

**JOURNAL OF THE SENATE**

**Sixty-third Legislative Assembly**

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**Bismarck, February 22, 2013**

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

The prayer was offered by Sister Ivo Schoch, Corpus Christi Catholic Church, Bismarck.

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

A quorum was declared by the President.

**THE SENATE RECOGNIZED THE PRESENCE OF:**

Former Senator, Harvey Sand

**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 Thirty-third Day be corrected as follows and when so corrected, recommends that it be approved:

Page 501, line 38, replace "1 YEAS, 6 NAYS" with "6 YEAS, 1 NAYS"

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

**CONSIDERATION OF AMENDMENTS**

**SB 2222: SEN. FLAKOLL (Appropriations Committee) MOVED** that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

**SECOND READING OF SENATE BILL**

**SB 2222:** A BILL for an Act to amend and reenact section 15.1-21-02.6 of the North Dakota Century Code, relating to North Dakota scholarships.

**ROLL CALL**

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

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; 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; Wardner; Warner

**ABSENT AND NOT VOTING:** Wanzek

Engrossed SB 2222 passed.

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**CONSIDERATION OF AMENDMENTS**

**SB 2325, as engrossed: SEN. BURCKHARD (Appropriations Committee) MOVED** that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

**SECOND READING OF SENATE BILL**

**SB 2325:** A BILL for an Act to amend and reenact subsection 3 of section 57-33.2-01 and section 57-33.2-03 of the North Dakota Century Code, relating to reduction of the

distribution tax rate for companies engaged in the distribution of electricity; and to provide an effective date.

#### ROLL CALL

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

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; 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; Wardner; Warner

**ABSENT AND NOT VOTING:** Wanzek

Reengrossed SB 2325 passed.

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#### CONSIDERATION OF AMENDMENTS

**SB 2020: SEN. BOWMAN (Appropriations Committee) MOVED** that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

#### SECOND READING OF SENATE BILL

**SB 2020:** A BILL for an Act to provide an appropriation for defraying the expenses of the extension service, northern crops institute, upper great plains transportation institute, main research center, branch research centers, and agronomy seed farm; to provide for transfers; to provide an exemption; to amend and reenact subsection 6 of section 4-05.1-19 of the North Dakota Century Code, relating to the duties of the state board of agricultural research and education; and to declare an emergency.

#### ROLL CALL

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

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; 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; Wardner; Warner

**ABSENT AND NOT VOTING:** Wanzek

Engrossed SB 2020 passed and the emergency clause was declared carried.

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#### CONSIDERATION OF AMENDMENTS

**SB 2024: SEN. MATHERN (Appropriations Committee) MOVED** that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

#### SECOND READING OF SENATE BILL

**SB 2024:** A BILL for an Act to provide an appropriation for defraying the expenses of the comprehensive tobacco control advisory committee.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 44 YEAS, 2 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; 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; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wardner; Warner

**NAYS:** Miller; Sitte

**ABSENT AND NOT VOTING:** Wanzek

Engrossed SB 2024 passed.

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#### MOTION

**SEN. KLEIN MOVED** that SB 2284, which is on the Sixth order, be laid over one legislative day, which motion prevailed.

#### CONSIDERATION OF AMENDMENTS

**SB 2314: SEN. COOK (Finance and Taxation Committee) MOVED** that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

#### SECOND READING OF SENATE BILL

**SB 2314:** A BILL for an Act to amend and reenact section 40-57.1-03 of the North Dakota Century Code, relating to determination of whether a project is a primary sector or retail sector business before a city or county may grant a property tax exemption for that project; to provide for a legislative management study; and to provide an effective date.

#### ROLL CALL

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

**YEAS:** Andrist; Armstrong; Axness; Berry; 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; Wardner; Warner

**NAYS:** Anderson

**ABSENT AND NOT VOTING:** Wanzek

Engrossed SB 2314 passed.

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#### CONSIDERATION OF AMENDMENTS

**SB 2335: SEN. SORVAAG (Industry, Business and Labor Committee) MOVED** that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

#### SECOND READING OF SENATE BILL

**SB 2335:** A BILL for an Act to provide for a legislative management study of the sale of portable electronics insurance.

#### ROLL CALL

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

**YEAS:** Burckhard

**NAYS:** Anderson; Andrist; Armstrong; Axness; Berry; Bowman; 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; Wardner; Warner

**ABSENT AND NOT VOTING:** Wanzek

Engrossed SB 2335 failed.

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#### CONSIDERATION OF AMENDMENTS

**SB 2036, as engrossed: SEN. COOK (Appropriations Committee) MOVED** that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

#### SECOND READING OF SENATE BILL

**SB 2036:** A BILL for an Act to create and enact section 57-02-08.9 of the North Dakota Century Code, relating to a residential property tax credit; to amend and reenact sections 57-51.1-07.5 and 57-64-03 of the North Dakota Century Code, relating to deposits of the state's share of oil and gas taxes and property tax relief through allocation of state funding to school districts for mill levy reduction grants; to provide an appropriation; to provide for a legislative management study; to provide for a report by the tax commissioner; to provide for a transfer; and to provide an effective date.

#### ROLL CALL

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

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; 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; Wardner; Warner

**ABSENT AND NOT VOTING:** Wanzek

Reengrossed SB 2036 passed.

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#### SECOND READING OF SENATE BILL

**SB 2290:** A BILL for an Act to create and enact section 57-02-08.9 of the North Dakota Century Code, relating to provision of property tax relief through a residential property tax reduction; and to provide an effective date.

#### ROLL CALL

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

**YEAS:** Axness; Dotzenrod; Grabinger; Heckaman; Marcellais; Mathern; Murphy; Nelson; O'Connell; Robinson; Schneider; Sinner; Triplett; Warner

**NAYS:** Anderson; Andrist; Armstrong; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Erbele; Flakoll; Grindberg; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Miller; Oehlke; Poolman; Schaible; Sitte; Sorvaag; Unruh; Wardner

**ABSENT AND NOT VOTING:** Wanzek

Engrossed SB 2290 failed.

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#### SECOND READING OF SENATE BILL

**SB 2037:** A BILL for an Act to amend and reenact sections 57-51.1-07.5, 57-64-02, and 57-64-03 of the North Dakota Century Code, relating to deposits of the state's share of oil and gas taxes and property tax relief through allocation of state funding to school districts for mill levy reduction grants; to provide an appropriation; to provide for a transfer; and to provide an effective date.

#### ROLL CALL

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

**YEAS:** Axness; Dotzenrod; Grabinger; Heckaman; Luick; Marcellais; Mathern; Murphy; Nelson; O'Connell; Robinson; Schneider; Sinner; Triplett; Warner

**NAYS:** Anderson; Andrist; Armstrong; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Erbele; Flakoll; Grindberg; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Lyson; Miller; Oehlke; Poolman; Schaible; Sitte; Sorvaag; Unruh; Wardner

**ABSENT AND NOT VOTING:** Wanzek

SB 2037 failed.

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#### SECOND READING OF SENATE BILL

**SB 2171:** A BILL for an Act to amend and reenact subsection 1 of section 57-02-08.1 of the North Dakota Century Code, relating to the homestead property tax credit; and to provide an effective date.

#### ROLL CALL

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

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; 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; Wardner; Warner

**ABSENT AND NOT VOTING:** Wanzek

Engrossed SB 2171 passed.

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#### SECOND READING OF SENATE BILL

**SB 2362:** A BILL for an Act to create and enact sections 57-15-01.2 and 57-20-07.2 of the North Dakota Century Code, relating to a legislative property tax relief credit; to amend and reenact subsection 35 of section 57-02-08, and sections 57-20-07.1, 57-20-09, 57-20-21.1, and 57-32-03 of the North Dakota Century Code, relating to contents of property tax statements, priority for delinquent taxes, and the discount for early payment of property taxes; to repeal chapter 57-64 of the North Dakota Century Code, relating to elimination of the school district mill levy reduction grant program; to provide an appropriation; and to provide an effective date.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee

recommendation of DO NOT PASS, the roll was called and there were 14 YEAS, 32 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Axness; Dotzenrod; Grabinger; Heckaman; Marcellais; Mathern; Murphy; Nelson; O'Connell; Robinson; Schneider; Sinner; Triplett; Warner

**NAYS:** Anderson; Andrist; Armstrong; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Erbele; Flakoll; Grindberg; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Miller; Oehlke; Poolman; Schaible; Sitte; Sorvaag; Unruh; Wardner

**ABSENT AND NOT VOTING:** Wanzek

SB 2362 failed.

