

**JOURNAL OF THE HOUSE**

**Fifty-seventh Legislative Assembly**

\* \* \* \* \*

**Bismarck, April 10, 2001**

The House convened at 1:00 p.m., with Speaker Bernstein presiding.

The prayer was offered by Rep. Kim Koppelman, District 13, West Fargo.

The roll was called and all members were present except Representatives Kempenich, Koppang, Renner, and Thorpe.

A quorum was declared by the Speaker.

**SIXTH ORDER OF BUSINESS**

**REP. BELTER MOVED** that the amendments on the Sixth order of business to SB 2003 and SB 2067 be adopted, which motion prevailed.

SB 2003 and SB 2067, as amended, were placed on the Fourteenth order of business on the calendar.

**MOTION**

**REP. NICHOLAS MOVED** that the House reconsider its action whereby SB 2282 failed to pass, which motion prevailed on a verification vote.

**SECOND READING OF SENATE BILL**

**SB 2282:** A BILL for an Act to provide for a legislative council study of methods to encourage production and consumption of ethanol.

**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 78 YEAS, 16 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Berg; Boucher; Brandenburg; Brekke; Brusegaard; Carlson; DeKrey; Delmore; Delzer; Devlin; Disrud; Dosch; Eckre; Ekstrom; Fairfield; Froelich; Galvin; Glassheim; Grande; Grosz; Grumbo; Gullerson; Gunter; Haas; Hanson; Hawken; Herbel; Huether; Hunskor; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kingsbury; Klein, M.; Klemin; Kliniske; Koppelman; Kretschmar; Kroeber; Lloyd; Mahoney; Maragos; Martinson; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Ruby; Sandvig; Schmidt; Severson; Skarphol; Solberg; Svedjan; Thoreson, L.; Tieman; Timm; Wald; Warner; Weisz; Wentz; Wikenheiser; Wrangham; Speaker Bernstein

**NAYS:** Bellew; Boehm; Byerly; Carlisle; Clark; Cleary; Drovdal; Froseth; Kasper; Klein, F.; Lemieux; Meier; Rennerfeldt; Thoreson, B.; Weiler; Winrich

**ABSENT AND NOT VOTING:** Kempenich; Koppang; Renner; Thorpe

SB 2282 passed and the title was agreed to.

\*\*\*\*\*

**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**REP. GRANDE MOVED** that the conference committee report on HB 1066 be adopted, which motion prevailed on a voice vote.

HB 1066, as amended, was placed on the Eleventh order.

**SECOND READING OF HOUSE BILL**

**HB 1066:** A BILL for an Act to create and enact section 47-30.1-21.1 of the North Dakota Century Code, relating to abandoned property payments; and to amend and reenact subsection 1 of section 47-30.1-22 and subsection 2 of section 47-30.1-35 of the North Dakota Century Code, relating to abandoned property under the Uniform Unclaimed Property Act.

**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 93 YEAS, 1 NAY, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Bellew; Belter; Berg; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Byerly; Carlisle; Carlson; Clark; Cleary; DeKrey; Delmore; Delzer; Devlin; Disrud; Dosch; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Grumbo; Gulleson; Gunter; Haas; Hanson; Hawken; Herbel; Huether; Hunskor; Jensen; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kingsbury; Klein, F.; Klein, M.; Kliniske; Koppelman; Kretschmar; Kroeber; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Solberg; Svedjan; Thoreson, B.; Thoreson, L.; Tieman; Timm; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Wrangham; Speaker Bernstein

**NAYS:** Klemin

**ABSENT AND NOT VOTING:** Kempenich; Koppang; Renner; Thorpe

Engrossed HB 1066 passed and the title was agreed to.

\*\*\*\*\*

**REPORT OF CONFERENCE COMMITTEE**

**HB 1197, as engrossed:** Your conference committee (Sens. Thane, Holmberg, Heitkamp and Reps. Timm, Wald, Huether) recommends that the **HOUSE ACCEDE** to the Senate amendments on HJ page 1101 and place HB 1197 on the Seventh order.

Engrossed HB 1197 was placed on the Seventh order of business on the calendar.

**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**REP. TIMM MOVED** that the conference committee report on Reengrossed HB 1197 be adopted, which motion prevailed on a voice vote.

Reengrossed HB 1197, as amended, was placed on the Eleventh order.

**SECOND READING OF HOUSE BILL**

**HB 1197:** A BILL for an Act to amend and reenact section 54-06-09 of the North Dakota Century Code, relating to mileage and travel expense reimbursement for state officials and employees; 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 80 YEAS, 14 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Berg; Boucher; Brandenburg; Brekke; Carlisle; Carlson; Clark; Cleary; DeKrey; Delmore; Disrud; Dosch; Drovdal; Eckre; Ekstrom; Fairfield; Galvin; Glassheim; Grande; Grosz; Grumbo; Gulleson; Gunter; Haas; Hanson; Hawken; Herbel; Huether; Hunskor; Jensen; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kingsbury; Klein, F.; Klemin; Kliniske; Koppelman; Kretschmar; Kroeber; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Skarphol; Solberg; Svedjan; Thoreson, B.; Thoreson, L.; Tieman; Timm; Wald; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Speaker Bernstein

**NAYS:** Bellew; Boehm; Brusegaard; Byerly; Delzer; Devlin; Froelich; Froseth; Kerzman; Klein, M.; Lemieux; Mueller; Warner; Wrangham

**ABSENT AND NOT VOTING:** Kempenich; Koppang; Renner; Thorpe

Reengrossed HB 1197 passed, the title was agreed to, and the emergency clause was declared carried.

\*\*\*\*\*

**REPORT OF CONFERENCE COMMITTEE**

**SB 2177, as engrossed:** Your conference committee (Sens. Wanzek, Flakoll, Christenson and Reps. Haas, Hawken, Mueller) recommends that the **SENATE ACCEDE** to the House amendments on SJ page 944 and place SB 2177 on the Seventh order.

Engrossed SB 2177 was placed on the Seventh order of business on the calendar.

**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**REP. HAAS MOVED** that the conference committee report on SB 2177 be adopted, which motion prevailed on a voice vote.

**REPORT OF CONFERENCE COMMITTEE**

**SB 2181, as reengrossed:** Your conference committee (Sens. Stenehjem, Wardner, Kroeplin and Reps. Drovdal, Clark, Winrich) recommends that the **HOUSE RECEDE** from the House amendments on SJ page 853, adopt amendments as follows, and place SB 2181 on the Seventh order:

That the House recede from its amendments as printed on page 853 of the Senate Journal and pages 928 and 929 of the House Journal and that Reengrossed Senate Bill No. 2181 be amended as follows:

Page 1, line 1, remove "a new section to chapter 40-57.3 and"

Page 1, line 2, remove "authority of cities to impose"

Page 1, line 3, remove "motor vehicle rental taxes and" and remove "rental company"

Page 1, remove lines 8 through 15

Page 1, line 18, remove "rental"

Page 1, line 20, after "vehicle" insert "of a gross vehicle weight of ten thousand pounds [4535.92 kilograms] or less"

Page 1, line 23, after "taxes" insert ", fuel collections, or other ancillary products sold to customers such as collision damage waiver, supplemental liability protection, personal accident insurance, and personal effects coverage"

Page 2, line 3, remove "rental"

Page 2, line 8, remove "rental"

Page 2, line 12, remove "rental"

Page 2, line 13, remove the second "rental"

Renumber accordingly

Reengrossed SB 2181 was placed on the Seventh order of business on the calendar.

**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**REP. DROVDAL MOVED** that the conference committee report on SB 2181 be adopted, which motion prevailed on a voice vote.

SB 2181, as amended, was placed on the Fourteenth order.

**SECOND READING OF SENATE BILL**

**SB 2181:** A BILL for an Act to create and enact a new section to chapter 57-39.2 of the North Dakota Century Code, relating to rental company surcharge on motor vehicle rentals; 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 88 YEAS, 6 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Berg; Boehm; Boucher; Brandenburg; Brekke; Brusegaard; Carlisle; Carlson; Clark; Cleary; DeKrey; Delmore; Devlin; Disrud; Dosch; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Grande; Grosz; Grumbo; Gulletson; Gunter; Haas; Hanson; Hawken; Herbel; Huether; Hunskor; Jensen;

Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppelman; Kretschmar; Lemieux; Lloyd; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Rennerfeldt; Sandvig; Schmidt; Severson; Skarphol; Solberg; Svedjan; Thoreson, B.; Thoreson, L.; Tieman; Timm; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich; Speaker Bernstein

**NAYS:** Bellew; Byerly; Delzer; Kroeber; Ruby; Wrangham

**ABSENT AND NOT VOTING:** Kempenich; Koppang; Renner; Thorpe

Engrossed SB 2181 passed and the title was agreed to.

\*\*\*\*\*

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

**SB 2251, as engrossed:** Your conference committee (Sens. Flakoll, Cook, Kelsh and Reps. Haas, Nelson, Grumbo) recommends that the **SENATE ACCEDE** to the House amendments on SJ page 1031 and place SB 2251 on the Seventh order.

Engrossed SB 2251 was placed on the Seventh order of business on the calendar.

