52-01. School of medicine and health sciences.**

The primary purpose of the university of North Dakota school of medicine and health sciences is to educate physicians and other health professionals for subsequent service in North Dakota and to enhance the quality of life in North Dakota of its people. Other purposes include the discovery of knowledge that benefits the people of this state and enhances the quality of their lives.

**SECTION 11. AMENDMENT.** Section 15-52-03 of the North Dakota Century Code is amended and reenacted as follows:

**15-52-03. School of medicine and health sciences advisory council -  
Members, terms, meetings.**

1. To assure the proper coordination of the university of North Dakota school of medicine and health sciences with all other health activities of the state, a permanent school of medicine and health sciences advisory council is established to perform the duties in section 15-52-04.
2. The council consists of fifteen members:
  - a.
    - (1) Two members of the senate, one of whom must be from the majority party and one of whom must be from the minority party, selected by the chairman of the legislative management; and
    - (2) Two members of the house of representatives, one of whom must be from the majority party and one of whom must be from the minority party, to be selected by the chairman of the legislative management;
  - b. One member selected by each of the following:
    - (1) The department of human services;
    - (2) The state board of higher education;
    - (3) The state department of health;
    - (4) The North Dakota medical association;
    - (5) The North Dakota hospital association;
    - (6) The veterans administration hospital in Fargo; and
    - (7) The university of North Dakota center for rural health; and
  - c. Four members selected by the dean of the university of North Dakota school of medicine and health sciences, one from each of the four campuses of the school of medicine and health sciences with headquarters in Bismarck, Fargo, Grand Forks, and Minot.
3. The representatives named by the state agencies and boards must be selected to serve as members of the advisory council for periods of at least one year, but may not serve longer than their term of office on the public agency. The representatives from the North Dakota ~~state~~-medical association and the North Dakota hospital association shall serve a term of three years or until their successors are named and qualified.
4. The council shall name its own chairman and the dean of the university of North Dakota school of medicine and health sciences shall serve as executive secretary of the council. The executive secretary does not have voting privileges. The council shall meet not less than twice each year, and, from time to time, on its own motion or upon request of the university administration.

**SECTION 12. AMENDMENT.** Section 15-52-04 of the North Dakota Century Code is amended and reenacted as follows:

**15-52-04. Duties of council.**

1. The advisory council, in consultation with the school of medicine and health sciences and the other agencies, associations, and institutions represented on the advisory council, shall study and make recommendations regarding the strategic plan, programs, and facilities of

the school of medicine and health sciences in support of its purpose as defined in section 15-52-01.

2. Biennially, the advisory council shall submit a report, together with its recommendations, to the agencies, associations, and institutions represented on the advisory council, to the university of North Dakota, and to the legislative council.
3. a. The report must describe the advisory council's recommendations regarding the strategic plan, programs, and facilities of the school of medicine and health sciences as developed under subsection 1. The recommendations for implementing strategies through the school of medicine and health sciences or other agencies and institutions must:
  - (1) Address the health care needs of the people of the state; and
  - (2) Provide information regarding the state's health care workforce needs; and
  - (3) Provide information that specifies the contributions that the university of North Dakota school of medicine and health sciences and the residency training programs in the state are making to meet the health care provider workforce needs of the state. Such information must include data regarding:
    - (a) The effectiveness of activities conducted throughout the state relating to the recruitment and progression of students into medical school and into the health care provider workforce;
    - (b) Class characteristics of the medical school matriculants, specifically to include a description of their geographic background;
    - (c) Residency choices of medical school graduates;
    - (d) Practice location choices of graduates of North Dakota residencies; and
    - (e) Any other relevant information that the university of North Dakota school of medicine and health sciences advisory council determines to be important and useful in assessing the degree of success of the university of North Dakota school of medicine and health sciences in meeting the health care workforce needs of the state as specified in section 15-52-01.
- b. The recommendations required under subdivision a may address:
  - (1) Medical education and training;
  - (2) The recruitment and retention of physicians and other health care professionals;
  - (3) Factors influencing the practice environment for physicians and other health care professionals;
  - (4) Access to health care;
  - (5) Patient safety;
  - (6) The quality of health care and the efficiency of its delivery; and
  - (7) Financial challenges in the delivery of health care.

4. The council may consult with any individual or entity in performing its duties under this section.

**SECTION 13. AMENDMENT.** Section 15-52-05 of the North Dakota Century Code is amended and reenacted as follows:

**15-52-05. Facilities.**

The university authorities shall make the facilities of the university of North Dakota school of medicine and health sciences available to all agencies of the state, federal, and local governments engaged in health and welfare activities to the fullest extent possible within the limits of a complete and coordinated program for the use thereof on terms commensurate with the cost of services rendered and facilities furnished. The work of the school of medicine and health sciences must be coordinated with the work of the other departments of the university of North Dakota. Means must be provided whereby regularly enrolled students in other schools or departments of the university of North Dakota may, upon approval of the dean of such other school or department, enroll in elective courses in the medical school and receive credit therefor in the school or department in which they are regularly enrolled, subject to such policy and procedures as may be established by the university of North Dakota and the state board of higher education. Medical students may enroll in other departments and schools. Such action must be taken as may serve to make both the school of medicine and health sciences and the other departments and schools of the university of North Dakota more efficient and responsive to needs of the people through the mutual interchange of facilities, and service, wherever possible.