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#### SECOND READING OF SENATE BILL

**SB 2371:** A BILL for an Act to amend and reenact section 57-02-08.3 of the North Dakota Century Code, relating to the homestead credit for special assessments; and to provide an effective date.

#### ROLL CALL

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

**YEAS:** Axness; Berry; Dotzenrod; Grabinger; Heckaman; Marcellais; Mathern; Murphy; Nelson; O'Connell; Robinson; Schneider; Sinner; Triplett; Warner

**NAYS:** Anderson; Andrist; Armstrong; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Erbele; Flakoll; Grindberg; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Miller; Oehlke; Poolman; Schaible; Sitte; Sorvaag; Unruh; Wardner

**ABSENT AND NOT VOTING:** Wanzek

SB 2371 failed.

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#### SECOND READING OF SENATE BILL

**SB 2197:** A BILL for an Act to create and enact a new section to chapter 57-02 of the North Dakota Century Code, relating to assessor valuation of farm residences; to amend and reenact subsection 15 of section 57-02-08 and sections 57-02-08.1, 57-02-14, and 57-55-10 of the North Dakota Century Code, relating to elimination of the farm residence property tax exemption; to provide for a legislative management study; to provide an effective date; and to provide an expiration date.

#### ROLL CALL

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

**YEAS:** Berry; Burckhard; Cook; Dever; Flakoll; Grindberg; Holmberg; Laffen; Lee, J.; Marcellais; Nelson; Sinner; Sitte; Wardner

**NAYS:** Anderson; Andrist; Armstrong; Axness; Bowman; Campbell; Carlisle; Dotzenrod; Erbele; Grabinger; Heckaman; Hogue; Kilzer; Klein; Krebsbach; Larsen; Lee, G.; Luick; Lyson; Mathern; Miller; Murphy; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sorvaag; Triplett; Unruh; Warner

**ABSENT AND NOT VOTING:** Wanzek

SB 2197 failed.

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**SECOND READING OF SENATE BILL**

**SB 2363:** A BILL for an Act to provide for a department of human services study of the method for calculating child support payments in the state.

**ROLL CALL**

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

**YEAS:** Armstrong; Axness; Carlisle; Dotzenrod; Heckaman; Hogue; Marcellais; Miller; Murphy; O'Connell; Robinson; Sinner; Sitte; Warner

**NAYS:** Anderson; Andrist; Berry; Bowman; Burckhard; Campbell; Cook; Dever; Erbele; Flakoll; Grabinger; Grindberg; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Mathern; Nelson; Oehlke; Poolman; Schaible; Schneider; Sorvaag; Triplett; Unruh; Wardner

**ABSENT AND NOT VOTING:** Wanzek

SB 2363 failed.

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**SECOND READING OF SENATE BILL**

**SB 2091:** A BILL for an Act to create and enact a new subsection to section 57-01-02 of the North Dakota Century Code, relating to the authority to grant tax filing and payment extensions due to a disaster or emergency.

**ROLL CALL**

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

**NAYS:** Anderson; Andrist; Armstrong; Axness; Berry; 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; Wardner; Warner

**ABSENT AND NOT VOTING:** Wanzek

SB 2091 failed.

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**SECOND READING OF SENATE BILL**

**SB 2219:** A BILL for an Act to provide an appropriation to the department of commerce for a North Dakota state energy conservation program.

**ROLL CALL**

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

**YEAS:** Anderson; Andrist; Armstrong; Axness; Berry; 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; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wardner; Warner

**NAYS:** Miller

**ABSENT AND NOT VOTING:** Wanzek

SB 2219 passed.

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

**MR. SPEAKER:** The Senate has passed, and your favorable consideration is requested on: SB 2008, SB 2200, SB 2231, SB 2238, SB 2241, SB 2260, SB 2295, SB 2297, SB 2298, SB 2334, SB 2342, SB 2352.

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

**MR. SPEAKER:** The Senate has passed, and your favorable consideration is requested on: SB 2146, SB 2187, SB 2193, SB 2243, SB 2247, SB 2271, SB 2318, SB 2338, SB 2364, SCR 4012.

**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, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 1:00 p.m., Monday, February 25, 2013, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

**SB 2012: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2012 was placed on the Sixth order on the calendar.

Page 1, line 3, after "distributions" insert "; to amend and reenact sections 39-02-03 and 39-04-09 of the North Dakota Century Code, relating to department of transportation motor vehicle branch offices and the issuance of license plates"

Page 1, line 3, after "transfers" insert "and contingent transfers"

Page 1, line 3, after "exemptions" insert "; to provide for budget section reports; to provide for a legislative management study"

Page 1, replace lines 13 through 20 with:

"Salaries and wages	\$165,966,396	\$32,880,464	\$198,846,860
Operating expenses	204,090,250	173,731,465	377,821,715
Capital assets	709,079,831	560,431,376	1,269,511,207
County and township road reconstruction program	0	142,000,000	142,000,000
County and township bridge reconstruction program	0	27,000,000	27,000,000
Grants	<u>67,767,407</u>	<u>30,420,623</u>	<u>98,188,030</u>
Total all funds	\$1,146,903,884	\$966,463,928	\$2,113,367,812
Less estimated income	<u>1,146,903,884</u>	<u>956,463,928</u>	<u>2,103,367,812</u> "

Page 2, after line 7, insert:

"County and township bridge reconstruction	0	27,000,000"
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Page 2, replace line 11 with:

"Enhanced state highway investments	0	541,600,000"
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Page 2, replace lines 13 and 14 with:

"Total all funds	\$608,000,575	\$720,600,000
Total special funds	<u>602,150,575</u>	<u>710,600,000"</u>

Page 4, line 2, replace "and" with a comma

Page 4, line 2, after "design" insert ", and construction"

Page 4, remove lines 9 through 31

Page 5, replace lines 1 through 12 with:

**"SECTION 5. COUNTY AND TOWNSHIP BRIDGE RECONSTRUCTION PROGRAM - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND - EXEMPTION.** The county and township bridge reconstruction program line item in section 1 of this Act contains the sum of \$27,000,000 from the strategic investment and improvements fund which must be used by the department of transportation for a county and township road bridge rehabilitation and reconstruction program, for the period beginning with the effective date of this Act and ending June 30, 2015, as follows:

1. The funding must be used to rehabilitate or reconstruct county and township road bridges needed for the safe conveyance of persons and commerce in this state. The director of the department of transportation shall distribute the funding based on data available from studies conducted by the upper great plains transportation institute.
2. Each county requesting funding for a county or township road bridge project or for multiple projects shall submit the request in accordance with criteria developed by the department of transportation. The department of transportation, in consultation with the county, may approve a project or approve a project with amendments.
  - a. Funding must be distributed for projects based on data available from upper great plains transportation institute studies, actual road conditions, and the level of integration with state highway and other county road projects.
  - b. Funding may not be distributed for the routine maintenance of bridges.
3. The funding may be used to provide up to ninety percent of the cost of an approved bridge project, including engineering and plan development costs.
4. Upon approval of a project, the department of transportation shall transfer to the county the approved funding for engineering and plan development costs. The funding provided for construction, engineering, and project development costs may be applied to costs incurred as of January 1, 2013.
5. Upon execution of a construction contract by the county, the department of transportation shall transfer to the county the funding to be used for the approved bridge project.
6. Each recipient county shall report to the department of transportation upon awarding each contract and upon completion of each project in a manner prescribed by the department.
7. Section 54-44.1-11 does not apply to funding included in the county and township bridge reconstruction program line item in section 1 of this Act. Any funds not spent by June 30, 2015, may be continued into the biennium beginning July 1, 2015, and ending June 30, 2017, and may be expended only for county and township road bridge rehabilitation and reconstruction projects.
8. For purposes of this section, a "bridge" is a structure that extends over a river, stream, depression, or other obstacle and has an end area of fifty square feet [4.65 square meters] or greater.