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

**REP. HAAS MOVED** that the conference committee report on SB 2251 be adopted, which motion prevailed on a voice vote.

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

**SB 2308, as reengrossed:** Your conference committee (Sens. Lee, Erbele, Polovitz and Reps. Devlin, F. Klein, Cleary) recommends that the **SENATE ACCEDE** to the House amendments on SJ pages 967-968, adopt further amendments as follows, and place SB 2308 on the Seventh order:

That the Senate accede to the House amendments as printed on pages 967 and 968 of the Senate Journal and page 894 of the House Journal and that Reengrossed Senate Bill No. 2308 be further amended as follows:

Page 2, line 3, after the third "of" insert "setting standards and"

Page 2, line 5, after the first comma insert "of which \$1,000 may be designated for per diem and travel expenses for in-state professional boards to gather information,"

Re-number accordingly

Reengrossed SB 2308 was placed on the Seventh order of business on the calendar.

#### **CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. DEVLIN MOVED** that the House do not concur in the Senate amendments to SB 2308, and that a conference committee be appointed to meet with a like committee from the Senate.

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

**THE SPEAKER APPOINTED** as a Conference Committee on SB 2308: Reps. Devlin, F. Klein, Cleary.

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

**SB 2328, as engrossed:** Your conference committee (Sens. Wardner, Christmann, Nichols and Reps. Herbel, Renner, Kroeber) recommends that the **SENATE ACCEDE** to the House amendments on SJ pages 1074-1076 and place SB 2328 on the Seventh order.

Engrossed SB 2328 was placed on the Seventh order of business on the calendar.

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

**REP. HERBEL MOVED** that the conference committee report on SB 2328 be adopted, which motion prevailed on a voice vote.

#### **CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. PRICE MOVED** that the House do not concur in the Senate amendments to HB 1196, and that a conference committee be appointed to meet with a like committee from the Senate.

**APPOINTMENT OF CONFERENCE COMMITTEE**

**THE SPEAKER APPOINTED** as a Conference Committee on HB 1196: Reps. Devlin, Delzer, Metcalf.

**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. CARLSON MOVED** that the House do not concur in the Senate amendments to HB 1399, and that a conference committee be appointed to meet with a like committee from the Senate.

**APPOINTMENT OF CONFERENCE COMMITTEE**

**THE SPEAKER APPOINTED** as a Conference Committee on HB 1399: Reps. Carlson, Grosz, Schmidt.

**APPOINTMENT OF CONFERENCE COMMITTEE**

**THE SPEAKER ANNOUNCED** the following appointments to a Conference Committee on SB 2088: Reps. Weisz, Price, Mahoney.

**APPOINTMENT OF CONFERENCE COMMITTEE**

**THE SPEAKER ANNOUNCED** the following appointments to a Conference Committee on SB 2124: Reps. Porter, Galvin, Niemeier.

**APPOINTMENT OF CONFERENCE COMMITTEE**

**THE SPEAKER ANNOUNCED** the following appointments to a Conference Committee on SB 2239: Reps. Kliniske, Porter, Cleary.

**APPOINTMENT OF CONFERENCE COMMITTEE**

**THE SPEAKER ANNOUNCED** the following appointments to a Conference Committee on SB 2276: Reps. Devlin, Delzer, Cleary.

**APPOINTMENT OF CONFERENCE COMMITTEE**

**THE SPEAKER ANNOUNCED** the following appointments to a Conference Committee on SB 2104: Reps. Pietsch, D. Johnson, Mueller.

**REPORT OF STANDING COMMITTEE**

**SB 2003, as engrossed: Appropriations Committee (Rep. Timm, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (16 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2003 was placed on the Sixth order on the calendar.

Page 1, line 2, after "system" insert "; to provide an appropriation to the department of commerce", remove "a", and replace "study" with "studies"

Page 1, line 3, after "sections" insert "15-10-08," and after the first comma insert "52-08-08, 52-08-09, 52-08-10, 52-08-11,"

Page 1, line 4, after "to" insert "compensation for members of the board of higher education,"

Page 1, line 5, after the first comma insert "workforce training,"

Page 1, line 6, after the first semicolon insert "to repeal section 22 of chapter 37 of the 1999 Session Laws relating to the university of North Dakota winter sports facility maintenance fund;"

Page 1, replace lines 16 through 19 with:

"Salaries and wages	\$2,498,553
Operating expenses	1,013,844
Equipment	25,481
Student financial assistance grants	4,088,031
Information technology management	216,676
Professional student exchange program	1,560,716
Disabled student services	51,560
Contingency and capital improvement emergency fund	344,309
Scholars program	770,730
Native American scholarships	204,082
Title II	534,000
Competitive research program	4,000,000
Board initiatives	870,797"

Page 1, line 20, replace "12,730,941" with "12,730,841"

Page 1, after line 20, insert:

"Education incentive programs

965,000"

Page 1, line 21, replace "78,121,417" with "29,874,620"

Page 1, line 23, replace "74,404,595" with "26,157,798"

Page 1, after line 24, insert:

"NORTH DAKOTA UNIVERSITY SYSTEM

Equity and special needs pool

\$4,580,824

Technology pool

26,938,419

General fund appropriation

\$31,519,243

Subdivision 3."

Page 2, line 2, replace "14,767,975" with "15,381,193"

Page 2, line 3, replace "250,000" with "846,000"

Page 2, line 4, replace "15,017,975" with "16,227,193"

Page 2, line 5, replace "3" with "4"

Page 2, line 7, replace "4,649,231" with "4,881,954"

Page 2, line 8, replace "74,831" with "399,831"

Page 2, after line 8, insert:

"Total all funds

\$5,281,785

Less estimated income

325,000"

Page 2, line 9, replace "4,724,062" with "4,956,785"

Page 2, line 10, replace "4" with "5"

Page 2, line 12, replace "5,094,457" with "5,390,441"

Page 2, line 14, replace "5,183,247" with "5,479,231"

Page 2, line 15, replace "5" with "6"

Page 2, line 17, replace "81,436,447" with "85,601,876"

Page 2, line 19, replace "95,008,583" with "99,174,012"

Page 2, line 21, replace "83,798,583" with "87,964,012"

Page 2, line 22, replace "6" with "7"

Page 2, line 24, replace "63,524,910" with "66,931,216"

Page 2, line 26, replace "86,462,441" with "89,868,747"

Page 2, line 28, replace "65,262,441" with "68,668,747"

Page 2, line 29, replace "7" with "8"

Page 3, line 1, replace "22,893,128" with "24,099,302"

Page 3, line 3, replace "26,693,348" with "27,899,522"

Page 3, line 5, replace "25,776,628" with "26,982,802"

Page 3, line 6, replace "8" with "9"

Page 3, line 8, replace "13,060,832" with "13,746,171"

Page 3, line 9, replace "393,962" with "4,393,962"

Page 3, after line 9, insert:

"Total all funds	\$18,140,133
Less estimated income	4,000,000"

Page 3, line 10, replace "13,454,794" with "14,140,133"

Page 3, line 11, replace "9" with "10"

Page 3, line 13, replace "7,870,007" with "8,330,748"

Page 3, line 15, replace "12,594,596" with "13,055,337"

Page 3, line 17, replace "8,594,596" with "9,055,337"

Page 3, line 18, replace "10" with "11"

Page 3, line 20, replace "24,817,493" with "25,919,536"

Page 3, line 21, replace "412,850" with "612,850"

Page 3, line 22, replace "25,230,343" with "26,532,386"

Page 3, line 23, replace "11" with "12"

Page 3, line 25, replace "10,767,570" with "11,325,513"

Page 3, line 27, replace "11,882,904" with "12,440,847"

Page 3, line 28, replace "12" with "13"

Page 4, line 1, replace "3,895,490" with "4,097,577"

Page 4, line 3, replace "4,083,153" with "4,285,240"

Page 4, line 4, replace "13" with "14"

Page 4, line 14, replace "14" with "15"

Page 4, line 16, replace "28,571,646" with "30,006,416"

Page 4, line 17, replace "28,571,646" with "30,006,416"

Page 4, line 18, replace "367,753,836" with "366,379,827"

Page 4, line 19, replace "42,094,068" with "46,419,068"

Page 4, line 20, replace "409,847,904" with "412,798,895"

Page 4, line 21, replace "campus-based programs and" with "higher education contingency and capital improvements emergency fund,"

Page 4, line 22, remove "contingencies and" and after "initiatives" insert ", and disabled student services"

Page 4, after line 30, insert:

**"SECTION 4. APPROPRIATION.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$194,788, or so much of the sum as may be necessary, to the department of commerce for the college technical education council, for the biennium beginning July 1, 2001, and ending June 30, 2003.

**SECTION 5. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, to the university of North Dakota for the purpose of defraying flood-related expenses, for the period beginning with the effective date of this Act and ending June 30, 2001, as follows:

1997 flood expenditures	<u>\$269,676</u>
Total general fund appropriation	\$269,676"

Page 5, replace lines 9 through 29 with:

**"SECTION 8. LEGISLATIVE INTENT - FULL-TIME EQUIVALENTS.** The state board of higher education may adjust full-time equivalent positions as needed, subject to the availability of funds, for institutions and entities in subdivisions 3 through 15 of section 1 of this Act. The university system shall report any adjustments to the office of management and budget before the submission of the 2003-05 biennium budget request.

**SECTION 9. STUDENT FINANCIAL ASSISTANCE GRANTS.** Not less than twenty percent of the funds appropriated for student financial assistance grants in section 1 of this Act must be allocated to students at private institutions with the remaining funds allocated to students at public and Native American institutions.