**SECTION 14. AMENDMENT.** Section 15-52-09 of the North Dakota Century Code is amended and reenacted as follows:

**15-52-09. Expenditure of proceeds of one-mill levy authorized - Limitation.**

The proceeds of the one-mill tax levy established by section 10 of article X of the Constitution of North Dakota, together with any other funds that may be received by the state treasurer, from time to time, for the benefit of the ~~North Dakota state medical center~~university of North Dakota school of medicine and health sciences, must be expended to establish, develop, and maintain the university of North Dakota school of medicine and health sciences, as provided in this chapter, by the issuance of state warrants drawn on such funds by the director of the office of management and budget.

**SECTION 15. AMENDMENT.** Section 15-52-31 of the North Dakota Century Code is amended and reenacted as follows:

**15-52-31. Admission of students - Qualifications.**

The faculty of the school of medicine and health sciences at the university of North Dakota may, with the advice of the school of medicine and health sciences advisory council and with the approval of the state board of higher education and in accordance with applicable accreditation requirements as specified by the liaison committee on medical education, adopt such rules and regulations governing the education and residency qualifications of applicants for admission to the school of medicine and health sciences as it deems necessary and proper to carry out its purpose as provided in section 15-52-01."

Page 12, line 4, replace "during the biennium beginning July 1, 2013," with "for the period beginning with the effective date of this Act"

Page 12, line 8, after "institutions" insert "based on the university system master plan and space utilization study. However, the state board of higher education may distribute up to one-half of the funds in the pool to institutions prior to the completion of the master plan and space utilization study"

Page 12, after line 11, insert:

- "3. The performance funding pool line item includes funding that may be allocated to institutions based on the institution meeting specified goals or other performance measures as determined by the board. The board shall determine whether the allocations are to be considered a one-time funding item for the current biennium only or if the allocation is to become part of an institution's base budget. The funding in the performance funding pool may not be used for the operations or any function of the university system office. The state board of higher education shall consider any allocations from the oil and gas impact grant fund to higher education institutions when determining allocations to institutions from the performance funding pool.
4. The campus security pool line item includes funding that must be used to address security and emergency preparedness needs at institutions. The funding in the pool must be transferred to institutions prior to January 1, 2014."

Page 12, line 13, replace "**BUDGET SECTION REPORT**" with "**LEGISLATIVE MANAGEMENT REPORTS - REPORT TO SIXTY-FOURTH LEGISLATIVE ASSEMBLY**"

Page 12, line 13, replace "Within five years of" with "Upon"

Page 12, line 16, replace "consolidate all" with "require"

Page 12, line 16, after "offices" insert "of newly hired employees to be located"

Page 12, line 16, after "building" insert "unless the position is specifically assigned to an institution or the university system office"

Page 12, line 16, replace "The" with "During the 2013-14 interim, the"

Page 12, line 17, after "section" insert "and information technology committee"

Page 12, line 18, replace the second "the" with "university"

Page 12, line 18, remove "offices until all offices"

Page 12, line 19, replace "are consolidated" with ", including the location of staff members providing those services"

Page 12, line 19, remove "Effective five years after the completion of the building project, the state board"

Page 12, replace lines 20 through 22 with "The university system shall provide a report to the appropriations committees of the sixty-fourth legislative assembly regarding the consolidation of university system information technology services and shall provide a comprehensive report of the budget for all university system information technology services, including services provided by institutions."

Page 12, replace lines 23 through 31 with:

**"SECTION 21. CAPITAL PROJECTS FUNDING POOL - TRANSFER AUTHORITY - BUDGET SECTION APPROVAL.** The capital projects funding pool line item contained in subdivision 1 of section 1 of this Act includes funding of \$160,000,000 from the general fund and \$16,000,000 of other funds which must be used for capital projects located at institutions under the control of the state board of higher education. The state board of higher education shall review capital projects and prioritize the projects based on the university system master plan and space utilization study as provided in section 22 of this Act. The board shall recommend projects and associated funding to the budget section for final approval. Upon budget section approval, the state board of higher education shall transfer appropriation authority from the capital projects funding pool to institutions for approved capital projects. A ten percent match from local or private funds must be provided by the institution for any approved project that provides for the construction of a new

building or provides for a renovation to an existing building that exceeds a total cost of \$10,000,000. Projects eligible to receive funding from the capital projects funding pool include:

1. Bismarck state college communications and creative arts center.
2. Lake Region state college Erlandson technical center remodel and addition project.
3. Williston state college campus drive project.
4. Williston state college Stevens hall renovation.
5. University of North Dakota law school building renovation.
6. University of North Dakota school of medicine and health sciences facility project.
7. North Dakota state university science, technology, engineering, and mathematics classroom and laboratory building.
8. State college of science old main building renovation project.
9. Mayville state university campuswide drainage improvements.
10. Mayville state university old gymnasium building replacement and improvements.
11. Minot state university plant services building.
12. Valley City state university hillside slope stabilization project.
13. Valley City state university Vangstad hall renovation.
14. Dakota college at Bottineau campus safety and emergency preparedness improvements.

**SECTION 22. MASTER PLAN AND SPACE UTILIZATION STUDY - CAMPUS BUILDING PROJECTS - PROJECT MANAGEMENT.** The master plan and space utilization study line item contained in subdivision 1 of section 1 of this Act includes funding that must be used by the state board of higher education to conduct a systemwide master plan and space utilization study. The board may use up to \$150,000 of the funds to contract with an outside entity for a final design review of the university of North Dakota school of medicine and health sciences facility project and the North Dakota state university science, technology, engineering, and mathematics classroom building project. Beginning with the effective date of this Act, the state board of higher education may not authorize a capital project, excluding athletic facility projects to be paid from private or local funds, to begin at an institution until a master plan and space utilization study has been conducted of the campus and the board determines the building project conforms with the master plan and space utilization study. However, construction may begin on the university of North Dakota school of medicine and health sciences facility project and the North Dakota state university science, technology, engineering, and mathematics classroom building project prior to the completion of a master plan and space utilization study of the respective campus. Each capital project authorized by the state board of higher education must have adequate project management oversight by either an institution official or a representative of an external entity as determined by the commissioner of higher education. Any project management costs must be paid from funds authorized for the project.

**SECTION 23. BISMARCK STATE COLLEGE COMMUNICATIONS AND CREATIVE ARTS CENTER.** The capital assets line item in subdivision 2 of section 1 of this Act includes the sum of \$6,000,000 from special funds derived from donations and other income for the Bismarck state college communications and creative arts center project. The \$6,000,000 special funds appropriation for the project may be

used to construct a theater as part of the communications and creative arts center project. The operations line item in subdivision 2 of section 1 of this Act includes the sum of \$600,000 from special funds derived from donations and other income which may be used to develop programming at the communications and creative arts center that includes written and spoken communications, visual and performing arts, social sciences, history, law, economics, philosophy, and current events. Funding may be used for items including curriculum development, student activities, faculty enhancement, public programming, and the development and publication of appropriate media to promote these activities. The other funds authority provided for the communications and creative arts center project may be used only if the state board of higher education allocates funding from the capital projects funding pool for the communications and creative arts center as provided for in this Act.

**SECTION 24. UNIVERSITY OF NORTH DAKOTA SCHOOL OF MEDICINE AND HEALTH SCIENCES BISMARCK FAMILY PRACTICE CENTER SKYWALK PROJECT.** The capital assets line item in subdivision 5 of section 1 of this Act includes the sum of \$750,000 from the general fund for the university of North Dakota school of medicine and health sciences Bismarck family practice center skywalk project. The university of North Dakota shall provide \$1 of nonstate funding for the project for every \$1 of funding used from the general fund appropriation."

Page 13, line 2, replace "\$5,000,000" with "\$2,000,000"

Page 13, line 20, replace "the sum of \$158,904,848" with "funding"

Page 14, after line 27, insert:

**"SECTION 33. LEGISLATIVE MANAGEMENT REPORT - POSTSECONDARY ACADEMIC MATCHING GRANTS.** Before October 1, 2014, the state board of higher education shall provide a report to the legislative management regarding the number of matching grants that were sought, the number that were awarded, and the manner in which the grants were used as provided in sections 4 through 9 of this Act.

**SECTION 34. EXPIRATION DATE.** Sections 4 through 9 of this Act are effective through June 30, 2015, and after that date are ineffective."