9. To be eligible to receive a grant under this section, the county or township road bridge project must be located within a county that levies a combined total of seven or more mills for county road and bridge, farm-to-market and federal aid road, and county road purposes.

**SECTION 6. HIGHWAY-RAIL GRADE CROSSING SAFETY PROJECTS**

**FUND.** The grants line item in section 1 of this Act includes the sum of \$640,000 from the highway-rail grade crossing safety projects fund which may be used by the department of transportation to continue highway-rail grade crossing safety projects approved by the department and for which funding was obligated prior to January 1, 2013. On June 30, 2015, the state treasurer shall transfer any unexpended and unobligated balance in the highway-rail grade crossing safety projects fund to the highway tax distribution fund.

**SECTION 7. APPROPRIATION - CONTINGENT TRANSFERS - GENERAL**

**FUND TO PUBLIC TRANSPORTATION FUND.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$1,100,000, or so much of the sum as may be necessary, which the office of management and budget shall transfer to the public transportation fund pursuant to this section during the biennium beginning July 1, 2013, and ending June 30, 2015. The office of management and budget shall transfer the sum of \$550,000 on July 1, 2013, if deposits in the public transportation fund from the highway tax distribution fund are \$5,000,000 or less during the period beginning July 1, 2012, and ending June 30, 2013. The office of management and budget shall transfer the sum of \$550,000 on July 1, 2014, if deposits in the public transportation fund from the highway tax distribution fund are \$5,000,000 or less during the period beginning July 1, 2013, and ending June 30, 2014.

**SECTION 8. APPROPRIATION - STATE TREASURER - TOWNSHIP TRANSPORTATION FUNDING DISTRIBUTIONS.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$10,000,000, or so much of the sum as may be necessary, to the state treasurer for the purpose of providing township transportation funding distributions, for the period beginning with the effective date of this Act and ending June 30, 2015.

1. The state treasurer shall distribute the funds provided under this section to counties and townships in oil-producing counties through a distribution of \$15,000 to each organized township and a distribution of \$15,000 for each unorganized township to the county in which the unorganized township is located.
2. If any funds remain after the distributions provided under subsection 1, the state treasurer shall distribute the remaining funds to counties and townships in oil-producing counties pursuant to section 54-27-19.1. Organized townships are not required to provide matching funds to receive a distribution under this subsection.

For purposes of this section, an "oil-producing county" means a county that received total allocations under section 57-51-15 of \$500,000 or more during state fiscal year 2012. All funds distributed under this section must be used for roadway maintenance purposes. The funding provided in this section is considered a one-time funding item.

**SECTION 9. APPROPRIATION - STATE TREASURER - 2011-13 BIENNIUM - TOWNSHIP TRANSPORTATION FUNDING DISTRIBUTIONS CORRECTION - EXEMPTION.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$590,000, or so much of the sum as may be necessary, to the state treasurer for the purpose of providing transportation funding distributions to counties and townships in accordance with this section, for the period beginning with the effective date of this Act and ending June 30, 2013. The state treasurer shall distribute the funding provided under this section to counties and townships that are eligible to receive a distribution under subsection 3 of section 27 of chapter 579 of the 2011 Session Laws and have not already received a distribution under that subsection. Section 27 of chapter 579 of the 2011 Session Laws is not subject to section 54-11-01 and the

state treasurer may not require a political subdivision to return an overpayment of funds received from distributions under the section.

**SECTION 10. APPROPRIATION - STATE TREASURER - TOWNSHIP TRANSPORTATION FUNDING DISTRIBUTIONS CORRECTION.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$415,000, or so much of the sum as may be necessary, to the state treasurer for the purpose of providing transportation funding distribution to counties and townships in accordance with this section, for the period beginning with the effective date of this Act and ending June 30, 2015. The state treasurer shall use the funding provided under this section to ensure that all eligible counties and townships receive a distribution in accordance with subsection 3 of section 2 of Senate Bill No. 2176 as approved by the sixty-third legislative assembly. Any funds that remain after the distributions to eligible counties and townships must be distributed by the state treasurer pursuant to the method provided in subsection 3 of section 2 of Senate Bill No. 2176 as approved by the sixty-third legislative assembly.

**SECTION 11. APPROPRIATION - DEPARTMENT OF TRANSPORTATION - GENERAL LICENSE PLATE ISSUE - EXEMPTION.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$6,200,000, or so much of the sum as may be necessary, to the department of transportation for the purpose of defraying the expenses for a general license plate issue, for the biennium beginning July 1, 2013, and ending June 30, 2015. The appropriation provided under this section is not subject to section 54-44.1-11 and may be continued into the biennium beginning July 1, 2015, and ending June 30, 2017.

**SECTION 12. APPROPRIATION - DEPARTMENT OF CORRECTIONS AND REHABILITATION - GENERAL LICENSE PLATE ISSUE.** There is appropriated from special funds and other income received, the sum of \$4,280,000, or so much of the sum as may be necessary, to the department of corrections and rehabilitation for expenses incurred by roughrider industries related to the general license plate issue, for the biennium beginning July 1, 2013, and ending June 30, 2015."

Page 5, line 17, after the period insert "The office of management and budget shall transfer the funds provided under this section to the state highway fund at the request of the director of the department of transportation."

Page 5, line 20, replace "\$1,161,600,000" with "\$541,600,000"

Page 5, after line 24, insert:

**"SECTION 15. EXEMPTION - STATE DISASTER RELIEF FUND - ROAD GRADE RAISING GRANTS.** The amount appropriated to the department of transportation from the state disaster relief fund for road grade raising grants, as contained in section 14 of chapter 579 of the 2011 Session Laws, is not subject to the provisions of section 54-44.1-11. Any unexpended funds from this appropriation are available to the department to provide road grade raising grants during the biennium beginning July 1, 2013, and ending June 30, 2015.

**SECTION 16. AMENDMENT.** Section 39-02-03 of the North Dakota Century Code is amended and reenacted as follows:

**39-02-03. Powers and duties of director and department.**

The director, subject to the approval of the governor, may adopt and enforce such administrative rules and designate such agencies and establish such branch offices as may be necessary to carry out the laws applicable to the director's office and department. The director shall provide suitable forms for applications, registration cards, license number plates, and all other forms requisite for the operation of the director's office and department, and shall prepay all transportation charges thereon. ~~In addition, the~~The director shall ~~may~~ provide for a ~~uniform~~ maximum fee schedule for the various services provided by the branch offices, not to

exceed ten dollars for each service provided. Any branch office may establish a different fee schedule if the schedule does not contain a fee that exceeds a maximum fee established by the director and is approved by the director. All branch office managers must be bonded. The department may lease or provide office space or other overhead costs as necessary to independent motor vehicle branch managers. All rents collected under this section must be deposited in the state highway fund. The department and the officers thereof shall enforce the provisions of all laws pertaining to the director and the department.

**SECTION 17. AMENDMENT.** Section 39-04-09 of the North Dakota Century Code is amended and reenacted as follows:

**39-04-09. Director may design and issue number plates.**

The director may design and issue plates of distinctly different color for each classification of motor vehicle, and there must at all times be a marked contrast between the background color of the plates and that of the numerals and letters thereon on the plate. License plates must be acquired from the North Dakota state penitentiary if the penitentiary has the facilities to manufacture license plates. The director shall make a general issue during the biennium beginning July 1, 2013, and ending June 30, 2015, and continuing into the biennium beginning July 1, 2015, and ending June 30, 2017.

**SECTION 18. LEGISLATIVE MANAGEMENT STUDY - MOTOR VEHICLE BRANCH OFFICES.** During the 2013-14 interim, the legislative management shall consider studying the use of branch offices by the department of transportation. The study must include a review of the structure of agreements with operators of branch offices, the number of motor vehicles registered at each office, the current locations of offices, the quality of data provided by the offices, the staffing needs of the offices, and the fees received by offices for services provided. The study must also include a review of the future use of branch offices, including office locations, alternative uses for facilities, and other changes that may promote efficiencies. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-fourth legislative assembly."