**SECTION 10. EDUCATION INCENTIVE PROGRAMS.** Of the funds appropriated for education incentives in section 1 of this Act, \$60,000 is to provide incentives to encourage additional doctoral graduates in North Dakota, \$370,000 is provided for teacher retraining scholarships and a teacher student loan forgiveness program, \$400,000 is provided for a technology occupations student loan program authorized in House Bill No. 1283, and \$135,000 is provided for a dentists' loan repayment program authorized in Senate Bill No. 2276.

**SECTION 11. TECHNOLOGY POOL.** The technology pool amount in subdivision 2 of section 1 must be used for the benefit of the institutions and entities in section 1 as determined by the state board of higher education. Technology funding allocations must be made based on historic funding, the North Dakota university system information technology plan, the statewide network plan, base funding for higher education computer network computer center operations, and base funding for interactive video network and on-line dakota information network operations.

**SECTION 12. EQUITY AND SPECIAL NEEDS POOL.** The equity and special needs pool in subdivision 2 of section 1 must be used for the benefit of the institutions and entities in subdivisions 3 through 15 of section 1 as determined by the state board of higher education. When making allocations from the equity and special needs pool, the state board of higher education shall allocate the funds to address equity and parity funding needs and to support new initiatives or program costs consistent with board and statewide needs."

Page 6, after line 6, insert:

**"SECTION 14. LEGISLATIVE INTENT - ENROLLMENT MANAGEMENT PLAN.** It is the intent of the legislative assembly that the state board of higher education establish a long-term enrollment management plan and procedures for implementation of the plan. The board shall report to the legislative council during the 2001-02 interim on the board's progress toward establishing a long-term enrollment management plan and related implementation procedures and provide the final report to the fifty-eighth legislative assembly.

**SECTION 15. LEGISLATIVE INTENT - ALTERNATIVE HEATING SOURCES.** It is the intent of the legislative assembly that institutions under the control of the state board of higher education explore the possible use of alternative heating sources, including the use of North Dakota coal.

**SECTION 16. LEGISLATIVE COUNCIL STUDY - BOARD OF HIGHER EDUCATION - CHANCELLOR.** The legislative council shall consider studying during the 2001-02 interim the role of the state board of higher education and the chancellor in the North Dakota university system, including the communications between individual campuses, the board, and the chancellor. The legislative council shall report its findings and recommendations, together with any legislation recommended, to the fifty-eighth legislative assembly."

Page 6, line 11, after the period insert "The legislative council shall report its findings and recommendations, together with any legislation recommended, to the fifty-eighth legislative assembly."

Page 6, replace lines 16 through 31 with:

"1. Education excellence, including:



- a. Student performance on nationally recognized exams in the student's major fields compared to the national averages.
  - b. First-time licensure pass rates compared to other states.
  - c. Alumni-reported and student-reported satisfaction with preparation in selected major, acquisition of specific skills, and technology knowledge and abilities.
  - d. Employer-reported satisfaction with preparation of recently hired graduates.
  - e. Faculty-reported and staff-reported satisfaction with the university system and local institution administration.
  - f. Ratio of faculty and staff to students.
  - g. Student graduation and retention rates.
2. Economic development, including:
    - a. Enrollment in entrepreneurship courses and the number of graduates of entrepreneurship programs.
    - b. Percentage of university system graduates obtaining employment appropriate to the graduates' education in the state.
    - c. Average salary of university system graduates employed in the state as a percentage of the national average.
    - d. Number of businesses and employees in the region receiving training.
    - e. Number of new jobs created in the state as a direct result of the efforts of a university system graduate.
3. Student access, including:
    - a. Proportion of residents of the state who are within a forty-five-minute drive of a location at which the residents can receive educational programs from a provider.
    - b. Number and proportion of enrollments in courses offered by nontraditional methods.
4. Student affordability, including:
    - a. Tuition and fees on a per student basis compared to the regional average.
    - b. Tuition and fees as a percentage of median North Dakota household income.
    - c. Cost per student in terms of general fund appropriations and total university system funding.
    - d. Administrative, instructional, and other cost per student.
    - e. Per capita general fund appropriations for higher education.
    - f. State general fund appropriation levels for university system institutions compared to peer institutions general fund appropriation levels.
5. Financial operations, including:
    - a. Percentage of total university system funding used for instruction, research, and public service.
    - b. Percentage of total university system funding used for institutional support, operations, and maintenance of physical plant.

- c. Ratio measuring the funding derived from operating and contributed income compared to total university system funding.
- d. Ratio measuring the size of the university system's outstanding maintenance as compared to its expendable net assets.
- e. Ratio measuring the amount of expendable net assets as compared to the amount of long-term debt.
- f. Research expenditures in proportion to the amount of revenue generated by research activity and funding received for research activity."

Page 7, remove lines 1 through 31

Page 8, remove lines 1 through 30

Page 9, remove lines 1 through 30

Page 10, remove lines 1 through 31

Page 11, remove lines 1 through 21

Page 11, line 24, replace "\$531,720" with "\$368,920" and replace "7" with "8"

Page 11, line 25, replace "renovation of" with "an addition to"

Page 11, line 26, replace "renovation" with "construction of an addition"

Page 11, line 27, replace "\$531,720" with "\$368,920"

Page 11, line 29, replace "renovation" with "addition"

Page 11, after line 29, insert:

**"SECTION 20. LEGISLATIVE INTENT - BISMARCK STATE COLLEGE - SCHAFER HALL RENOVATION.** It is the intent of the legislative assembly that funding of \$596,000 included in the capital assets line item in subdivision 3 of section 1 of this Act for renovation of Schafer hall be used only for renovation of classroom or student-related areas. No funds from any source may be used for renovation of administrative offices in Schafer hall.

**SECTION 21. AMENDMENT.** Section 15-10-08 of the North Dakota Century Code is amended and reenacted as follows:

**15-10-08. Compensation of board members - Expenses - Legislative appropriations.** Each member of the state board of higher education, except the student member, is entitled to receive as compensation two hundred fifty dollars per month, sixty-two dollars and fifty cents per day for each calendar day actually spent devoted to the duties of office, and necessary expenses in the same manner and amounts as other state officials for attending meetings and performing other functions of office. The faculty adviser is entitled to receive as compensation two hundred fifty dollars per month and necessary expenses in the same manner and amounts as other state officials for attending meetings and performing other functions of office. The legislative assembly shall provide adequate funds to carry out the functions and duties of the board."

Page 13, after line 2, insert:

**"SECTION 23. AMENDMENT.** Section 52-08-08 of the North Dakota Century Code is amended and reenacted as follows:

**52-08-08. Institution to serve work force needs.** Subject to ~~state board of higher education~~ department of commerce policies, the president of an institution of higher education that is assigned primary responsibility for work force training shall establish a division or other unit within the institution to serve the work force needs of business and industry and to serve as a broker in arranging the delivery of training.

**SECTION 24. AMENDMENT.** Section 52-08-09 of the North Dakota Century Code is amended and reenacted as follows:

**52-08-09. Work force training board - Formation.** Subject to ~~state board of higher education~~ department of commerce policies, the president of an institution of higher education that is assigned primary responsibility for work force training shall appoint a work force training board consisting of representatives from businesses, labor, and industries located within the institution's delivery area. The work force 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 25. 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~~ department of commerce policies, the president of an institution of higher education that is assigned primary responsibility for work force 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 work force training board. The work force training board shall approve the business plan and make recommendations for funding of the business plan to the ~~state board of higher education~~ department of commerce. The ~~state board of higher education~~ department of commerce may establish for each institution of higher education assigned primary responsibility for work force training a revolving loan fund for work force training program startups ~~using the borrowing authority provided in section 15-10-16.1.~~

**SECTION 26. AMENDMENT.** Section 52-08-11 of the North Dakota Century Code is amended and reenacted as follows:

**52-08-11. Performance measurements for work force training.** Subject to ~~state board of higher education~~ department of commerce policies, the president of an institution of higher education that is assigned primary responsibility for work force training shall develop, in consultation with the work force training board, performance measurements for work force training. The measurements must include requirements for being time sensitive and results oriented and must determine how well the training needs of business and industry are being met."

Page 14, line 16, after "section" insert "and the North Dakota university system shall report on the amounts and uses of funds carried over from one biennium to the next to subsequent appropriations committees of the legislative assembly"

Page 14, after line 27, insert:

"**SECTION 30. REPEAL.** Section 22 of chapter 37 of the 1999 Session Laws is repealed."

