

## JOURNAL OF THE HOUSE

### Fifty-ninth Legislative Assembly

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**Bismarck, February 16, 2005**

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

The prayer was offered by Pastor Spencer Baker, Open Door Baptist Church, Bismarck.

The roll was called and all members were present except Representatives Bernstein, Dietrich, and Nicholas.

A quorum was declared by the Speaker.

#### SIXTH ORDER OF BUSINESS

**SPEAKER KLEIN DEEMED** approval of HB 1231, HB 1260, HB 1291, HB 1410, HB 1414, HB 1458, HB 1463, HB 1522 and HCR 3045.

HCR 3045, as amended, was placed on the Tenth order of business on the calendar.

HB 1231, HB 1260, HB 1291, HB 1410, HB 1414, HB 1458, HB 1463 and HB 1522, as amended, were placed on the Eleventh order of business on the calendar.

#### MOTION

**REP. MONSON MOVED** that SB 2245 be returned to the House floor from the **Political Subdivisions Committee** and be rereferred to the **Government and Veterans Affairs Committee**, which motion prevailed.

#### MOTION

**REP. MONSON MOVED** that SB 2335 be returned to the House floor from the **Industry, Business and Labor Committee** and be rereferred to the **Judiciary Committee**, which motion prevailed.

#### SECOND READING OF HOUSE BILL

**HB 1361:** A BILL for an Act to amend and reenact subsection 7 of section 15-39.1-30 of the North Dakota Century Code, relating to confidentiality of teachers' fund for retirement records.

#### 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 34 YEAS, 58 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Boehning; Brusegaard; Carlisle; Clark; Conrad; DeKrey; Delmore; Dosch; Ekstrom; Froseth; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kelsh, S.; Kempenich; Kreidt; Meier, L.; Meyer, S.; Monson; Nelson; Nicholas; Norland; Price; Rennerfeldt; Sitte; Thoreson; Wall; Weiler; Weisz; Wrangham; Zaiser

**NAYS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boucher; Brandenburg; Carlson; Charging; Damschen; Delzer; Devlin; Drovdal; Froelich; Galvin; Glassheim; Grande; Gulleon; Haas; Hanson; Hawken; Headland; Herbel; Kasper; Keiser; Kelsch, R.; Kerzman; Kingsbury; Klemin; Koppelman; Kretschmar; Kroeber; Maragos; Martinson; Metcalf; Mueller; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Ruby; Sandvig; Schmidt; Skarphol; Solberg; Svedjan; Thorpe; Timm; Uglem; Vigesaa; Wald; Wieland; Williams; Speaker Klein

**ABSENT AND NOT VOTING:** Bernstein; Dietrich

Engrossed HB 1361 lost.

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#### SECOND READING OF HOUSE BILL

**HB 1467:** A BILL for an Act to create and enact a new subsection to section 43-42-01, two new subsections to section 43-42-03, and a new section to chapter 43-42 of the North

Dakota Century Code, relating to temporary licenses for respiratory therapy students; and to declare an emergency.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 70 YEAS, 22 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleeson; Haas; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kretschmar; Maragos; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Onstad; Owens; Potter; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Wald; Wall; Wieland; Williams; Wrangham; Speaker Klein

**NAYS:** Bellew; Carlisle; Delzer; Devlin; Hanson; Keiser; Kreidt; Kroeber; Martinson; Norland; Nottestad; Pietsch; Pollert; Porter; Price; Rennerfeldt; Ruby; Sandvig; Vigesaa; Weiler; Weisz; Zaiser

**ABSENT AND NOT VOTING:** Bernstein; Dietrich

Engrossed HB 1467 passed, the title was agreed to, and the emergency clause was declared carried.

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#### SECOND READING OF HOUSE BILL

**HB 1169:** A BILL for an Act to provide for the North Dakota transmission authority, provide for the planning, constructing, owning, financing, maintaining, operating, and disposing of electric transmission facilities and related infrastructure, and to authorize issuance of revenue bonds; to amend and reenact subdivision l of subsection 2 of section 28-32-01 of the North Dakota Century Code, relating to an Administrative Agencies Practice Act exemption for the transmission authority; and to provide for reports to the legislative council.

#### 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 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleeson; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

**ABSENT AND NOT VOTING:** Bernstein; Dietrich

Engrossed HB 1169 passed and the title was agreed to.

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#### SECOND READING OF HOUSE BILL

**HB 1224:** A BILL for an Act to amend and reenact section 39-08-01.3 of the North Dakota Century Code, relating to ignition interlock devices.