Page 5, line 25, replace "5 and 6" with "4, 5, 8, 9, and 10"

Page 5, line 25, remove "\$1,161,600,000 in"

Page 5, line 26, remove "the capital assets line item relating to enhanced state highway investments and"

Page 5, line 27, after "item" insert "in section 1 of this Act, funding of \$27,000,000 in the county and township bridge reconstruction program line item in section 1 of this Act, and funding of \$10,000,000 in the grants line item"

Page 5, line 27, after "Act" insert "to match a federal TIGER III grant for railroad improvements"

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2012 - Summary of Senate Action**

	Executive Budget	Senate Changes	Senate Version
State Treasurer			
Total all funds	\$0	\$10,415,000	\$10,415,000
Less estimated income	0	0	0
General fund	\$0	\$10,415,000	\$10,415,000
DOCR			
Total all funds	\$0	\$4,280,000	\$4,280,000
Less estimated income	0	4,280,000	4,280,000
General fund	\$0	\$0	\$0

Department of Transportation			
Total all funds	\$3,389,303,578	(\$585,035,766)	\$2,804,267,812
Less estimated income	2,695,703,578	(592,335,766)	2,103,367,812
General fund	\$693,600,000	\$7,300,000	\$700,900,000
Bill total			
Total all funds	\$3,389,303,578	(\$570,340,766)	\$2,818,962,812
Less estimated income	2,695,703,578	(588,055,766)	2,107,647,812
General fund	\$693,600,000	\$17,715,000	\$711,315,000

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**Senate Bill No. 2012 - State Treasurer - Senate Action**

	Executive Budget	Senate Changes	Senate Version
Grants to townships		\$10,000,000	\$10,000,000
Township distribution corrections		415,000	415,000
Total all funds	\$0	\$10,415,000	\$10,415,000
Less estimated income	0	0	0
General fund	\$0	\$10,415,000	\$10,415,000
FTE	0.00	0.00	0.00

**Department No. 120 - State Treasurer - Detail of Senate Changes**

	Adds Funding for Grants to Townships in Oil-Producing Counties <sup>1</sup>	Adds Funding to Correct Distributions to Townships <sup>2</sup>	Total Senate Changes
Grants to townships	\$10,000,000		\$10,000,000
Township distribution corrections		415,000	415,000
Total all funds	\$10,000,000	\$415,000	\$10,415,000
Less estimated income	0	0	0
General fund	\$10,000,000	\$415,000	\$10,415,000
FTE	0.00	0.00	0.00

<sup>1</sup>Funding of \$10 million from the general fund is appropriated to the State Treasurer to provide a \$15,000 transportation funding grant to each organized and unorganized township in oil-producing counties. An "oil-producing county" is one that received total allocations under Section 57-51-15 (oil and gas gross production tax allocations) of \$500,000 or more during state fiscal year 2012.

<sup>2</sup>A \$415,000 general fund appropriation is provided to the State Treasurer to ensure that all eligible counties and townships receive a \$15,000 transportation grant pursuant to subsection 3 of Section 2 of 2013 Senate Bill No. 2176.

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A section is also added to provide a 2011-13 biennium appropriation of \$590,000 from the general fund to the State Treasurer to correct a distribution error in providing grants to counties and townships under subsection 3 of Section 27 of 2011 Senate Bill No. 2371. An exemption is provided to prohibit the State Treasurer from requiring political subdivisions to return any overpayment of funds received as a result of the distribution error.

Section 5 is removed which provides a \$100 million general fund appropriation to the State Treasurer during the 2011-13 biennium for transportation funding distributions to non-oil-producing counties, cities, and townships. Senate Bill No. 2176, as passed by the Legislative Assembly in 2013, contained \$100 million from the general fund for transportation funding distributions to non-oil-producing counties.

## Senate Bill No. 2012 - DOCR - Senate Action

	Executive Budget	Senate Changes	Senate Version
License plate issue		\$4,280,000	\$4,280,000
Total all funds	\$0	\$4,280,000	\$4,280,000
Less estimated income	0	4,280,000	4,280,000
General fund	\$0	\$0	\$0
FTE	0.00	0.00	0.00

## Department No. 530 - DOCR - Detail of Senate Changes

	Adds Special Fund Authority for License Plate Issue <sup>1</sup>	Total Senate Changes
License plate issue	\$4,280,000	\$4,280,000
Total all funds	\$4,280,000	\$4,280,000
Less estimated income	4,280,000	4,280,000
General fund	\$0	\$0
FTE	0.00	0.00

<sup>1</sup>Special fund authority of \$4.28 million is provided for Roughrider Industries for costs associated with the general license plate issue.

## Senate Bill No. 2012 - Department of Transportation - Senate Action

	Executive Budget	Senate Changes	Senate Version
Salaries and wages	\$198,822,626	\$24,234	\$198,846,860
Operating expenses	456,821,715	(79,000,000)	377,821,715
Capital assets	1,810,511,207	(541,000,000)	1,269,511,207
County and township road program	142,000,000		142,000,000
Grants	97,548,030	640,000	98,188,030
General fund transfer to highway fund	683,600,000		683,600,000
Transfer to public transportation fund		1,100,000	1,100,000
License plate issue		6,200,000	6,200,000
County and township bridge program		27,000,000	27,000,000
Total all funds	\$3,389,303,578	(\$585,035,766)	\$2,804,267,812
Less estimated income	2,695,703,578	(592,335,766)	2,103,367,812
General fund	\$693,600,000	\$7,300,000	\$700,900,000
FTE	1079.50	0.00	1079.50

## Department No. 801 - Department of Transportation - Detail of Senate Changes

	Corrects Executive Compensation Package <sup>1</sup>	Removes Previously Appropriated Road Funding <sup>2</sup>	Continues Highway-Rail Grade Crossing Safety Projects <sup>3</sup>	Provides Contingent Transfers to Public Transportation Fund <sup>4</sup>	Adds Funding for General License Plate Issue <sup>5</sup>	Adds Funding for County and Township Bridge Program <sup>6</sup>
Salaries and wages	\$24,234					
Operating expenses		(79,000,000)				
Capital assets		(541,000,000)				
County and township road program						
Grants			640,000			
General fund transfer to highway fund						
Transfer to public transportation fund				1,100,000		
License plate issue					6,200,000	
County and township bridge program						27,000,000
Total all funds	\$24,234	(\$620,000,000)	\$640,000	\$1,100,000	\$6,200,000	\$27,000,000
Less estimated income	24,234	(620,000,000)	640,000	0	0	27,000,000
	\$0	\$0	\$0	\$1,100,000	\$6,200,000	\$0

General fund	
FTE	0.00      0.00      0.00      0.00      0.00      0.00
	<b>Total Senate Changes</b>
Salaries and wages	\$24,234
Operating expenses	(79,000,000)
Capital assets	(541,000,000)
County and township road program	
Grants	640,000
General fund transfer to highway fund	
Transfer to public transportation fund	1,100,000
License plate issue	6,200,000
County and township bridge program	27,000,000
Total all funds	(\$585,035,766)
Less estimated income	(592,335,766)
General fund	\$7,300,000
FTE	0.00

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

<sup>2</sup>Funding of \$620 million for road construction and maintenance funding is removed. Senate Bill No. 2176, as previously passed by the Legislative Assembly in 2013, contains \$620 million of road construction and maintenance funding. Section 6 of the bill, which transfers \$620 million from the general fund to the highway fund during the 2011-13 biennium, is also removed.

<sup>3</sup>Funding from the highway-rail grade crossing safety fund is appropriated to continue projects for which funding was obligated prior to January 1, 2013. A section is also added to provide guidelines for the use of the funds.

<sup>4</sup>Funding is provided for contingent transfers from the general fund to the public transportation fund. The transfers are contingent upon deposits from the highway tax distribution fund into the public transportation fund being \$5 million or less during state fiscal years 2013 and 2014.

<sup>5</sup>Funding of \$6.2 million from the general fund is added to defray the expenses of a general license plate issue. An exemption is provided for the funding to allow the department to use any unexpended 2013-15 biennium appropriations related to the license plate issue in the 2015-17 biennium. A section is also added to amend Section 39-04-09 to require the Director of the Department of Transportation to make a general license plate issue during the 2013-15 and 2015-17 bienniums.

<sup>6</sup>Funding of \$27 million from the strategic investment and improvements fund is appropriated to the department for a county and township bridge reconstruction program. A section is also added to provide guidelines for the program.