Page 14, line 28, replace "13, 14, 15, and 16" with "22, 27, 28, and 29"

Page 15, line 1, replace "section" with "sections" and after "1" insert "and 5"

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				
Total all funds	\$0	\$0	\$31,519,243	\$31,519,243
Less estimated income				
General fund	\$0	\$0	\$31,519,243	\$33,519,243
University System office				
Total all funds	\$77,765,508	\$78,121,417	(\$48,246,797)	\$29,874,620
Less estimated income	3,716,822	3,716,822		3,716,822
General fund	\$74,048,686	\$74,404,595	(\$48,246,797)	\$26,157,798
Bismarck State College				
Total all funds	\$15,017,975	\$15,017,975	\$1,209,218	\$16,227,193
Less estimated income				

General fund	\$15,017,975	\$15,017,975	\$1,209,218	\$16,227,193
Lake Region State College				
Total all funds	\$4,724,062	\$4,724,062	\$557,723	\$5,281,785
Less estimated income			<u>325,000</u>	<u>325,000</u>
General fund	<u>\$4,724,062</u>	<u>\$4,724,062</u>	\$232,723	\$4,956,785
Williston State College				
Total all funds	\$5,183,247	\$5,183,247	\$295,984	\$5,479,231
Less estimated income				
General fund	<u>\$5,183,247</u>	<u>\$5,183,247</u>	<u>\$295,984</u>	<u>\$5,479,231</u>
University of North Dakota				
Total all funds	\$95,008,583	\$95,008,583	\$4,165,429	\$99,174,012
Less estimated income	<u>11,210,000</u>	<u>11,210,000</u>		<u>11,210,000</u>
General fund	\$83,798,583	\$83,798,583	<u>\$4,165,429</u>	\$87,964,012
UND Medical School				
Total all funds	\$28,571,646	\$28,571,646	\$1,434,770	\$30,006,416
Less estimated income				
General fund	<u>\$28,571,646</u>	<u>\$28,571,646</u>	<u>\$1,434,770</u>	<u>\$30,006,416</u>
North Dakota State University				
Total all funds	\$87,013,261	\$86,462,441	\$3,406,306	\$89,868,747
Less estimated income	<u>21,750,820</u>	<u>21,200,000</u>		<u>21,200,000</u>
General fund	\$65,262,441	\$65,262,441	<u>\$3,406,306</u>	\$68,668,747
State College of Science				
Total all funds	\$26,776,628	\$26,693,348	\$1,206,174	\$27,899,522
Less estimated income	<u>1,000,000</u>	<u>916,720</u>		<u>916,720</u>
General fund	\$25,776,628	\$25,776,628	<u>\$1,206,174</u>	\$26,982,802
Dickinson State University				
Total all funds	\$13,454,794	\$13,454,794	\$4,685,339	\$18,140,133
Less estimated income			<u>4,000,000</u>	<u>4,000,000</u>
General fund	<u>\$13,454,794</u>	<u>\$13,454,794</u>	<u>\$685,339</u>	\$14,140,133
Mayville State University				
Total all funds	\$8,594,596	\$12,594,596	\$460,741	\$13,055,337
Less estimated income		<u>4,000,000</u>		<u>4,000,000</u>
General fund	<u>\$8,594,596</u>	<u>\$8,594,596</u>	<u>\$460,741</u>	<u>\$9,055,337</u>
Minot State University				
Total all funds	\$28,004,343	\$25,230,343	\$1,302,043	\$26,532,386
Less estimated income	<u>2,774,000</u>			
General fund	\$25,230,343	\$25,230,343	<u>\$1,302,043</u>	<u>\$26,532,386</u>
Valley City State University				
Total all funds	\$11,882,904	\$11,882,904	\$557,943	\$12,440,847
Less estimated income				
General fund	<u>\$11,882,904</u>	<u>\$11,882,904</u>	<u>\$557,943</u>	<u>\$12,440,847</u>
Minot State University - Bottineau				
Total all funds	\$4,083,153	\$4,083,153	\$202,087	\$4,285,240
Less estimated income				
General fund	<u>\$4,083,153</u>	<u>\$4,083,153</u>	<u>\$202,087</u>	<u>\$4,285,240</u>
Forest Service				
Total all funds	\$2,819,395	\$2,819,395	\$0	\$2,819,395
Less estimated income	<u>1,050,526</u>	<u>1,050,526</u>		<u>1,050,526</u>
General fund	\$1,768,869	\$1,768,869	<u>\$0</u>	\$1,768,869
Department of Commerce				
Total all funds	\$0	\$0	\$194,788	\$194,788
Less estimated income				
General fund	<u>\$0</u>	<u>\$0</u>	<u>\$194,788</u>	<u>\$194,788</u>
Bill Total				
Total all funds	\$408,900,095	\$409,847,904	\$2,950,991	\$412,798,895
Less estimated income	<u>41,502,168</u>	<u>42,094,068</u>	<u>4,325,000</u>	<u>46,419,068</u>
General fund	\$367,397,927	\$367,753,836	<u>(\$1,374,009)</u>	\$366,379,827

**Senate Bill No. 2003 - University System - General Fund Summary**

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
University System			\$31,519,243	\$31,519,243
University System office	\$74,048,686	\$74,404,595	(48,246,797)	26,157,798
Bismarck State College	15,017,975	15,017,975	1,209,218	16,227,193
Lake Region State College	4,724,062	4,724,062	232,723	4,956,785
Williston State College	5,183,247	5,183,247	295,984	5,479,231
University of North Dakota	83,798,583	83,798,583	4,165,429	87,964,012
UND Medical School	28,571,646	28,571,646	1,434,770	30,006,416
North Dakota State University	65,262,441	65,262,441	3,406,306	68,668,747
State College of Science	25,776,628	25,776,628	1,206,174	26,982,802
Dickinson State University	13,454,794	13,454,794	685,339	14,140,133
Mayville State University	8,594,596	8,594,596	460,741	9,055,337
Minot State University	25,230,343	25,230,343	1,302,043	26,532,386
Valley City State University	11,882,904	11,882,904	557,943	12,440,847
Minot State University - Bottineau	4,083,153	4,083,153	202,087	4,285,240
Forest Service	<u>1,768,869</u>	<u>1,768,869</u>		<u>1,768,869</u>
Total general fund	\$367,397,927	\$367,753,836	(\$1,568,797)	\$366,185,039

**Detail of House Changes to the General Fund**

REMOVE BLOCK GRANT FUNDING	PROVIDE FUNDING IN INDIVIDUAL LINE ITEMS	PROVIDE FUNDING FOR SYSTEM POOLS	ALLOCATE FUNDING FOR 3/2 SALARY INCREASE	ALLOCATE FUNDING FROM UNIVERSITY SYSTEM TO FUND CAMPUS ACTIVITIES 1	ALLOCATE FUNDING FOR BOARD MEMBER COMPENSATION 2
-------------------------------------	--	---	--	--	--

University System			\$47,324,184	(\$13,256,941)	(\$1,000,000)	(\$48,000)
University System office	(\$74,404,595)	\$27,080,411		98,184	(1,000,000)	48,000
Bismarck State College				613,218	596,000	
Lake Region State College				172,192	60,531	
Williston State College				228,545	67,439	
University of North Dakota				4,165,429		
UND Medical School				1,264,944	169,826	
North Dakota State University				3,406,306		
State College of Science				818,543	387,631	
Dickinson State University				549,386	135,953	
Mayville State University				276,459	184,282	
Minot State University				1,102,043	200,000	
Valley City State University				424,879	133,064	
Minot State University - Bottineau				136,813	65,274	
Forest Service						
<b>Total general fund</b>	<b>(\$74,404,595)</b>	<b>\$27,080,411</b>	<b>\$47,324,184</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

	REMOVE FUNDING FROM EQUITY AND SPECIAL NEEDS POOL 3	REMOVE FUNDING FROM TECHNOLOGY POOL 4	DECREASE FUNDING FOR BOARD INITIATIVES	PROVIDE ADDITIONAL FUNDING FOR EDUCATION INCENTIVE PROGRAMS 5	REMOVE .3 FTE AND RELATED FUNDING FROM SYSTEM OFFICE 6	REMOVE FUNDING FOR TECHNICAL ADMINISTRATION 7
University System	(\$200,000)	(\$1,300,000)				
University System office			(\$395,000)	\$595,000	(\$74,009)	(\$194,788)
Bismarck State College						
Lake Region State College						
Williston State College						
University of North Dakota						
UND Medical School						
North Dakota State University						
State College of Science						
Dickinson State University						
Mayville State University						
Minot State University						
Valley City State University						
Minot State University - Bottineau						
Forest Service						
<b>Total general fund</b>	<b>(\$200,000)</b>	<b>(\$1,300,000)</b>	<b>(\$395,000)</b>	<b>\$595,000</b>	<b>(\$74,009)</b>	<b>(\$194,788)</b>

	PROVIDE FUNDING FOR CAPITAL CONSTRUCTION PROJECTS 8	TOTAL GENERAL FUND CHANGES
University System		\$31,519,243
University System office		(48,246,797)
Bismarck State College		1,209,218
Lake Region State College		232,723
Williston State College		295,984
University of North Dakota		4,165,429
UND Medical School		1,434,770
North Dakota State University		3,406,306
State College of Science		1,206,174
Dickinson State University		685,339
Mayville State University		460,741
Minot State University		1,302,043
Valley City State University		557,943
Minot State University - Bottineau		202,087
Forest Service		
<b>Total general fund</b>	<b>\$0</b>	<b>(\$1,568,797)</b>

**Senate Bill No. 2003 - University System - Other Funds Summary**

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
University System				
University System office	\$3,716,822	\$3,716,822		\$3,716,822
Bismarck State College				
Lake Region State College			\$325,000	325,000
Williston State College				
University of North Dakota	11,210,000	11,210,000		11,210,000
UND Medical School				
North Dakota State University	21,750,820	21,200,000		21,200,000
State College of Science	1,000,000	916,720		916,720
Dickinson State University			4,000,000	4,000,000
Mayville State University		4,000,000		4,000,000
Minot State University	2,774,000			
Valley City State University				
Minot State University - Bottineau				
Forest Service	<u>1,050,526</u>	<u>1,050,526</u>		<u>1,050,526</u>
<b>Total other funds</b>	<b>\$41,502,168</b>	<b>\$42,094,068</b>	<b>\$4,325,000</b>	<b>\$46,419,068</b>