Page 14, line 28, replace "Sections 3 and 18" with "Sections 19, 21, 22, 24, 25, and 32"

Page 14, line 28, after "Act" insert "; \$2,000,000 from the general fund contained in the operations line item in subdivision 10 of section 1 of this Act for flood recovery funding;"

Page 14, line 28, after "assets" insert ", capital projects funding pool, master plan and space utilization study,"

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### Senate Bill No. 2003 - Summary of House Action

	Executive Budget	Senate Version	House Changes	House Version
University System Office				
Total all funds	\$158,461,888	\$154,432,356	\$186,107,893	\$340,540,249
Less estimated income	2,299,912	2,299,912	16,000,000	18,299,912
General fund	\$156,161,976	\$152,132,444	\$170,107,893	\$322,240,337
Bismarck State College				
Total all funds	\$48,714,535	\$48,714,535	(\$11,090,680)	\$37,623,855
Less estimated income	0	0	6,600,000	6,600,000
General fund	\$48,714,535	\$48,714,535	(\$17,690,680)	\$31,023,855
Lake Region State College				
Total all funds	\$19,357,137	\$19,357,137	(\$7,610,121)	\$11,747,016
Less estimated income	0	0	0	0
General fund	\$19,357,137	\$19,357,137	(\$7,610,121)	\$11,747,016

Williston State College				
Total all funds	\$24,187,242	\$24,187,242	(\$14,300,274)	\$9,886,968
Less estimated income	0	0	0	0
General fund	\$24,187,242	\$24,187,242	(\$14,300,274)	\$9,886,968
University of North Dakota				
Total all funds	\$311,103,676	\$340,103,676	(\$93,538,779)	\$246,564,897
Less estimated income	67,487,262	96,487,262	0	96,487,262
General fund	\$243,616,414	\$243,616,414	(\$93,538,779)	\$150,077,635
UND Medical Center				
Total all funds	\$55,162,777	\$55,962,777	\$0	\$55,962,777
Less estimated income	0	0	0	0
General fund	\$55,162,777	\$55,962,777	\$0	\$55,962,777
North Dakota State University				
Total all funds	\$215,779,839	\$216,439,839	(\$39,376,512)	\$177,063,327
Less estimated income	39,159,356	39,819,356	0	39,819,356
General fund	\$176,620,483	\$176,620,483	(\$39,376,512)	\$137,243,971
State College of Science				
Total all funds	\$51,852,178	\$51,852,178	(\$13,717,445)	\$38,134,733
Less estimated income	1,350,000	1,350,000	0	1,350,000
General fund	\$50,502,178	\$50,502,178	(\$13,717,445)	\$36,784,733
Dickinson State University				
Total all funds	\$28,082,814	\$29,082,814	(\$3,205,976)	\$25,876,838
Less estimated income	0	0	0	0
General fund	\$28,082,814	\$29,082,814	(\$3,205,976)	\$25,876,838
Mayville State University				
Total all funds	\$23,819,658	\$23,819,658	(\$9,753,136)	\$14,066,522
Less estimated income	0	0	0	0
General fund	\$23,819,658	\$23,819,658	(\$9,753,136)	\$14,066,522
Minot State University				
Total all funds	\$57,088,203	\$62,088,203	(\$9,474,334)	\$52,613,869
Less estimated income	11,801,785	11,801,785	0	11,801,785
General fund	\$45,286,418	\$50,286,418	(\$9,474,334)	\$40,812,084
Valley City State University				
Total all funds	\$31,462,444	\$31,712,444	(\$6,802,136)	\$24,910,308
Less estimated income	4,806,837	4,806,837	0	4,806,837
General fund	\$26,655,607	\$26,905,607	(\$6,802,136)	\$20,103,471
Dakota College at Bottineau				
Total all funds	\$16,488,285	\$17,328,285	(\$2,288,396)	\$15,039,889
Less estimated income	7,600,789	7,600,789	0	7,600,789
General fund	\$8,887,496	\$9,727,496	(\$2,288,396)	\$7,439,100
Forest Service				
Total all funds	\$7,159,022	\$7,159,022	(\$71,488)	\$7,087,534
Less estimated income	1,650,000	1,650,000	0	1,650,000
General fund	\$5,509,022	\$5,509,022	(\$71,488)	\$5,437,534
Bill total				
Total all funds	\$1,048,719,698	\$1,082,240,166	(\$25,121,384)	\$1,057,118,782
Less estimated income	136,155,941	165,815,941	22,600,000	188,415,941
General fund	\$912,563,757	\$916,424,225	(\$47,721,384)	\$868,702,841

### Senate Bill No. 2003 - North Dakota University System - General Fund Summary

	Executive Budget	Senate Version	House Changes	House Version
University System Office	\$156,161,976	\$152,132,444	\$170,107,893	\$322,240,337
Bismarck State College	48,714,535	48,714,535	(17,690,680)	31,023,855
Lake Region State College	19,357,137	19,357,137	(7,610,121)	11,747,016
Williston State College	24,187,242	24,187,242	(14,300,274)	9,886,968
University of North Dakota	243,616,414	243,616,414	(93,538,779)	150,077,635
UND Medical Center	55,162,777	55,962,777		55,962,777
North Dakota State University	176,620,483	176,620,483	(39,376,512)	137,243,971
State College of Science	50,502,178	50,502,178	(13,717,445)	36,784,733
Dickinson State University	28,082,814	29,082,814	(3,205,976)	25,876,838
Mayville State University	23,819,658	23,819,658	(9,753,136)	14,066,522
Minot State University	45,286,418	50,286,418	(9,474,334)	40,812,084
Valley City State University	26,655,607	26,905,607	(6,802,136)	20,103,471
Dakota College at Bottineau	8,887,496	9,727,496	(2,288,396)	7,439,100
Forest Service	5,509,022	5,509,022	(71,488)	5,437,534
Total general fund	\$912,563,757	\$916,424,225	(\$47,721,384)	\$868,702,841