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This amendment also:

- Adjusts subsection 8 of Section 4 regarding the county and township road reconstruction program in areas affected by energy development to allow funds to be used on construction costs incurred as of January 1, 2013.
- Adds a section to amend Section 39-02-03 regarding fees charged by Department of Transportation motor vehicle branch offices.
- Adds a section to continue unexpended 2011-13 biennium appropriations from the state disaster relief fund into the 2013-15 biennium for Devils Lake road grade raising projects.

#### REPORT OF STANDING COMMITTEE

**SB 2013: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2013 was placed on the Sixth order on the calendar.

Page 1, line 5, remove "and"

Page 1, line 5, after "date" insert "; and to declare an emergency"

Page 1, replace line 15 with:

"Salaries and wages	\$4,145,824	\$1,173,727	\$5,319,551"
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Page 1, replace line 19 with:

"Energy infrastructure and impact office	0	224,000,000	224,000,000"
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Page 1, replace line 21 with:

"Total special funds	\$105,455,189	\$126,055,775	\$231,510,964"
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Page 2, after line 8, insert:

"Energy impact grants - dust control		0	10,000,000"
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Page 2, replace lines 11 and 12 with:

"Total all funds		\$65,010,000	\$74,065,550
Less estimated income		<u>35,010,000</u>	<u>74,065,550"</u>

Page 3, line 21, replace "may develop" with "shall adopt"

Page 3, line 22, replace "may" with "must"

Page 3, line 23, replace "based on" with ". Cost-share requirements must consider"

Page 3, line 23, remove "federal and"

Page 3, line 23, after the period insert "Grant funds must be distributed giving priority to projects that have been awarded or are eligible to receive federal funding."

Page 4, after line 2, insert:

**"SECTION 9. PILOT PROJECT - DUST CONTROL.** The energy infrastructure and impact office line item in section 1 of this Act includes \$3,000,000 for grants of \$1,000,000 each to three counties in oil-impacted areas for a pilot project for dust control for the period beginning with the effective date of this Act and ending June 30, 2015. The county commission from each county shall file a report with the department of trust lands by August 1, 2013, regarding any product used to control dust and the success or failure of the product in controlling dust. The director of the energy infrastructure and impact office may develop grant procedures and requirements necessary for distribution of grants under this section. Grants

distributed pursuant to this section are not to be considered in making grant recommendations under section 57-62-05.

**SECTION 10. OIL AND GAS IMPACT GRANT DISTRIBUTION FOR DUST CONTROL - CONTINGENCY.** The energy infrastructure and impact office line item in section 1 of this Act includes \$7,000,000 for grants to counties in oil-impacted areas for dust control for the period beginning with the effective date of this Act and ending June 30, 2015. If the pilot project for dust control included in section 9 of this Act identifies products that are successful in controlling dust, the energy infrastructure and impact office may provide grants to other counties in oil-impacted areas for dust control. The director of the energy infrastructure and impact office may develop grant procedures and requirements necessary for distribution of grants under this section. Grants distributed pursuant to this section are not to be considered in making grant recommendations under section 57-62-05."

Page 4, line 16, replace "fourteen" with "twenty-four"

Page 5, line 18, replace "10" with "12"

Page 5, line 20, replace "9" with "11"

Page 5, after line 21, insert:

**"SECTION 16. EMERGENCY.** The sum of \$10,000,000 included in the energy infrastructure and impact office line item in section 1 of this Act and sections 9 and 10 of this Act are declared to be an emergency measure."

Re-number accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2013 - Department of Trust Lands - Senate Action**

	Executive Budget	Senate Changes	Senate Version
Salaries and wages	\$5,312,873	\$6,678	\$5,319,551
Operating expenses	1,925,863		1,925,863
Capital assets	65,550		65,550
Energy infrastructure and impact office	214,000,000	10,000,000	224,000,000
Contingencies	200,000		200,000
Total all funds	\$221,504,286	\$10,006,678	\$231,510,964
Less estimated income	221,504,286	10,006,678	231,510,964
General fund	\$0	\$0	\$0
FTE	31.00	0.00	31.00

**Department No. 226 - Department of Trust Lands - Detail of Senate Changes**

	Corrects Executive Compensation Package <sup>1</sup>	Increases Funding for Energy Impact Grants <sup>2</sup>	Total Senate Changes
Salaries and wages	\$6,678		\$6,678
Operating expenses			
Capital assets			
Energy infrastructure and impact office		10,000,000	10,000,000
Contingencies			
Total all funds	\$6,678	\$10,000,000	\$10,006,678
Less estimated income	6,678	10,000,000	10,006,678
General fund	\$0	\$0	\$0
FTE	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>Funding is added to the Energy Infrastructure and Impact Office line item for a pilot project in Bowman, Dunn, and Mountrail Counties and for additional grants for dust control.

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This amendment also:

- Adds a section as an emergency to provide for a pilot project for dust control in Bowman, Dunn, and Mountrail Counties.
- Adds a section for a grant program for dust control if the pilot project identifies products that are successful in controlling dust.
- Amends Section 7 of the bill relating to oil impact grants to airports.
- Increases the allocation of oil and gas tax revenue to the oil and gas impact grant fund to \$224 million. The executive budget recommendation increased the allocation from \$100 million to \$214 million.

#### REPORT OF STANDING COMMITTEE

**SB 2014: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2014 was placed on the Sixth order on the calendar.

Page 1, line 4, after "reenact" insert "subsection 1 of section 54-17.6-05 and"

Page 1, line 4, replace the second "and" with a comma

Page 1, line 4, after "57-51.1-07" insert ", and 57-51.1-07.3"

Page 1, line 5, after "fund" insert ", the oil and gas research council membership, the oil and gas research fund,"

Page 1, line 6, after the semicolon insert "to provide for a value-added market opportunities for renewable energy resources and oil and gas study; to provide for a report to the legislative management;"

Page 1, replace line 18 with:

"Salaries and wages	\$12,059,220	\$5,824,123	\$17,883,343"
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Page 2, replace lines 1 through 3 with:

"Total all funds	\$61,542,969	\$1,986,719	\$63,529,688
Less estimated income	46,766,756	(5,815,082)	40,951,674
Total general fund	\$14,776,213	\$7,801,801	\$22,578,014"

Page 2, replace lines 9 through 11 with:

"Bank of North Dakota operations	\$45,587,155	\$6,274,253	\$51,861,408
Capital assets	1,266,000	(521,000)	745,000
Total special funds	\$46,853,155	\$5,753,253	\$52,606,408"

Page 3, replace line 8 with:

"Salaries and wages	\$6,516,277	\$928,822	\$7,445,099"
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Page 3, replace line 12 with:

"Total special funds	\$38,590,046	\$2,279,861	\$40,869,907"
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Page 3, replace lines 18 through 20 with:

"Grand total general fund	\$24,176,213	\$28,901,801	\$53,078,014
Grand total special funds	<u>179,281,834</u>	<u>7,401,279</u>	<u>186,683,113</u>
Grand total all funds	\$203,458,047	\$36,303,080	\$239,761,127"

Page 4, after line 4, insert:

"Housing incentive fund	0	30,000,000"
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Page 4, replace lines 10 through 12 with:

"Total all funds	\$38,299,400	\$31,560,800
Total special funds	10,000,000	0
Total general fund	\$28,299,400	\$31,560,800"

Page 5, line 23, remove "biennium beginning"

Page 5, line 24, replace "July 1, 2013," with "period beginning with the effective date of this Act"

Page 5, line 29, replace "biennium beginning July 1, 2013," with "period beginning with the effective date of this Act"

Page 6, line 3, replace "biennium beginning July 1, 2013," with "period beginning with the effective date of this Act"

Page 6, line 7, replace "biennium beginning July 1, 2013," with "period beginning with the effective date of this Act"

Page 6, line 10, remove " - 2011-13 BIENNIUM"

Page 6, line 14, replace "2013" with "2015"

Page 6, line 15, remove "The office of management and budget shall transfer the funds provided under this"

Page 6, replace line 16 with:

**"SECTION 12. APPROPRIATION - DEPARTMENT OF COMMERCE.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$500,000, or so much of the sum as may be necessary, to the department of commerce for the purpose of conducting a study to evaluate value-added market opportunities for renewable energy resources and oil and gas under section 13 of this Act, for the biennium beginning July 1, 2013, and ending June 30, 2015.