**Detail of House Changes to Other Funds**

	REMOVE BLOCK GRANT FUNDING	PROVIDE FUNDING IN INDIVIDUAL LINE ITEMS	PROVIDE FUNDING FOR SYSTEM POOLS	ALLOCATE FUNDING FOR 3/2 SALARY INCREASE	ALLOCATE FUNDING FROM UNIVERSITY SYSTEM TO FUND CAMPUS ACTIVITIES 1	ALLOCATE FUNDING FOR BOARD MEMBER COMPENSATION 2
--	----------------------------	--	----------------------------------	--	---	--

University System						
University System office	(\$3,716,822)	\$3,716,822				
Bismarck State College						
Lake Region State College						
Williston State College						
University of North Dakota						
UND Medical School						
North Dakota State University						
State College of Science						
Dickinson State University						
Mayville State University						
Minot State University						
Valley City State University						
Minot State University - Bottineau						
Forest Service						
Total other funds	(\$3,716,822)	\$3,716,822	\$0	\$0	\$0	\$0

REMOVE FUNDING FROM EQUITY AND SPECIAL NEEDS POOL 3	REMOVE FUNDING FROM TECHNOLOGY POOL 4	DECREASE FUNDING FOR BOARD INITIATIVES	PROVIDE ADDITIONAL FUNDING FOR EDUCATION INCENTIVE PROGRAMS 5	REMOVE .3 FTE AND RELATED FUNDING FROM SYSTEM OFFICE 6	REMOVE FUNDING FOR TECHNICAL ADMINISTRATION 7
---	---------------------------------------	--	---	--	---

University System					
University System Office					
Bismarck State College					
Lake Region State College					
Williston State College					
University of North Dakota					
UND Medical School					
North Dakota State University					
State College of Science					
Dickinson State University					
Mayville State University					
Minot State University					
Valley City State University					
Minot State University - Bottineau					
Forest Service					
Total other funds	\$0	\$0	\$0	\$0	\$0

PROVIDE FUNDING FOR CAPITAL CONSTRUCTION PROJECTS 8	TOTAL OTHER FUNDS CHANGES
---	---------------------------

University System		
University System Office		
Bismarck State College		
Lake Region State College	\$325,000	\$325,000
Williston State College		
University of North Dakota		
UND Medical School		
North Dakota State University		
State College of Science		
Dickinson State University	4,000,000	4,000,000
Mayville State University		
Minot State University		
Valley City State University		
Minot State University - Bottineau		
Forest Service		
Total other funds	\$4,325,000	\$4,325,000

**Senate Bill No. 2003 - University System - All Funds Summary**

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
University System			\$31,519,243	\$31,519,243
University System office	\$77,765,508	\$78,121,417	(48,246,797)	29,874,620
Bismarck State College	15,017,975	15,017,975	1,209,218	16,227,193
Lake Region State College	4,724,062	4,724,062	557,723	5,281,785
Williston State College	5,183,247	5,183,247	295,984	5,479,231
University of North Dakota	95,008,583	95,008,583	4,165,429	99,174,012
UND Medical School	28,571,646	28,571,646	1,434,770	30,006,416
North Dakota State University	87,013,261	86,462,441	3,406,306	89,868,747
State College of Science	26,776,628	26,693,348	1,206,174	27,899,522
Dickinson State University	13,454,794	13,454,794	4,685,339	18,140,133
Mayville State University	8,594,596	12,594,596	460,741	13,055,337
Minot State University	28,004,343	25,230,343	1,302,043	26,532,386
Valley City State University	11,882,904	11,882,904	557,943	12,440,847
Minot State University - Bottineau	4,083,153	4,083,153	202,087	4,285,240
Forest Service	<u>2,819,395</u>	<u>2,819,395</u>		<u>2,819,395</u>
Total all funds	\$408,900,095	\$409,847,904	\$2,756,203	\$412,604,107
FTE	3,087.39	3,087.39	(1.00)	3,086.39

**Detail of House Changes to All Funds**

REMOVE BLOCK GRANT	PROVIDE FUNDING IN INDIVIDUAL LINE	PROVIDE FUNDING FOR SYSTEM	ALLOCATE FUNDING FOR 3/2 SALARY	ALLOCATE FUNDING FROM UNIVERSITY SYSTEM TO FUND CAMPUS	ALLOCATE FUNDING FOR BOARD MEMBER
--------------------	------------------------------------	----------------------------	---------------------------------	--	-----------------------------------

	FUNDING	ITEMS	POOLS	INCREASE	ACTIVITIES 1	COMPENSATION 2
University System			\$47,324,184	(\$13,256,941)	(\$1,000,000)	(\$48,000)
University System office	(\$78,121,417)	\$30,797,233		98,184	(1,000,000)	48,000
Bismarck State College				613,218	596,000	
Lake Region State College				172,192	60,531	
Williston State College				228,545	67,439	
University of North Dakota				4,165,429		
UND Medical School				1,264,944	169,826	
North Dakota State University				3,406,306		
State College of Science				818,543	387,631	
Dickinson State University				549,386	135,953	
Mayville State University				276,459	184,282	
Minot State University				1,102,043	200,000	
Valley City State University				424,879	133,064	
Minot State University - Bottineau				136,813	65,274	
Forest Service						
<b>Total all funds</b>	<b>(\$78,121,417)</b>	<b>\$30,797,233</b>	<b>\$47,324,184</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	REMOVE FUNDING FROM EQUITY AND SPECIAL NEEDS POOL 3	REMOVE FUNDING FROM TECHNOLOGY POOL 4	DECREASE FUNDING FOR BOARD INITIATIVES	PROVIDE ADDITIONAL FUNDING FOR EDUCATION INCENTIVE PROGRAMS 5	REMOVE .3 FTE AND RELATED FUNDING FROM SYSTEM OFFICE 6	REMOVE FUNDING FOR TECHNICAL ADMINISTRATION 7
University System	(\$200,000)	(\$1,300,000)				
University System office			(\$395,000)	\$595,000	(\$74,009)	(\$194,788)
Bismarck State College						
Lake Region State College						
Williston State College						
University of North Dakota						
UND Medical School						
North Dakota State University						
State College of Science						
Dickinson State University						
Mayville State University						
Minot State University						
Valley City State University						
Minot State University - Bottineau						
Forest Service						
<b>Total all funds</b>	<b>(\$200,000)</b>	<b>(\$1,300,000)</b>	<b>(\$395,000)</b>	<b>\$595,000</b>	<b>(\$74,009)</b>	<b>(\$194,788)</b>
FTE	0.00	0.00	0.00	0.00	(.30)	(0.70)

	PROVIDE FUNDING FOR CAPITAL CONSTRUCTION PROJECTS 8	TOTAL ALL FUNDS CHANGES
University System		\$31,519,243
University System office		(48,246,797)
Bismarck State College		1,209,218
Lake Region State College	\$325,000	557,723
Williston State College		295,984
University of North Dakota		4,165,429
UND Medical School		1,434,770
North Dakota State University		3,406,306
State College of Science		1,206,174
Dickinson State University	4,000,000	4,685,339
Mayville State University		460,741
Minot State University		1,302,043
Valley City State University		557,943
Minot State University - Bottineau		202,087
Forest Service		
<b>Total all funds</b>	<b>\$4,325,000</b>	<b>\$2,756,203</b>
FTE	0.00	(1.00)

1 This amendment allocates funds from the campus parity and equity funding and innovation initiative funding in the equity and special needs pool of \$1 million and board initiatives funding of \$1 million to campuses for various activities. The following provides information regarding the allocations to the campuses:

Bismarck State College - Renovation of Schafer Hall	\$596,000
Lake Region State College - Costs to continue	60,531
Williston State College - Technology initiative	67,439
State College of Science - Costs to continue	387,631
Dickinson State University - Institutional innovation	135,953
Mayville State University - Costs to continue	184,282
Minot State University - Extraordinary repairs	200,000
Valley City State University - Costs to continue	133,064
Minot State University - Bottineau - Costs to continue	65,274
UND Medical School - Technology initiative	169,826
<b>Total</b>	<b>\$2,000,000</b>

- 2 This amendment allocates funding from the general fund of \$48,000 from the salary equity funding provided in the equity and special needs pool to the University System office to provide State Board of Higher Education members including those appointed by the Governor and the faculty representative a monthly compensation of \$250, in addition to a per diem of \$62.50 per day.
- 3 This amendment reduces funding from the general fund provided for campus parity and equity and innovation initiative funding in the equity and special needs pool by \$200,000.
- 4 This amendment removes funding from the general fund of \$935,100 for on-line course management and \$364,900 for costs associated with connecting IVN to all state agencies from the University System technology pool.
- 5 This amendment provides funding of \$595,000 from the general fund for incentives to encourage additional doctoral graduates in North Dakota (\$60,000), a technology occupations student loan program authorized in House Bill No. 1283 (\$400,000), and a dentists' loan repayment program authorized in Senate Bill No. 2276 (\$135,000).
- 6 This amendment removes .3 on a full-time equivalent position in the North Dakota University System office related to the .7 of a full-time equivalent position in the technical administration area.
- 7 This amendment removes funding of \$194,788 from the general fund and .7 of a full-time equivalent position relating to technical administration and the College Technical Education Council.
- 8 **Lake Region State College** - This amendment provides a special funds appropriation of \$325,000 for renovation of the main building front entrance at Lake Region State College.
- Dickinson State University** - This amendment provides a special funds appropriation of \$4 million for renovation and an addition to Whitney Stadium at Dickinson State University.