#### 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 82 YEAS, 8 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boehning; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Devlin; Dosch; Drovdal; Ekstrom; Froelich; Galvin; Glassheim; Grande; Gulleston; Haas; Hanson; Hawken; Headland; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Zaiser; Speaker Klein

**NAYS:** Boe; Delzer; Froseth; Monson; Mueller; Pollert; Thorpe; Wrangham

**ABSENT AND NOT VOTING:** Bernstein; Boucher; Dietrich; Herbel

Engrossed HB 1224 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1276:** A BILL for an Act to create and enact two new sections to chapter 20.1-03 of the North Dakota Century Code, relating to powers of the game and fish director and guiding on prohibited lands; to amend and reenact subsection 25 of section 20.1-01-02 and sections 20.1-03-37, 20.1-03-38, 20.1-03-39, and 20.1-03-40 of the North Dakota Century Code, relating to licensing and qualifications of guides and outfitters; and to provide a penalty.

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 89 YEAS, 3 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Ekstrom; Froseth; Galvin; Glassheim; Grande; Gulleston; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

**NAYS:** Froelich; Kerzman; Meyer, S.

**ABSENT AND NOT VOTING:** Bernstein; Dietrich

Engrossed HB 1276 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1279:** A BILL for an Act to create and enact a new section to chapter 23-20.3 of the North Dakota Century Code, relating to contaminated properties; to amend and reenact sections 11-33-01 and 40-47-01 and subsection 1 of section 58-03-11 of the North Dakota Century Code, relating to institutional controls by counties, cities, and townships; to provide a continuing appropriation; and to declare an emergency.

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 91 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleston; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Mueller; Nelson; Nicholas; Norland; Nottestad;

Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

**ABSENT AND NOT VOTING:** Bernstein; Dietrich; Monson

Engrossed HB 1279 passed, the title was agreed to, and the emergency clause was declared carried.

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#### SECOND READING OF HOUSE BILL

**HB 1342:** A BILL for an Act to amend and reenact subsection 59 of section 39-01-01 and sections 39-29-01, 39-29-01.1, 39-29-02, 39-29-03, 39-29-04, 39-29-05, 39-29-06, 39-29-07, 39-29-08, 39-29-09, 51-20-01, and 57-40.3-01 of the North Dakota Century Code, relating to all-terrain vehicles.

#### 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 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Guleson; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

**ABSENT AND NOT VOTING:** Bernstein; Dietrich

Engrossed HB 1342 passed and the title was agreed to.

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#### SECOND READING OF HOUSE BILL

**HB 1367:** A BILL for an Act to create and enact a new section to chapter 20.1-01 of the North Dakota Century Code, relating to baiting to attract big game; and to provide a penalty.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 32 YEAS, 59 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Boucher; Carlisle; Conrad; Damschen; Ekstrom; Froseth; Glassheim; Guleson; Horter; Hunskor; Kaldor; Kelsh, S.; Maragos; Martinson; Meier, L.; Metcalf; Mueller; Onstad; Pollert; Porter; Potter; Sandvig; Schmidt; Sitte; Solberg; Thorpe; Wall; Weiler; Wieland; Williams

**NAYS:** Bellew; Belter; Berg; Boe; Boehning; Brandenburg; Brusegaard; Carlson; Charging; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Froelich; Galvin; Grande; Haas; Hanson; Hawken; Headland; Herbel; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Meyer, S.; Monson; Nelson; Nicholas; Norland; Nottestad; Owens; Pietsch; Price; Rennerfeldt; Ruby; Skarphol; Svedjan; Thoreson; Timm; Uglem; Vigesaa; Wald; Weisz; Wrangham; Zaiser; Speaker Klein

**ABSENT AND NOT VOTING:** Bernstein; Dietrich; Kelsch, R.

Engrossed HB 1367 lost.

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**SECOND READING OF HOUSE BILL**

**HB 1408:** A BILL for an Act directing the department of corrections and rehabilitation to provide a grant for a pilot project for an alternative care program for adults with substance abuse issues; to create and enact a new section to chapter 50-31 of the North Dakota Century Code, relating to department of human services criteria for substance abuse programs that treat adolescents and adults; and to provide for a report to the legislative assembly.

**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 90 YEAS, 2 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Gullerson; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

**NAYS:** Nelson; Weisz

**ABSENT AND NOT VOTING:** Bernstein; Dietrich

Engrossed HB 1408 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1344:** A BILL for an Act to amend and reenact section 38-18.1-03 of the North Dakota Century Code, relating to termination of mineral interests.

**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 84 YEAS, 6 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Devlin; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Gullerson; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Solberg; Svedjan; Thoreson; Timm; Uglem; Vigesaa; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

**NAYS:** Brusegaard; Delzer; Nottestad; Skarphol; Thorpe; Wald

**ABSENT AND NOT VOTING:** Bernstein; Boucher; Dietrich; Kaldor

Engrossed HB 1344 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1494:** A BILL for an Act to create and enact a new section to chapter 38-13 of the North Dakota Century Code, relating to the appointment of a trustee for and disposition of the proceeds of mineral interests whose owner is absent; and to amend and reenact subdivision c of subsection 3 of section 38-08-08, subdivision c of subsection 3 of section 38-08-09.4, and sections 38-13-02 and 38-18.1-03 of the North Dakota Century Code, relating to nonparticipating owners in the development of oil and gas interests in spacing units and plans of unitization and institution of proceedings to establish a mineral trust for absent owners and termination of mineral interest.