**SECTION 13. VALUE-ADDED MARKET OPPORTUNITIES FOR RENEWABLE ENERGY RESOURCES AND OIL AND GAS STUDY - REPORT TO THE LEGISLATIVE MANAGEMENT.**

1. During the 2013-14 interim, the department of commerce shall conduct a study to evaluate value-added market opportunities related to renewable energy resources and oil and gas.
2. The department of commerce shall cooperate with the energy policy commission in conducting this study.
3. The department of commerce shall report its findings and recommendations to the legislative management before September 1, 2014."

Page 6, line 18, remove "**APPROPRIATION -**"

Page 6, line 20, remove "appropriated"

Page 7, after line 9, insert:

**"SECTION 16. AMENDMENT.** Subsection 1 of section 54-17.6-05 of the North Dakota Century Code is amended and reenacted as follows:

1. The oil and gas research council is composed of ~~eight~~seven members, four of whom must currently be engaged in and have at least five years of active experience in the oil and natural gas exploration and production industry. The council consists of:
  - a. Four members appointed by the governor from a list provided by the North Dakota petroleum council. The governor may reject the list and request the council to submit a new list until the appointments are made.
  - b. One member appointed by the governor from a list provided by the North Dakota association of oil and gas producing counties. The governor may reject the list and request the association to submit a new list until the appointment is made.
  - c. The executive director of the North Dakota petroleum council or the executive director's designee.
  - d. ~~The president of the northern alliance of independent producers or the president's designee.~~
  - e. A county commissioner from an oil producing county appointed by the governor.
  - ~~f.~~e. The director of the oil and gas division and the state geologist shall serve on the council as advisory nonvoting members."

Page 7, line 30, remove "One-half"

Page 7, line 31, replace "of one" with "Five"

Page 8, line 1, after "fund" insert ", not to exceed three million dollars per biennium"

Page 8, after line 20, insert:

**"SECTION 19. AMENDMENT.** Section 57-51.1-07.3 of the North Dakota Century Code is amended and reenacted as follows:

**57-51.1-07.3. Oil and gas research fund - Deposits - Continuing appropriation.**

There is established a special fund in the state treasury to be known as the oil and gas research fund. Before depositing oil and gas gross production tax and oil extraction tax revenues in the general fund, property tax relief sustainability, strategic investment and improvements fund, or the state disaster relief fund, two percent of the revenues must be deposited monthly into the oil and gas research fund, up to ~~four~~seven million dollars per biennium. All moneys deposited in the oil and gas research fund and interest on all such moneys are appropriated as a continuing appropriation to the council to be used for purposes stated in chapter 54-17.6.

**SECTION 20. LEGISLATIVE INTENT - OIL AND GAS RESEARCH FUND.** It is the intent of the legislative assembly that the industrial commission give special emphasis to value-added processing of oil and gas projects in the awarding of funds from the oil and gas research fund during the biennium beginning July 1, 2013, and ending June 30, 2015.

**SECTION 21. LEGISLATIVE INTENT - ADMINISTRATIVE RULES - RESERVE PITS.** It is the intent of the sixty-third legislative assembly that the industrial commission's department of mineral resources oil and gas division include in its next administrative rules review and revision process, the effect of provisions included in North Dakota Administrative Code section 43-02-03-19.5 relating to reserve pits for drilling mud and drill cuttings from shallow wells drilled and completed outside of the

Bakken and Three Forks formations for the biennium beginning July 1, 2013, and ending June 30, 2015."

ReNUMBER accordingly

### STATEMENT OF PURPOSE OF AMENDMENT:

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

	Executive Budget	Senate Changes	Senate Version
Industrial Commission			
Total all funds	\$63,356,975	\$172,713	\$63,529,688
Less estimated income	40,937,857	13,817	40,951,674
General fund	\$22,419,118	\$158,896	\$22,578,014
Bank of North Dakota			
Total all funds	\$52,452,928	\$153,480	\$52,606,408
Less estimated income	52,452,928	153,480	52,606,408
General fund	\$0	\$0	\$0
Housing Finance Agency			
Total all funds	\$40,862,039	\$30,007,868	\$70,869,907
Less estimated income	40,862,039	7,868	40,869,907
General fund	\$0	\$30,000,000	\$30,000,000
Mill and Elevator			
Total all funds	\$52,255,124	\$0	\$52,255,124
Less estimated income	52,255,124	0	52,255,124
General fund	\$0	\$0	\$0
Commerce Department			
Total all funds	\$0	\$500,000	\$500,000
Less estimated income	0	0	0
General fund	\$0	\$500,000	\$500,000
Bill total			
Total all funds	\$208,927,066	\$30,834,061	\$239,761,127
Less estimated income	186,507,948	175,165	186,683,113
General fund	\$22,419,118	\$30,658,896	\$53,078,014

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

	Executive Budget	Senate Changes	Senate Version
Salaries and wages	\$17,710,630	\$172,713	\$17,883,343
Operating expenses	6,330,576		6,330,576
Capital assets	5,800		5,800
Grants - Lignite research	19,500,000		19,500,000
Grants - Bond payments	19,809,969		19,809,969
Total all funds	\$63,356,975	\$172,713	\$63,529,688
Less estimated income	40,937,857	13,817	40,951,674
General fund	\$22,419,118	\$158,896	\$22,578,014
FTE	98.75	0.00	98.75

#### Department No. 405 - Industrial Commission - Detail of Senate Changes

	Corrects Executive Compensation Package <sup>1</sup>	Total Senate Changes
Salaries and wages	\$172,713	\$172,713
Operating expenses		
Capital assets		
Grants - Lignite research		
Grants - Bond payments		
Total all funds	\$172,713	\$172,713
Less estimated income	13,817	13,817
General fund	\$158,896	\$158,896
FTE	0.00	0.00

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

This amendment provides for the following:

- Amends Section 57-51.1-07.3 to increase the amount allocated to the oil and gas research fund from \$4 million to \$10 million per biennium.
- Amends Section 57-51.1-07 to provide for 5 percent of the amount of oil extraction tax revenue allocated to the resources trust fund, not to exceed \$3 million per biennium, to be transferred to the renewable energy development fund. The executive recommendation provided for an allocation of one-half of 1 percent with no maximum.
- Amends Section 54-17.6-05 to reduce the size of the Oil and Gas Research Council from eight to seven members by removing the representative from an organization that is no longer active--the Northern Alliance of Independent Producers.
- Provides legislative intent relating to the oil and gas research fund and administrative rules for reserve pits.

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

	Executive Budget	Senate Changes	Senate Version
Capital assets	\$745,000		\$745,000
BND operations	51,707,928	153,480	51,861,408
Total all funds	\$52,452,928	\$153,480	\$52,606,408
Less estimated income	52,452,928	153,480	52,606,408
General fund	\$0	\$0	\$0
FTE	179.50	0.00	179.50

#### Department No. 471 - Bank of North Dakota - Detail of Senate Changes

	Corrects Executive Compensation Package <sup>1</sup>	Total Senate Changes
Capital assets		
BND operations	153,480	153,480
Total all funds	\$153,480	\$153,480
Less estimated income	153,480	153,480
General fund	\$0	\$0
FTE	0.00	0.00

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

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

	Executive Budget	Senate Changes	Senate Version
Salaries and wages	\$7,437,231	\$7,868	\$7,445,099
Operating expenses	3,791,758		3,791,758
Grants	29,533,050		29,533,050
HFA contingencies	100,000		100,000
Housing incentive fund		30,000,000	30,000,000
Total all funds	\$40,862,039	\$30,007,868	\$70,869,907
Less estimated income	40,862,039	7,868	40,869,907
General fund	\$0	\$30,000,000	\$30,000,000
FTE	46.00	0.00	46.00

#### Department No. 473 - Housing Finance Agency - Detail of Senate Changes

	Corrects Executive Compensation Package <sup>1</sup>	Provides Transfer to Housing Incentive Fund <sup>2</sup>	Total Senate Changes
Salaries and wages	\$7,868		\$7,868
Operating expenses			
Grants			
HFA contingencies			
Housing incentive fund		30,000,000	30,000,000
Total all funds	\$7,868	\$30,000,000	\$30,007,868
Less estimated income	7,868	0	7,868
General fund	\$0	\$30,000,000	\$30,000,000
FTE	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>Provides for a transfer of \$30 million from the general fund to the housing incentive fund during the 2013-15 biennium. The executive budget provided for the transfer to occur during the 2011-13 biennium.