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

This amendment also:

- Adds a section which provides a general fund appropriation to the University of North Dakota of \$269,676 for the 1999-2001 biennium for 1997 flood expenditures.
- Adds a section of legislative intent that provides that the State Board of Higher Education may adjust or increase full-time equivalent positions as needed for institutions.
- Adds a section providing for the following allocation of the funding for education incentive programs: \$60,000 for incentives to encourage additional doctoral graduates in North Dakota, \$370,000 for teacher retraining scholarships and a teacher student loan forgiveness program, \$400,000 for a technology occupations student loan program authorized in House Bill No. 1283, and \$135,000 for a dentists' loan repayment program authorized in Senate Bill No. 2276.
- Adds a section providing for the allocation of student financial assistance grant funds.
- Adds a section of legislative intent requiring the State Board of Higher Education to establish a long-term enrollment management plan and procedures for implementation of the plan and to provide progress reports to the Legislative Council during the 2001-02 interim and a final report to the 2003 Legislative Assembly.
- Adds a section of legislative intent encouraging institutions of higher education to explore the use of alternative heating sources.
- Adds a section that provides for a legislative council study of the role of the State Board of Higher Education and the chancellor in the University System.
- Amends Section 11 of the engrossed bill to revise accountability measures to be reported on by the North Dakota University System.
- Amends Section 12 of the engrossed bill to reduce the amount from \$531,720 to \$368,920 to allow the State College of Science to proceed with replacement of the Blikre Activities Center floor which the college has funding on hand. The section would continue to require the State College of Science to not proceed with the addition to the Blikre Activities Center at an estimated cost of \$368,920 until all funds have been collected.
- Adds a section of legislative intent that provides that Bismarck State College may use funding of \$596,000 for renovation of Schafer Hall for classroom renovation only, and no funds from any source may be used for renovation of administrative offices in Schafer Hall.
- Adds sections amending North Dakota Century Code Sections 15-10-08, 52-08-08, 52-08-09, 52-08-10, and 52-08-11 relating to the compensation for members of the State Board of Higher Education and workforce training.



- Adds a section repealing Section 22 of Chapter 37 of the 1999 Session Laws relating to the University of North Dakota winter sports facility maintenance fund.

The following is a summary of the House general fund changes to the Senate version and the Hoeven executive budget recommendations for higher education:

	SCHAFFER EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION	HOEVEN EXECUTIVE BUDGET	INCREASE (DECREASE) TO HOEVEN BUDGET
University System			\$31,519,243	\$31,519,243		\$31,519,243
University System office	\$74,048,686	\$74,404,595	(48,246,797)	26,157,798	\$75,407,586	(49,249,788)
Subtotal - University System	\$74,048,686	\$74,404,595	(\$16,727,554)	\$57,677,041	\$75,407,586	(\$17,730,545)
Bismarck State College	\$15,017,975	\$15,017,975	\$1,209,218	\$16,227,193	\$15,017,975	\$1,209,218
Lake Region State College	4,724,062	4,724,062	232,723	4,956,785	4,724,062	232,723
Williston State College	5,183,247	5,183,247	295,984	5,479,231	5,183,247	295,984
University of North Dakota	83,798,583	83,798,583	4,165,429	87,964,012	83,798,583	4,165,429
UND Medical School	28,571,646	28,571,646	1,434,770	30,006,416	28,571,646	1,434,770
North Dakota State University	65,262,441	65,262,441	3,406,306	68,668,747	65,262,441	3,406,306
State College of Science	25,776,628	25,776,628	1,206,174	26,982,802	25,776,628	1,206,174
Dickinson State University	13,454,794	13,454,794	685,339	14,140,133	13,454,794	685,339
Mayville State University	8,594,596	8,594,596	460,741	9,055,337	8,594,596	460,741
Minot State University	25,230,343	25,230,343	1,302,043	26,532,386	25,405,343	1,127,043
Valley City State University	11,882,904	11,882,904	557,943	12,440,847	11,882,904	557,943
Minot State University - Bottineau	4,083,153	4,083,153	202,087	4,285,240	4,083,153	202,087
Forest Service	1,768,869	1,768,869		1,768,869	1,768,869	
Total	\$367,397,927	\$367,753,836	(\$1,568,797)	\$366,185,039	\$368,931,827	(\$2,746,788)

The following provides a comparison of the general fund and special funds appropriated for higher education in Engrossed Senate Bill No. 2003 to this proposed amendment:

	ENGROSSED SENATE BILL NO. 2003	PROPOSED AMENDMENT TO ENGROSSED SENATE BILL NO. 2003	DIFFERENCE
General fund	\$367,753,836	\$366,185,039	(\$1,568,797)
Special funds	42,094,068	46,419,068	4,325,000
Total	\$409,847,904	\$412,604,107	\$2,756,203

#### Senate Bill No. 2003 - Dept. 605 - Department of Commerce - House Action

This amendment provides a general fund appropriation of \$194,788 and .7 of a full-time equivalent position to the Department of Commerce for the College Technical Education Council.

#### SECOND READING OF SENATE BILL

**SB 2003:** A BILL for an Act to provide an appropriation for defraying the expenses of the North Dakota university system; to provide an appropriation to the department of commerce; to provide for legislative council studies; to provide statements of legislative intent; to amend and reenact sections 15-10-08, 15-10-12, 52-08-08, 52-08-09, 52-08-10, 52-08-11, 54-44.1-04, subsection 7 of section 54-44.1-06, and section 54-44.1-11 of the North Dakota Century Code, relating to compensation for members of the board of higher education, higher education institutions' special revenue funds, workforce training, budget requests and block grant appropriations, and unexpended appropriations; to repeal section 22 of chapter 37 of the 1999 Session Laws relating to the university of North Dakota winter sports facility maintenance fund; to provide an expiration date; 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 74 YEAS, 20 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Berg; Boucher; Brekke; Brusegaard; Carlisle; Clark; Cleary; Delmore; Devlin; Disrud; Dosch; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Grosz; Grumbo; Gullerson; Gunter; Hanson; Hawken; Herbel; Huether; Hunskor; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemm; Kliniske; Koppelman; Kretschmar; Kroeber; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Price; Rennerfeldt; Sandvig; Schmidt; Severson; Solberg; Svedjan; Thoreson, B.; Thoreson, L.; Tieman; Timm; Wald; Warner; Weiler; Wentz; Wikenheiser; Winrich; Speaker Bernstein

**NAYS:** Bellew; Boehm; Brandenburg; Byerly; Carlson; DeKrey; Delzer; Drovdal; Glassheim; Grande; Haas; Kasper; Lemieux; Lloyd; Pollert; Porter; Ruby; Skarphol; Weisz; Wrangham

**ABSENT AND NOT VOTING:** Kempenich; Koppang; Renner; Thorpe

Engrossed SB 2003 passed, the title was agreed to, and the emergency clause was declared carried.

\*\*\*\*\*

**REPORT OF STANDING COMMITTEE**

**SB 2067: Finance and Taxation Committee (Rep. Carlson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2067 was placed on the Sixth order on the calendar.

Page 1, line 1, after "Act" insert "to create and enact a new section to chapter 57-40.6 of the North Dakota Century Code, relating to the study of coordination of public safety answering points coverage;"

Page 1, line 3, replace "an excise tax" with "a fee"

Page 1, line 4, replace "tax" with "fee"

Page 3, line 1, overstrike "**excise tax**" and insert immediately thereafter "fee"

Page 3, line 3, overstrike "an excise tax" and insert immediately thereafter "a fee"

Page 3, line 6, overstrike "excise tax" and insert immediately thereafter "fee"

Page 3, line 7, overstrike "tax" and insert immediately thereafter "fee"

Page 3, line 9, overstrike "excise tax" and insert immediately thereafter "fee"

Page 3, line 10, overstrike "excise tax" and insert immediately thereafter "fee"

Page 3, line 11, overstrike the first "tax" and insert immediately thereafter "fee" and overstrike the second "tax" and insert immediately thereafter "fee"

Page 3, line 13, overstrike "excise tax" and insert immediately thereafter "fee"

Page 3, line 15, overstrike "tax" and insert immediately thereafter "fee"

Page 3, line 16, overstrike "excise tax" and insert immediately thereafter "fee"

Page 3, line 19, overstrike "excise tax" and insert immediately thereafter "fee" and overstrike the second "tax" and insert immediately thereafter "fee"

Page 3, line 21, overstrike "tax" and insert immediately thereafter "fee"

Page 3, line 22, overstrike "tax" and insert immediately thereafter "fee"

Page 3, line 24, overstrike "tax" and insert immediately thereafter "fee"

Page 3, line 27, overstrike "tax" and insert immediately thereafter "fee"

Page 3, line 28, overstrike "tax" and insert immediately thereafter "fee"

Page 3, line 30, overstrike "excise tax" and insert immediately thereafter "fee"

Page 4, line 3, overstrike "tax" and insert immediately thereafter "fee"

Page 4, line 7, overstrike "tax" and insert immediately thereafter "fee"

Page 4, line 12, overstrike "tax" and insert immediately thereafter "fee"