## Detail of House changes to the General Fund

	Increases Funding for System Governance <sup>1</sup>	Removes Contract Settlement Payment <sup>2</sup>	Adds Systemwide Performance Funding Pool <sup>3</sup>	Creates Campus Security Funding Pool <sup>4</sup>	Restores Funding for Campus Master Planning <sup>5</sup>	Adjusts Employee Compensation Package <sup>6</sup>
University System Office	\$700,000	(\$854,520)	\$5,000,000	\$2,500,000	\$1,000,000	(\$527,637)
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						(71,488)
Total general fund	\$700,000	(\$854,520)	\$5,000,000	\$2,500,000	\$1,000,000	(\$599,125)

	Transfers Positions to University System Office <sup>7</sup>	Removes Funding for Campus Equalization Payments <sup>8</sup>	Provides Adjusted Campus Equity Funding Payments <sup>9</sup>	Removes Funding for Inflation and Initiative Formula Payments <sup>10</sup>	Provides Adjusted Inflation Payments <sup>11</sup>	Adjusts Campus Funding <sup>12</sup>
University System Office	\$2,290,050					
Bismarck State College		(3,537,996)	2,369,557	(3,830,552)	608,311	
Lake Region State College		(2,800,171)	2,357,701	(1,450,423)	230,334	
Williston State College			(334,772)	(1,097,278)	174,254	1,000,000
University of North Dakota	(1,330,722)		1,898,987	(18,447,364)	3,890,320	
UND Medical Center						
North Dakota State University	(959,328)	(6,431,392)	7,745,881	(12,841,542)	2,709,869	
State College of Science		(2,249,951)	864,543	(4,541,854)	721,269	
Dickinson State University		(2,236,064)	1,792,518	(3,054,133)	491,703	(200,000)
Mayville State University		(904,705)	655,928	(1,713,173)	275,814	
Minot State University			(687,531)	(4,725,919)	761,021	(3,000,000)
Valley City State University		(1,961,854)	1,606,225	(2,448,427)	394,186	
Dakota College at Bottineau		(968,128)	687,978	(918,511)	145,865	
Forest Service						
Total general fund	\$0	(\$21,090,261)	\$18,957,015	(\$55,069,176)	\$10,402,946	(\$2,200,000)

	Removes Funding for General Fund Campus Capital Projects <sup>13</sup>	Creates Capital Projects Funding Pool <sup>14</sup>	Adjusts Funding for Capital Projects <sup>15</sup>	Total General Fund Changes
University System Office		\$160,000,000		\$170,107,893
Bismarck State College	(13,300,000)			(17,690,680)
Lake Region State College	(5,947,562)			(7,610,121)
Williston State College	(14,042,478)			(14,300,274)
University of North Dakota	(80,300,000)		750,000	(93,538,779)
UND Medical Center				
North Dakota State University	(29,600,000)			(39,376,512)
State College of Science	(8,511,452)			(13,717,445)
Dickinson State University				(3,205,976)
Mayville State University	(8,067,000)			(9,753,136)
Minot State University	(1,821,905)			(9,474,334)
Valley City State University	(4,392,266)			(6,802,136)
Dakota College at Bottineau	(1,235,600)			(2,288,396)
Forest Service				(71,488)
Total general fund	(\$167,218,263)	\$160,000,000	\$750,000	(\$47,721,384)

## Senate Bill No. 2003 - North Dakota University System - Other Funds Summary

	Executive Budget	Senate Version	House Changes	House Version
University System Office	\$2,299,912	\$2,299,912	\$16,000,000	\$18,299,912
Bismarck State College			6,600,000	6,600,000
Lake Region State College				
Williston State College				
University of North Dakota	67,487,262	96,487,262		96,487,262
UND Medical Center				
North Dakota State University	39,159,356	39,819,356		39,819,356
State College of Science	1,350,000	1,350,000		1,350,000

Dickinson State University				
Mayville State University				
Minot State University	11,801,785	11,801,785		11,801,785
Valley City State University	4,806,837	4,806,837		4,806,837
Dakota College at Bottineau	7,600,789	7,600,789		7,600,789
Forest Service	<u>1,650,000</u>	<u>1,650,000</u>		<u>1,650,000</u>
Total other funds	\$136,155,941	\$165,815,941	<u>\$22,600,000</u>	\$188,415,941