This amendment amends Section 11 of the bill to provide that the transfer of \$30 million from the general fund to the housing incentive fund be made during the period beginning with the effective date of the Act and ending June 30, 2015. The executive budget provided for the transfer to be made in the 2011-13 biennium.

**Senate Bill No. 2014 - Commerce Department - Senate Action**

	Executive Budget	Senate Changes	Senate Version
Market Study		\$500,000	\$500,000
Total all funds	\$0	\$500,000	\$500,000
Less estimated income	0	0	0
General fund	\$0	\$500,000	\$500,000
FTE	0.00	0.00	0.00

**Department No. 605 - Commerce Department - Detail of Senate Changes**

	Adds Funding for a Value-Added Market Study <sup>1</sup>	Total Senate Changes
Market Study	\$500,000	\$500,000
Total all funds	\$500,000	\$500,000
Less estimated income	0	0
General fund	\$500,000	\$500,000
FTE	0.00	0.00

<sup>1</sup>This amendment adds an appropriation for the Department of Commerce to provide for a value-added market study on renewable energy resources and oil and gas.

**REPORT OF STANDING COMMITTEE**

**SB 2015: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2015 was placed on the Sixth order on the calendar.

"Adult services	\$160,825,768	\$20,763,379	\$181,589,147
Youth services	<u>27,221,743</u>	<u>2,937,581</u>	<u>30,159,324</u>
Total all funds	\$188,047,511	\$23,700,960	\$211,748,471
Less estimated income	<u>30,145,650</u>	<u>530,474</u>	<u>30,676,124</u>
Total general fund	\$157,901,861	\$23,170,486	\$181,072,347"

Page 2, replace lines 4 through 7 with:

"Extraordinary repairs		<u>741,490</u>	<u>1,683,296</u>
Total all funds		\$3,124,558	\$3,505,398
Less estimated income		<u>1,460,500</u>	<u>298,000</u>
Total general fund		\$1,664,058	\$3,207,398"

ReNUMBER accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### Senate Bill No. 2015 - DOCR - Senate Action

	Executive Budget	Senate Changes	Senate Version
Adult services	\$180,507,372	\$1,081,775	\$181,589,147
Youth services	<u>30,149,708</u>	<u>9,616</u>	<u>30,159,324</u>
Total all funds	\$210,657,080	\$1,091,391	\$211,748,471
Less estimated income	<u>30,673,355</u>	<u>2,769</u>	<u>30,676,124</u>
General fund	\$179,983,725	\$1,088,622	\$181,072,347
FTE	814.29	0.00	814.29

#### Department No. 530 - DOCR - Detail of Senate Changes

	Corrects Executive Compensation Package <sup>1</sup>	Adds Funding for West Cellhouse Locks <sup>2</sup>	Adds Funding for Increased Inmate Population <sup>3</sup>	Total Senate Changes
Adult services	\$45,775	\$400,000	\$636,000	\$1,081,775
Youth services	<u>9,616</u>			<u>9,616</u>
Total all funds	\$55,391	\$400,000	\$636,000	\$1,091,391
Less estimated income	<u>2,769</u>	<u>0</u>	<u>0</u>	<u>2,769</u>
General fund	\$52,622	\$400,000	\$636,000	\$1,088,622
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>Funding is added to replace locks in the West Cellhouse.

<sup>3</sup>Funding is added for increasing average daily inmate population projections from the executive budget recommendation. The revised inmate population projections reflect an additional 87 male and 20 female inmates and an additional 73 individuals treated in the community. The executive budget projected average daily inmate populations of 1,322 male and 162 female inmates and 5,557 individuals treated in the community.

#### REPORT OF STANDING COMMITTEE

**SB 2019: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2019 was placed on the Sixth order on the calendar.

Page 1, line 2, after "education" insert "; to amend and reenact sections 52-08-09, 52-08-10, and 52-08-11 of the North Dakota Century Code, relating to workforce training board reporting requirements; and to provide for a report to the budget section"

Page 1, replace line 12 with:

"Salaries and wages	\$4,362,974	\$503,881	\$4,866,855"
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Page 1, replace lines 14 and 15 with:

"Grants	29,025,000	1,778,698	30,803,698
Grants - postsecondary	357,452	900,000	1,257,452"

Page 1, replace lines 17 through 20 with:

"Workforce training	<u>3,000,000</u>	<u>2,600,000</u>	<u>5,600,000</u>
Total all funds	\$38,748,567	\$5,782,579	\$44,531,146
Less estimated income	<u>10,766,888</u>	<u>2,523,731</u>	<u>13,290,619</u>
Total general fund appropriation	\$27,981,679	\$3,258,848	\$31,240,527"

Page 1, after line 21, insert:

**"SECTION 2. AMENDMENT.** Section 52-08-09 of the North Dakota Century Code is amended and reenacted as follows:

**52-08-09. Workforce training board - Formation.**

Subject to state board of higher education for career and technical education policies, the president of an institution of higher education that is assigned primary responsibility for workforce training shall appoint a workforce training board consisting of representatives from businesses, labor, and industries located within the institution's delivery area. The workforce training board must consist of at least seven but no more than fifteen members and must include at least one representative from either an Indian-owned business, the tribal government, or the tribal colleges within the designated region.

**SECTION 3. AMENDMENT.** Section 52-08-10 of the North Dakota Century Code is amended and reenacted as follows:

**52-08-10. Preparation of business plan - Revolving loans.**

Subject to state board of higher education for career and technical education policies, the president of an institution of higher education that is assigned primary responsibility for workforce training shall prepare an annual business plan that must include provisions for use of the training capacity of the tribal colleges within the designated region, in consultation with the workforce training board. The business plan may include participation as a community under the new jobs training program under chapter 52-02.1. The workforce training board shall approve the business plan and make recommendations for funding of the business plan to the state board of higher education for career and technical education. Any state funds received under this program by the institutions of higher education assigned primary responsibility for workforce training must be used for business and customized training activities. The state board of higher education may establish for each institution of higher education assigned primary responsibility for workforce training a revolving loan fund for workforce training program startups using the borrowing authority provided in section 15-10-16.1.

**SECTION 4. AMENDMENT.** Section 52-08-11 of the North Dakota Century Code is amended and reenacted as follows:

**52-08-11. Performance measurements for workforce training.**

Subject to state board of higher education for career and technical education policies, the president of an institution of higher education that is assigned primary responsibility for workforce training shall develop, in consultation with the workforce



	Provides Funding to STEM Network <sup>7</sup>	Provides Funding to the Workforce Training Regions <sup>8</sup>	Total Senate Changes
Salaries and wages			\$6,689
Operating expenses			
Grants			(100,000)
Grants - Postsecondary	400,000		900,000
Adult farm management			
Workforce training		2,600,000	2,600,000
Total all funds	\$400,000	\$2,600,000	\$3,406,689
Less estimated income	400,000	2,600,000	3,000,134
General fund	\$0	\$0	\$406,555
FTE	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 decreases the funding for the Virtual Centers to provide a total of \$500,000, all of which is from the general fund.

<sup>3</sup>This amendment provides funding for STEM-based engineering programs or the Project Lead the Way program.

<sup>4</sup>This amendment provides funding for a STEM Infusion Initiative.

<sup>5</sup>This amendment provides funding for the STEM program at the secondary and postsecondary level, requiring matching funds from private industry grants.

<sup>6</sup>This amendment increases funding for new and expanding programs to provide a total of \$600,000, all of which is from the general fund.

<sup>7</sup>This amendment provides one-time funding for the STEM network from the strategic investment and improvements fund.

<sup>8</sup>Provides one-time funding from the strategic investment and improvements fund for providing \$650,000 per region to the four workforce training regions for business and industry equipment and simulation equipment.

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This amendment adds a section requiring the Department of Career and Technical Education to report to the Budget Section on the following:

- The increase in the number of STEM programs/programming in schools and institutions available to students.
- The increase in enrollment in STEM programming beginning at the secondary level and then onto the postsecondary level.
- The business partnerships created by the expansion of the STEM program.