Page 4, line 13, overstrike "tax" and insert immediately thereafter "fee"

Page 4, line 14, overstrike "tax" and insert immediately thereafter "fee"

Page 4, line 15, replace "Effective August 1, 2001, any excise tax imposed under this section, including a" with "A fee"

Page 4, line 16, remove "tax", after "imposed" insert "under this section", and replace "applies to all telephone exchange access" with "may be extended"

Page 4, line 17, remove "service and"

Page 4, line 18, replace "tax" with "fee" and after "imposed" insert "only if that extension of the fee has been approved by a majority vote of the governing body of the city or county upon at least thirty days' prior notice in the official newspaper of the city or county that the governing body will consider the issue or by majority vote of the electors of the city or county voting on the question upon placement of the question on the ballot by the governing body of the city or county at a regular or special city or county election"

Page 4, line 21, overstrike "**tax**" and insert immediately thereafter "fee"

Page 4, line 22, overstrike "tax" and insert immediately thereafter "fee"

Page 4, line 24, overstrike "tax" and insert immediately thereafter "fee"

Page 4, line 26, overstrike "tax" and insert immediately thereafter "fee"

Page 5, line 3, overstrike "**Tax**" and insert immediately thereafter "Fee"

Page 5, line 4, overstrike "tax" and insert immediately thereafter "fee"

Page 5, line 6, overstrike "tax" and insert immediately thereafter "fee"

Page 5, line 7, replace "tax" with "fee"

Page 5, line 8, overstrike "tax" and insert immediately thereafter "fee"

Page 5, line 12, overstrike "**tax**" and insert immediately thereafter "fee"

Page 5, line 13, overstrike "tax" and insert immediately thereafter "fee"

Page 5, line 16, replace "Revenues from the excise tax on wireless service authorized by section" with "Within twenty-four months after the extension of the fee to wireless access lines under subsection 6 of section 57-40.6-02, the governing body shall request enhanced 911 service from all wireless carriers providing service as of that date within the governing body's jurisdiction."

Page 5, remove lines 17 through 20

Page 5, line 21, replace "excise tax" with "fee"

Page 5, line 27, after "with" insert "each"

Page 5, line 28, replace "providers" with "provider" and replace "their" with "only that provider's"

Page 5, line 29, replace "and reimburse the" with ". A governing body may not reimburse a wireless service provider for tower construction or for the extension of a wireless service provider's infrastructure which is not directly related to providing wireless enhanced 911 service."

Page 5, remove line 30

Page 6, remove lines 1 through 16

Page 6, line 17, replace "6" with "4"

Page 6, after line 20, insert:

"5. The governing body or its designee shall keep records to show expenditures for wireless service providers separately from expenditures for telephone exchange access service providers."

Page 7, after line 23, insert:

"**SECTION 9.** A new section to chapter 57-40.6 of the North Dakota Century Code is created and enacted as follows:

Reports of coordination of public safety answering points coverage. The governing body of a city or county, which adopted a fee on telephone exchange access service and wireless service under this chapter, shall make an annual report of the income, expenditures, and status of its emergency services communication system. The annual report must be submitted to the state radio division and to the public safety answering points coordinating committee. The committee is composed of three members, one appointed by the North Dakota 911 association, one appointed by the North Dakota association of counties, and one appointed by the office of management and budget to represent the state radio division. The public safety answering points coordinating committee shall file its report with the legislative council by November first of each even-numbered year."

Renumber accordingly

#### SECOND READING OF SENATE BILL

**SB 2067:** A BILL for an Act to create and enact section 57-40.6-05.1 of the North Dakota Century Code, relating to coordination of public safety answering points in the state; to amend and reenact sections 57-40.6-01, 57-40.6-02, 57-40.6-03, 57-40.6-03.1, 57-40.6-04, 57-40.6-06, and 57-40.6-08 of the North Dakota Century Code, relating to a fee on telephone exchange access service and application of that fee to wireless service for support of wireless enhanced 911 service; 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 80 YEAS, 14 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Berg; Boucher; Brandenburg; Brekke; Carlisle; Carlson; Clark; Cleary; DeKrey; Delmore; Devlin; Disrud; Dosch; Drovdal; Eckre; Ekstrom; Fairfield; Froelich; Froseth; Galvin; Glassheim; Grande; Grumbo; Guleson; Gunter; Haas; Hanson; Hawken; Herbel; Huether; Hunskor; Jensen; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Kliniske; Koppelman; Kretschmar; Kroeber; Lemieux; Mahoney; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Rennerfeldt; Sandvig; Schmidt; Severson; Solberg; Svedjan; Thoreson, B.; Thoreson, L.; Tieman; Wald; Warner; Weiler; Weisz; Wentz; Wikenheiser; Winrich

**NAYS:** Bellew; Belter; Boehm; Brusegaard; Byerly; Delzer; Grosz; Kasper; Lloyd; Ruby; Skarphol; Timm; Wrangham; Speaker Bernstein

**ABSENT AND NOT VOTING:** Kempenich; Koppang; Renner; Thorpe

Engrossed SB 2067 passed and the title was agreed to.

\*\*\*\*\*

#### MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)

**MR. PRESIDENT:** The Speaker has signed: SB 2034, SB 2082, SB 2118, SB 2201, SB 2265, SB 2365, SCR 4048, SCR 4049.

#### SIGNING OF BILLS AND RESOLUTIONS

The Speaker signed the following enrolled bills and resolutions: SB 2034, SB 2082, SB 2118, SB 2201, SB 2265, SB 2365, SCR 4048, SCR 4049.

#### MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)

**MR. PRESIDENT:** The Speaker has signed and your signature is respectfully requested on: HB 1010, HB 1019, HB 1026, HB 1109, HB 1208, HB 1249, HB 1273, HB 1349, HB 1472.

#### SIGNING OF BILLS AND RESOLUTIONS

The Speaker signed the following enrolled bills: HB 1010, HB 1019, HB 1026, HB 1109, HB 1208, HB 1249, HB 1273, HB 1349, HB 1472.

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

**MR. SPEAKER:** The President has signed and your signature is respectfully requested on: SB 2033, SB 2095, SB 2098, SB 2191, SB 2204, SB 2222, SB 2345, SB 2389, SB 2415, SB 2454, SCR 4020.

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

**MR. SPEAKER:** The President has signed: HB 1008, HB 1010, HB 1019, HB 1026, HB 1109, HB 1160, HB 1162, HB 1202, HB 1208, HB 1249, HB 1273, HB 1349, HB 1400, HB 1472.

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

**MR. SPEAKER:** The Senate does not concur in the House amendments to SB 2285 and SB 2380 and the President has appointed as a conference committee to act with a like committee from the House on:

**SB 2285:** Sens. Fischer; Traynor; Every

**SB 2380:** Sens. Lee; Fischer; T. Mathern

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

**MR. SPEAKER:** The Senate has concurred in the House amendments and subsequently passed: SB 2397.

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

**MR. SPEAKER:** The Senate does not concur in the House amendments to SB 2043 and the President has appointed as a conference committee to act with a like committee from the House on:

**SB 2043:** Sens. Krebsbach; Wardner; C. Nelson

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

**MR. SPEAKER:** The President has appointed Sen. Solberg to replace Sen. Kilzer on the Conference Committee on HB 1441.

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

**MR. SPEAKER:** The Senate has adopted the conference committee reports and subsequently passed: SB 2427 and SB 2455.

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

**MR. SPEAKER:** The Senate has adopted the conference committee reports and subsequently passed: HB 1189 and HB 1261.

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

**MR. SPEAKER:** The Senate has amended and subsequently passed: HB 1045, HB 1413.

**SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1045**

Page 1, line 5, remove "15-38.1,"

Page 14, line 20, replace "No cause of action for libel or slander may be brought" with "An individual who acts without malice is not subject to civil liability for libel or slander"

Page 16, line 15, replace "No cause of action for libel or slander may be brought" with "An individual who acts without malice is not subject to civil liability for libel or slander"

Page 18, line 24, replace "No cause of action for libel or slander may be brought" with "An individual who acts without malice is not subject to civil liability for libel or slander"

Page 20, line 18, replace "No cause of action for libel or slander may be brought" with "An individual who acts without malice is not subject to civil liability for libel or slander"

Page 22, line 28, replace "No cause of action for libel or slander may be brought" with "An individual who acts without malice is not subject to civil liability for libel or slander"

Page 24, line 24, replace "No cause of action for libel or slander may be brought" with "An individual who acts without malice is not subject to civil liability for libel or slander"

Page 30, line 6, replace "No cause of action for libel or slander may be brought" with "An individual who acts without malice is not subject to civil liability for libel or slander"

Page 31, line 26, replace "No cause of action for libel or slander may be brought" with "An individual who acts without malice is not subject to civil liability for libel or slander"

Page 33, remove lines 6 through 31

Page 34, remove lines 1 through 31

Page 35, remove lines 1 through 31

Page 36, remove lines 1 through 31

Page 37, remove lines 1 through 31

Page 38, remove lines 1 through 31

Page 39, remove lines 1 through 8

Page 50, line 30, after the second "a" insert "basic"

Page 118, line 21, remove "15-38.1,"

Renumber accordingly

**SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1413**

Page 4, line 12, overstrike "in any taxable" and insert immediately thereafter "through calendar"

Page 4, line 13, after "year" insert "2002 is limited to one million dollars, through calendar year 2003", after "is" insert "limited to", and after "dollars" insert ", and after calendar year 2003 is limited to five million dollars"

Renumber accordingly

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

**MR. SPEAKER:** The Senate has passed and your favorable consideration is requested on: SCR 4050.

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

**MR. SPEAKER:** The Senate has adopted the conference committee reports and subsequently passed: SB 2177, SB 2181, SB 2251, SB 2308, and SB 2328.