### Detail of House changes to Other Funds

	Increases Funding for System Governance <sup>1</sup>	Removes Contract Settlement Payment <sup>2</sup>	Adds Systemwide Performance Funding Pool <sup>3</sup>	Creates Campus Security Funding Pool <sup>4</sup>	Restores Funding for Campus Master Planning <sup>5</sup>	Adjusts Employee Compensation Package <sup>6</sup>
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

	Transfers Positions to University System Office <sup>7</sup>	Removes Funding for Campus Equalization Payments <sup>8</sup>	Provides Adjusted Campus Equity Funding Payments <sup>9</sup>	Removes Funding for Inflation and Initiative Formula Payments <sup>10</sup>	Provides Adjusted Inflation Payments <sup>11</sup>	Adjusts Campus Funding <sup>12</sup>
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

	Removes Funding for General Fund Campus Capital Projects <sup>13</sup>	Creates Capital Projects Funding Pool <sup>14</sup>	Adjusts Funding for Capital Projects <sup>15</sup>	Total Other Funds Changes
University System Office		\$16,000,000		\$16,000,000
Bismarck State College			6,600,000	6,600,000
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	\$16,000,000	\$6,600,000	\$22,600,000

## Senate Bill No. 2003 - North Dakota University System - All Funds Summary

	Executive Budget	Senate Version	House Changes	House Version
University System Office	\$158,461,888	\$154,432,356	\$186,107,893	\$340,540,249
Bismarck State College	48,714,535	48,714,535	(11,090,680)	37,623,855
Lake Region State College	19,357,137	19,357,137	(7,610,121)	11,747,016
Williston State College	24,187,242	24,187,242	(14,300,274)	9,886,968
University of North Dakota	311,103,676	340,103,676	(93,538,779)	246,564,897
UND Medical Center	55,162,777	55,962,777		55,962,777
North Dakota State University	215,779,839	216,439,839	(39,376,512)	177,063,327
State College of Science	51,852,178	51,852,178	(13,717,445)	38,134,733
Dickinson State University	28,082,814	29,082,814	(3,205,976)	25,876,838
Mayville State University	23,819,658	23,819,658	(9,753,136)	14,066,522
Minot State University	57,088,203	62,088,203	(9,474,334)	52,613,869
Valley City State University	31,462,444	31,712,444	(6,802,136)	24,910,308
Dakota College at Bottineau	16,488,285	17,328,285	(2,288,396)	15,039,889
Forest Service	7,159,022	7,159,022	(71,488)	7,087,534
Total all funds	\$1,048,719,698	\$1,082,240,166	(\$25,121,384)	\$1,057,118,782
FTE	2344.49	2337.49	(32.75)	2304.74

## Detail of House changes to All Funds

	Increases Funding for System Governance <sup>1</sup>	Removes Contract Settlement Payment <sup>2</sup>	Adds Systemwide Performance Funding Pool <sup>3</sup>	Creates Campus Security Funding Pool <sup>4</sup>	Restores Funding for Campus Master Planning <sup>5</sup>	Adjusts Employee Compensation Package <sup>6</sup>
University System Office	\$700,000	(\$854,520)	\$5,000,000	\$2,500,000	\$1,000,000	(\$527,637)
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						(71,488)
Total all funds	\$700,000	(\$854,520)	\$5,000,000	\$2,500,000	\$1,000,000	(\$599,125)
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	Transfers Positions to University System Office <sup>7</sup>	Removes Funding for Campus Equalization Payments <sup>8</sup>	Provides Adjusted Campus Equity Funding Payments <sup>9</sup>	Removes Funding for Inflation and Initiative Formula Payments <sup>10</sup>	Provides Adjusted Inflation Payments <sup>11</sup>	Adjusts Campus Funding <sup>12</sup>
University System Office	\$2,290,050					
Bismarck State College		(3,537,996)	2,369,557	(3,830,552)	608,311	
Lake Region State College		(2,800,171)	2,357,701	(1,450,423)	230,334	
Williston State College			(334,772)	(1,097,278)	174,254	1,000,000
University of North Dakota	(1,330,722)		1,898,987	(18,447,364)	3,890,320	
UND Medical Center						
North Dakota State University	(959,328)	(6,431,392)	7,745,881	(12,841,542)	2,709,869	
State College of Science		(2,249,951)	864,543	(4,541,854)	721,269	
Dickinson State University		(2,236,064)	1,792,518	(3,054,133)	491,703	(200,000)
Mayville State University		(904,705)	655,928	(1,713,173)	275,814	
Minot State University			(687,531)	(4,725,919)	761,021	(3,000,000)
Valley City State University		(1,961,854)	1,606,225	(2,448,427)	394,186	
Dakota College at Bottineau		(968,128)	687,978	(918,511)	145,865	
Forest Service						
Total all funds	\$0	(\$21,090,261)	\$18,957,015	(\$55,069,176)	\$10,402,946	(\$2,200,000)
FTE	0.00	0.00	0.00	(32.75)	0.00	0.00