This amendment adds sections amending Sections 52-08-09, 52-08-10, and 52-08-11 to change the Workforce Training Board reporting requirements from the State Board of Higher Education to the State Board for Career and Technical Education.

#### REPORT OF STANDING COMMITTEE

**SB 2027: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **DO NOT PASS** (11 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2027 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2029, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **DO NOT PASS** (11 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2029 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2063: Government and Veterans Affairs Committee (Sen. Dever, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (6 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). SB 2063 was placed on the Sixth order on the calendar.

Page 3, line 19, replace "five" with "fourteen"

Page 5, line 4, after "ten" insert "calendar"

Page 5, line 12, after "ten" insert "calendar"

Page 5, line 14, after "ten" insert "calendar"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2205: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2205 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "office of management and budget" with "department of human services"

Page 1, line 1, after the second "for" insert "providing"

Page 1, line 5, replace "\$325,000" with "\$233,979"

Page 1, line 6, replace "office of management and budget" with "department of human services"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2212: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2212 was placed on the Sixth order on the calendar.

Page 1, line 5, replace "\$250,000" with "\$200,000"

Page 1, line 8, after the period insert "The Minot state university rural crime and justice center victim assistance academy may accept gifts, grants, and contributions."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2221, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **DO PASS** (8 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2221 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2244, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2244 was placed on the Sixth order on the calendar.

Page 1, line 2, after "grants" insert "; and to provide for a legislative management study"

Page 1, after line 17, insert:

**"SECTION 3. LEGISLATIVE MANAGEMENT STUDY - CHILD CARE SERVICES.** During the 2013-14 interim, the legislative management shall consider studying the availability of and access to child care services in the state and the state's role in ensuring available and accessible child care services in the state. 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

**REPORT OF STANDING COMMITTEE**

**SB 2276: Government and Veterans Affairs Committee (Sen. Dever, Chairman)** recommends **DO NOT PASS** (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2276 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2291: Natural Resources Committee (Sen. Lyson, Chairman)** recommends **DO NOT PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2291 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2307: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2307 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2326: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **DO NOT PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2326 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2328, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **DO NOT PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2328 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2330: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). SB 2330 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "section 57-38-35.2, subsection 1 of section 57-38-45,"

Page 1, line 2, remove "and"

Page 1, line 2, remove "income tax penalties,"

Page 1, line 3, remove "interest, and"

Page 1, remove lines 5 through 23

Page 2, remove lines 1 through 30

Page 3, remove lines 1 through 6

Page 5, line 19, remove "Sections 1 and 2 of this Act are effective for interest and"

Page 5, line 20, replace "penalties accruing after July 31, 2013. Section 3 of this" with "This"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2339, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 1 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2339 was placed on the Sixth order on the calendar.

Page 2, line 29, replace "\$50,000,000" with "\$5,000,000"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2347: Government and Veterans Affairs Committee (Sen. Dever, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). SB 2347 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "a new section to chapter 16.1-01 and"

Page 1, remove lines 5 through 13

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2353, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2353 was placed on the Sixth order on the calendar.

Page 1, line 1, after "create" insert "and enact"

Page 2, line 23, after the first "the" insert "adjutant general to provide a grant to the"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2354: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2354 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2369: Government and Veterans Affairs Committee (Sen. Dever, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2369 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "to create and enact chapter 16.1-03.1 of the North Dakota Century Code,"

Page 1, line 2, remove "relating to political party committee organizations;"

Page 1, line 4, remove "; and to"

Page 1, remove lines 5

Page 1, line 6, remove "committee organization"

Page 1, remove lines 8 through 23

Page 2, remove lines 1 through 15

Page 7, remove line 17

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2370, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2370 was placed on the Sixth order on the calendar.

Page 1, line 10, remove "of a three-inch [7.62-centimeter] diameter or smaller, or"

Page 1, remove line 11

Page 1, line 12, remove "centimeter] or less"

Page 1, line 17, after "pipeline" insert "or collection system"

Page 1, line 18, after "pipeline" insert "or collection system"

Page 1, line 21, replace "and" with "or"

Page 1, line 21, replace "systems are" with "system is"

Page 1, line 22, after the underscored period insert "For purposes of this section, "natural gas gathering pipeline" means an underground gas or liquid pipeline that is designed for or capable of transporting natural gas produced in association with oil and which is not subject to public service commission jurisdiction as a gas or liquid transmission line under chapter 49-22."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2374: Government and Veterans Affairs Committee (Sen. Dever, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2374 was placed on the Sixth order on the calendar.

Page 1, line 17, replace "seventieth" with "sixty-fourth"

Page 2, line 7, replace "seventy" with "sixty-four"

Page 2, line 12, replace "seventieth" with "sixty-fourth"

Page 2, line 19, replace "seventieth" with "sixty-fourth"

Page 3, line 16, replace "seventieth" with "sixty-fourth"

Page 3, line 21, replace "seventieth" with "sixty-fourth"

Page 4, line 19, replace "seventieth" with "sixty-fourth"

Page 4, line 28, replace "seventieth" with "sixty-fourth"

Page 5, line 25, replace "seventieth" with "sixty-fourth"

Page 6, line 1, replace "seventieth" with "sixty-fourth"

Page 7, line 7, replace "seventieth" with "sixty-fourth"

Page 7, line 14, replace "seventieth" with "sixty-fourth"

Page 7, line 17, replace "seventieth" with "sixty-fourth"

Page 7, line 20, overstrike "**more than ninety days** "

Page 7, line 25, overstrike "more than ninety days"

Page 9, line 24, replace "seventieth" with "sixty-fourth"

Page 9, line 31, replace "seventieth" with "sixty-fourth"

Page 10, line 3, replace "seventieth" with "sixty-fourth"

Page 10, line 9, replace "seventieth" with "sixty-fourth"

Page 10, line 13, replace "seventieth" with "sixty-fourth"

Page 11, line 4, replace "seventieth" with "sixty-fourth"

Page 11, line 8, replace "seventieth" with "sixty-fourth"

Page 12, line 4, replace "seventieth" with "sixty-fourth"

Page 12, line 30, replace "seventieth" with "sixty-fourth"

Page 13, line 7, replace "seventieth" with "sixty-fourth"

Page 13, line 9, replace "seventieth" with "sixty-fourth"

Page 13, line 16, replace "seventieth" with "sixty-fourth"

Page 13, line 19, replace "seventieth" with "sixty-fourth"

Page 13, line 27, replace "seventieth" with "sixty-fourth"

Page 13, line 30, replace "seventieth" with "sixty-fourth"

Page 15, line 26, replace "seventieth" with "sixty-fourth"

Page 16, line 4, replace "seventieth" with "sixty-fourth"

Page 16, line 15, replace "seventieth" with "sixty-fourth"

Page 16, line 21, replace "seventieth" with "sixty-fourth"

Page 17, line 10, replace "seventieth" with "sixty-fourth"

Page 18, line 5, replace "seventieth" with "sixty-fourth"

Page 18, line 16, replace "seventieth" with "sixty-fourth"

Page 18, line 29, replace "seventieth" with "sixty-fourth"

Page 19, line 12, replace "seventieth" with "sixty-fourth"

Page 20, line 17, replace "seventieth" with "sixty-fourth"

Page 21, line 18, replace "seventieth" with "sixty-fourth"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SCR 4015: Education Committee (Sen. Flakoll, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4015 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SCR 4016: Government and Veterans Affairs Committee (Sen. Dever, Chairman)** recommends **DO NOT PASS** (6 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). SCR 4016 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SCR 4017: Government and Veterans Affairs Committee (Sen. Dever, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SCR 4017 was placed on the Sixth order on the calendar.

Page 2, line 10, after the semicolon insert "and"

Page 3, remove lines 23 through 29

Renumber accordingly

**FIRST READING OF SENATE CONCURRENT RESOLUTIONS**

Sens. Cook, Campbell, Wardner and Reps. Belter, Carlson, Headland introduced:

**SCR 4021:** A concurrent resolution directing the Legislative Management to study the feasibility, consequences, and desirability of elimination of property taxes.

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

Sen. Dever introduced:

**SCR 4022:** A concurrent resolution directing the Legislative Management to study the desirability of and the potential process for licensing or certifying mechanical contractors.

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

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

**William R. Horton, Secretary**