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

**MR. SPEAKER:** The Senate has not adopted the conference committee report SB 2086 and the President has appointed as a new conference committee to act with a like committee from the House on:

**SB 2086:** Sens. Freborg; Cook; O'Connell

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

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

**HB 1004:** Sens. Kringstad; Schobinger; Tallackson

**HB 1005:** Sens. Grindberg; Andrist; Lindaas

**MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)**

**MR. PRESIDENT:** The House has passed unchanged: SB 2282.

**MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)**

**MR. PRESIDENT:** The House has amended, subsequently passed, and the emergency clause carried: SB 2003.

**MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)**

**MR. PRESIDENT:** The House has amended and subsequently passed: SB 2067.

**MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)**

**MR. PRESIDENT:** The House has adopted the conference committee reports on SB 2177, SB 2251, and SB 2328.

**MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)**

**MR. PRESIDENT:** The House has adopted the conference committee report and subsequently passed: SB 2181.

**MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)**

**MR. PRESIDENT:** The House has not adopted the conference committee report on SB 2308 and the Speaker has appointed as a new conference committee to act with a like committee from the Senate on:

**SB 2308:** Reps. Devlin; F. Klein; Cleary

**MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)**

**MR. PRESIDENT:** The House has adopted the conference committee reports and subsequently passed: HB 1066 and HB 1197.

**MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)**

**MR. PRESIDENT:** The House does not concur in the Senate amendments to HB 1196 and HB 1399 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

**HB 1196:** Reps. Devlin; Delzer; Metcalf

**HB 1399:** Reps. Carlson; Grosz; Schmidt

**MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)**

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

**SB 2088:** Reps. Weisz; Price; Mahoney

**SB 2104:** Reps. Pietsch; D. Johnson; Mueller

**SB 2124:** Reps. Porter; Galvin; Niemeier

**SB 2239:** Reps. Kliniske; Porter; Cleary

**SB 2276:** Reps. Devlin; Delzer; Cleary

**DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following bills were delivered to the Governor for approval on April 10, 2001: HB 1002, HB 1011, HB 1014, HB 1016, HB 1017, HB 1018, HB 1021, HB 1065, HB 1115, HB 1182, HB 1210, HB 1215, HB 1226, HB 1233, HB 1251, HB 1318, HB 1358, HB 1363, HB 1371, HB 1377, HB 1398, HB 1426, HB 1456, HB 1467.

**REPORT OF CONFERENCE COMMITTEE**

**HB 1023, as engrossed:** Your conference committee (Sens. Nething, Holmberg, Robinson and Reps. Wald, Monson, Aarsvold) recommends that the **HOUSE ACCEDE** to the Senate amendments on HJ page 1319 and place HB 1023 on the Seventh order.

Engrossed HB 1023 was placed on the Seventh order of business on the calendar.

**REPORT OF CONFERENCE COMMITTEE**

**HB 1386, as engrossed:** Your conference committee (Sens. Cook, Flakoll, D. Mathern and Reps. Disrud, Froseth, Ekstrom) recommends that the **HOUSE ACCEDE** to the Senate amendments on HJ pages 1227-1228 and place HB 1386 on the Seventh order.

Engrossed HB 1386 was placed on the Seventh order of business on the calendar.

**REPORT OF CONFERENCE COMMITTEE**

**HB 1416, as engrossed:** Your conference committee (Sens. Watne, Lyson, Traynor and Reps. Kretschmar, Grande, Mahoney) recommends that the **SENATE RECEDE** from the Senate amendments on HJ pages 910-911, adopt further amendments as follows, and place HB 1416 on the Seventh order:

That the Senate recede from its amendments as printed on page 1100 of the House Journal and pages 910 and 911 of the Senate Journal and that Engrossed House Bill No. 1416 be amended as follows:

Page 1, line 2, after "chance" insert "; to provide an effective date; and to declare an emergency"

Page 1, after line 14, insert:

"c. If an organization's total actual expenses exceed the allowable expenses provided by this subsection, the organization may also deduct the expenses up to two additional percent of the first two hundred thousand dollars of adjusted gross proceeds per quarter.

**SECTION 2. EFFECTIVE DATE.** This Act becomes effective on July 1, 2001.

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

Renumber accordingly

Engrossed HB 1416 was placed on the Seventh order of business on the calendar.

**REPORT OF CONFERENCE COMMITTEE**

**HB 1455, as engrossed:** Your conference committee (Sens. Trenbeath, Traynor, Watne and Reps. DeKrey, Devlin, Eckre) recommends that the **SENATE RECEDE** from the Senate amendments on HJ pages 1099-1100, adopt further amendments as follows, and place HB 1455 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1099 and 1100 of the House Journal and page 911 of the Senate Journal and that Engrossed House Bill No. 1455 be amended as follows:

Page 1, line 2, remove "subsection 1 of section 28-34-01," and remove the second "section"

Page 1, line 4, remove "and appeals from decisions of local"

Page 1, line 5, remove "governing bodies"

Page 1, line 15, remove ", and the provisions of subsection 5 do not apply"

Page 4, line 12, remove "notice of appeal may include a request for de novo review by the district court. If"

Page 4, line 13, remove "there is no request for de novo review, a"

Page 4, after line 27, insert:

"7. The findings of fact made by the agency do not sufficiently address the evidence presented to the agency by the appellant.

8. The conclusions of law and order of the agency do not sufficiently explain the agency's rationale for not adopting any contrary recommendations by a hearing officer or an administrative law judge."

Page 4, remove lines 30 and 31

Page 5, remove lines 1 through 5

Page 5, line 31, overstrike "An agency may request"

Page 6, overstrike lines 1 and 2

Page 6, remove lines 3 through 18

Page 6, line 19, replace "4" with "3"

Page 6, line 22, replace "5" with "4"

Page 7, line 1, replace "6" with "5"

Page 7, line 5, replace "7" with "6"

Renumber accordingly

Engrossed HB 1455 was placed on the Seventh order of business on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2041, as engrossed: Appropriations Committee (Rep. Timm, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (16 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2041 was placed on the Sixth order on the calendar.

Page 1, line 20, remove ", including recommendations known as higher education"



Page 1, line 21, remove "roundtable recommendations accepted by the legislative council in 2000"

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

HOUSE - This amendment refines the language regarding the higher education strategic planning and strategic plan by removing the reference to the higher education roundtable.

**REPORT OF STANDING COMMITTEE**

**SB 2354, as engrossed: Appropriations Committee (Rep. Timm, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (18 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2354 was placed on the Sixth order on the calendar.

In lieu of the amendments as printed on pages 1309 and 1310 of the House Journal, Engrossed Senate Bill No. 2354 is amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for a legislative council study of an alternatives-to-abortion services program.

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

**SECTION 1. LEGISLATIVE COUNCIL STUDY - ALTERNATIVES-TO-ABORTION SERVICES PROGRAM.** During the 2001-02 interim, the legislative council shall consider studying the feasibility and desirability of an alternatives-to-abortion services program that would provide information, counseling, and support services to assist women to choose childbirth and to make informed decisions regarding the choice of adoption or parenting. The study must include a review of how federal funds received under title X of the Public Health Service Act of 1970 are spent in the state and a review of the continuum of care and access to services across the state. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the fifty-eighth legislative assembly."

Renumber accordingly

**REPORT OF CONFERENCE COMMITTEE**

**SB 2427:** Your conference committee (Sens. Freborg, Fischer, Every and Reps. Drovdal, Nelson, Winrich) recommends that the **SENATE ACCEDE** to the House amendments on SJ page 1034 and place SB 2427 on the Seventh order.

SB 2427 was placed on the Seventh order of business on the calendar.

**REPORT OF CONFERENCE COMMITTEE**

**SB 2455, as reengrossed:** Your conference committee (Sens. Wardner, Christmann, Kroepin and Reps. Carlson, Rennerfeldt, S. Kelsh) recommends that the **HOUSE RECEDE** from the House amendments on SJ page 971, adopt amendments as follows, and place SB 2455 on the Seventh order:

That the House recede from its amendments as printed on page 971 of the Senate Journal and page 1013 of the House Journal and that Reengrossed Senate Bill No. 2455 be amended as follows:

Page 1, line 20, replace "up" with "two members of the house of representatives and two members of the senate"

Page 1, line 21, remove "to four members of the legislative assembly"

Page 1, line 22, after the period insert "The tax commissioner shall designate a member of the tax commissioner's staff to accompany and advise the members appointed under this section with regard to reviewing or amending the agreement."

Renumber accordingly

Reengrossed SB 2455 was placed on the Seventh order of business on the calendar.

**MOTION**

**REP. MONSON MOVED** that the absent members be excused, which motion prevailed.

**MOTION**

**REP. MONSON MOVED** that the House be on the Fifth, Twelfth, Thirteenth, and Sixteenth orders of business and at the conclusion of those orders, the House stand adjourned until 8:30 a.m., Wednesday, April 11, 2001, which motion prevailed.

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

**MARK L. JOHNSON, Chief Clerk**