	Removes Funding for General Fund Campus Capital Projects <sup>13</sup>	Creates Capital Projects Funding Pool <sup>14</sup>	Adjusts Funding for Capital Projects <sup>15</sup>	Total All Funds Changes
University System Office		\$176,000,000		\$186,107,893
Bismarck State College	(13,300,000)		6,600,000	(11,090,680)
Lake Region State College	(5,947,562)			(7,610,121)
Williston State College	(14,042,478)			(14,300,274)
University of North Dakota	(80,300,000)		750,000	(93,538,779)

UND Medical Center				
North Dakota State University	(29,600,000)			(39,376,512)
State College of Science	(8,511,452)			(13,717,445)
Dickinson State University				(3,205,976)
Mayville State University	(8,067,000)			(9,753,136)
Minot State University	(1,821,905)			(9,474,334)
Valley City State University	(4,392,266)			(6,802,136)
Dakota College at Bottineau	(1,235,600)			(2,288,396)
Forest Service				(71,488)
Total all funds	(\$167,218,263)	\$176,000,000	\$7,350,000	(\$25,121,384)
FTE	0.00	0.00	0.00	(32.75)

<sup>1</sup> Funding for system governance added by the Senate is increased by \$700,000 to provide total increased funding of \$2 million. The specific use of the funds is to be determined by the State Board of Higher Education.

<sup>2</sup> Funding added by the Senate for a contract settlement payment to terminate the contract of the Commissioner of Higher Education is removed.

<sup>3</sup> Funding of \$5 million from the general fund is added for a systemwide performance funding pool. Section 8 of the bill is amended to provide guidelines for the use of funds from the pool.

<sup>4</sup> Funding of \$2.5 million is added for a campus security and emergency preparedness funding pool. The funds are to be distributed to campuses prior to January 1, 2014.

<sup>5</sup> Funding of \$1 million removed by the Senate for a systemwide campus master plan and space utilization study is restored. A section is added to provide guidelines regarding the study, including a provision that allows \$150,000 of the funding to be used for the final design review of the University of North Dakota School of Medicine and Health Sciences facility and the North Dakota State University STEM classroom building projects. The new section also requires the study to be completed prior to the start of new capital projects.

<sup>6</sup> Funding for employee compensation is reduced for the University System office and Forest Service to provide for salary increases of 3 percent annually rather than 4 percent annually and to remove funding for increased retirement contributions.

<sup>7</sup> Internal audit and legal positions and related funding at North Dakota State University and the University of North Dakota are transferred to the University System office.

<sup>8</sup> Funding included in the Senate version and the executive budget for campus equalization payments based on a proposed higher education funding method is removed.

<sup>9</sup> Funding is added for campus equity funding payments based on adjustments to the higher education funding formula included in the executive budget recommendation. Funding is reduced for institutions that have 2011-13 biennium base funding above the adjusted per credit-hour payment level.

<sup>10</sup> Funding included in the Senate version and the executive budget for campus inflation and initiative formula payments based on a proposed higher education funding formula is removed.

<sup>11</sup> Funding for inflation payments to institutions is added based on a 2 percent inflation adjustment made to institutions' base budgets with equity enhancements.

<sup>12</sup> Funding from the general fund is adjusted for the following campus items:

- One-time funding of \$1 million is added for Williston State College to address extraordinary campus needs resulting from energy development.
- Funding of \$200,000 added by the Senate for the operations of the Dickinson State University Henry Biesiot Activities Center is removed.
- Flood recovery funding added by the Senate for Minot State University is reduced from \$5 million to \$2 million.

<sup>13</sup> Funding is removed for the following campus capital projects that include funding from the general fund:

Project	General Fund
University of North Dakota law school project	\$12,000,000
North Dakota State University STEM classroom	29,600,000
Bismarck State College Communications and Creative Arts Center	13,300,000
Lake Region State College Erlandson Center project	5,947,562
Williston State College campus drive project	1,800,000
Williston State College Stevens Hall project	12,242,478
University of North Dakota School of Medicine facility project	68,300,000
State College of Science Old Main project	8,511,452
Mayville State University old gymnasium project	5,800,000
Mayville State University campus drainage improvements	2,267,000
Minot State University plant services building	1,821,905
Valley City State University hillside slope stabilization	505,800
Valley City State University Vangstad Hall project	3,636,466
Valley City State University former president's house	250,000
Dakota College at Bottineau campus generator	395,600
Dakota College at Bottineau Thatcher Hall project and software updates	840,000
Total	<u>\$167,218,263</u>

<sup>14</sup> Funding from the general fund (\$160 million) and other funds (\$16 million) is added to the University System office for a funding pool for campus capital projects. A section is added to provide guidelines for the use of funds from the pool.

<sup>15</sup> Funding is added for the following capital projects:

- Bismarck State College Communications and Creative Arts Center - Special funds authority of \$6.6 million is added to allow the project to include construction of a theater (\$6 million) and for center programming (\$600,000) if private donations are received for the project. A section is also added regarding the use of private funding designated for the center.
- University of North Dakota School of Medicine and Health Sciences Bismarck Family Practice Center skywalk project - A general fund appropriation of \$750,000 is added to construct a skywalk attached to the center. A section is added to provide that the funds may only be spent on a dollar-for-dollar basis for private funds received for the project.

---

### Senate Bill No. 2003 - Other Changes - House Action

This amendment also:

- Adjusts Section 9 of the bill to provide for system information technology services staff offices of new employees to be consolidated in the joint information technology building. The section also provides for reports regarding the status of consolidation of University System information technology services.
- Removes Section 10 of the bill which authorized the University of North Dakota to enter a financing and purchase agreement to purchase the research enterprise and commercialization building located on its campus.
- Adds sections to implement statutory provisions regarding the higher education challenge fund matching grant program. A section is also added to provide for a

Legislative Management report regarding the program.

- Adds sections to provide statutory changes regarding the mission and reporting requirements of the University of North Dakota School of Medicine and Health Sciences.

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

**MR. SPEAKER:** The Senate does not concur in the House amendments to SB 2003 and SB 2200, and the President has appointed as a conference committee to act with a like committee from the House on:

**SB 2003:** Sens. Holmberg; Krebsbach; Robinson

**SB 2200:** Sens. Flakoll; Holmberg; Heckaman

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

**MR. PRESIDENT:** The House does not concur in the Senate amendments to HB 1250, HB 1258, and HB 1358, and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

**HB 1250:** Reps. Belter; Headland; S. Kelsh

**HB 1258:** Reps. Dosch; Skarphol; Nathe

**HB 1358:** Reps. Belter; Delzer; Boe

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

**MR. SPEAKER:** The Senate has appointed as a conference committee to act with a like committee from the House on:

**HB 1250:** Sens. Miller; Campbell; Triplett

**HB 1258:** Sens. Flakoll; Poolman; Heckaman

**HB 1358:** Sens. Cook; Oehlke; Dotzenrod

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

**MR. SPEAKER:** The Senate has appointed as a conference committee to act with a like committee from the House on:

**HB 1422:** Sens. Anderson; J. Lee; Axness

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

**MR. PRESIDENT:** The Speaker has appointed Rep. Belter to replace Rep. Owens on the Conference Committee on HB 1290.

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

**MR. SPEAKER:** The President has appointed Sen. Cook to replace Sen. Burckhard for the Seventy-second legislative day on the Conference Committee on HB 1290.

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

**MR. SPEAKER:** The Senate has not adopted the conference committee report on: SB 2298.

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

**MR. PRESIDENT:** The House has not adopted the conference committee report on: SB 2094.

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

**MR. SPEAKER:** The Senate has adopted the conference committee report on: SB 2354.

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

**MR. SPEAKER:** The Senate has adopted the conference committee report on: HCR 3006.

**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 2005, SB 2023, SB 2160, SB 2211, SB 2267.

**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 2006, SB 2010, SB 2017, SB 2072.

**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 2008, SB 2030, SB 2074, SB 2210, SB 2243, SB 2338.

**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 1033, HB 1128, HB 1136, HB 1272, HB 1289, HB 1306, HB 1405.

**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 1300.

**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 2094.

**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 1291.

**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 2030, SB 2074, SB 2210, SB 2243, SB 2338.

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

**MR. SPEAKER:** Your signature is respectfully requested on: SB 2163.

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

**MR. PRESIDENT:** Your signature is respectfully requested on: HB 1134.

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

**MR. PRESIDENT:** The Speaker has signed: SB 2163.

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

**MR. SPEAKER:** The President has signed: SB 2163.

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

**MR. SPEAKER:** The President has signed: HB 1134.

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

**MR. SPEAKER:** The President has signed: HB 1138, HB 1170, HB 1171, HCR 3034.

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

**MR. PRESIDENT:** The Speaker has signed: HB 1126, HB 1133, HB 1227.

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

**MR. PRESIDENT:** The Speaker has signed: HB 1138, HB 1170, HB 1171, HCR 3034.

**DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following bills were delivered to the Governor for approval on April 23, 2013: SB 2115, SB 2126, SB 2129, SB 2131, SB 2132, SB 2144, SB 2152, SB 2162, SB 2163, SB 2175, SB 2213, SB 2225, SB 2227, SB 2244, SB 2299, SB 2330, SB 2353, SB 2361.

**MOTION**

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

**MOTION**

**SEN. KLEIN MOVED** that the Senate be on the Fourth, Fifth, and Thirteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 8:00 a.m.,

Wednesday, April 24, 2013, which motion prevailed.

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

**William R. Horton, Secretary**