**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 91 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

**ABSENT AND NOT VOTING:** Bernstein; Dietrich; Porter

Engrossed HB 1494 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1417:** A BILL for an Act to amend and reenact sections 15.1-09-16, 16.1-11-38, 16.1-14-01, 16.1-15-01, 16.1-15-02, 16.1-15-04, 16.1-15-05, 16.1-15-06, and 16.1-15-08, subsections 1 and 2 of section 16.1-15-09, sections 16.1-15-12, 16.1-15-13, 16.1-15-15, 16.1-15-16, 16.1-15-19, 16.1-15-21, 16.1-15-22, 16.1-15-24, 16.1-15-25, 16.1-15-29, 16.1-15-30, 16.1-15-33, 16.1-15-34, 16.1-15-35, 16.1-15-43, 40-21-17, and 58-04-15 of the North Dakota Century Code, relating to tie votes and the canvassing of votes; and to repeal sections 16.1-15-02.1 and 16.1-15-03 of the North Dakota Century Code, relating to canvassing of votes.

**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 73 YEAS, 16 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Bellew; Belter; Berg; Boehning; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delzer; Devlin; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Grande; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nicholas; Norland; Nottestad; Owens; Pietsch; Pollert; Potter; Price; Rennerfeldt; Ruby; Sitte; Svedjan; Thoreson; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Speaker Klein

**NAYS:** Aarsvold; Amerman; Boe; Boucher; Delmore; Glassheim; Gulleson; Kaldor; Kelsh, S.; Kroeber; Onstad; Sandvig; Schmidt; Solberg; Thorpe; Zaiser

**ABSENT AND NOT VOTING:** Bernstein; Dietrich; Nelson; Porter; Skarphol

Engrossed HB 1417 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1478:** A BILL for an Act to create and enact a new subsection to section 57-43.1-01 of the North Dakota Century Code, relating to a definition of E85 fuel; to amend and reenact sections 57-43.1-02 and 57-43.1-28 of the North Dakota Century Code, relating to reduced motor vehicle fuels tax rate for sales of E85 fuel, deposit of taxes on that fuel in the township highway aid fund, and to provide for transfer of funds to the highway tax distribution fund; 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 81 YEAS, 9 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Devlin; Dosch;

Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Gulleston; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Potter; Price; Sandvig; Schmidt; Sitte; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigasaa; Wall; Weiler; Weisz; Wieland; Williams; Zaiser; Speaker Klein

**NAYS:** Bellew; Carlson; Delzer; Galvin; Grande; Rennerfeldt; Ruby; Skarphol; Wald

**ABSENT AND NOT VOTING:** Bernstein; Dietrich; Porter; Wrangham

Engrossed HB 1478 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1485:** A BILL for an Act to provide for terms of broadcast agreements with public entities.

### 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 47 YEAS, 44 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Boe; Boehning; Boucher; Brandenburg; Carlson; Charging; Damschen; DeKrey; Delzer; Dosch; Drovdal; Froelich; Galvin; Glassheim; Grande; Gulleston; Headland; Herbel; Hunskor; Iverson; Kaldor; Kasper; Kempenich; Kerzman; Kreidt; Meier, L.; Metcalf; Mueller; Nicholas; Norland; Onstad; Owens; Pollert; Rennerfeldt; Sandvig; Schmidt; Skarphol; Solberg; Thoreson; Timm; Uglem; Wall; Weiler; Weisz; Zaiser

**NAYS:** Amerman; Bellew; Berg; Brusegaard; Carlisle; Clark; Conrad; Delmore; Devlin; Ekstrom; Froseth; Haas; Hanson; Hawken; Horter; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kingsbury; Klemin; Koppelman; Kretschmar; Kroeber; Maragos; Martinson; Meyer, S.; Monson; Nelson; Nottestad; Pietsch; Porter; Potter; Price; Ruby; Sitte; Svedjan; Thorpe; Vigasaa; Wieland; Williams; Wrangham; Speaker Klein

**ABSENT AND NOT VOTING:** Bernstein; Dietrich; Wald

Engrossed HB 1485 lost.

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### SECOND READING OF HOUSE BILL

**HB 1502:** A BILL for an Act to provide for replacement of privately owned real property acquired by state agencies.

### 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 17 YEAS, 71 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Bellew; Belter; Boe; Damschen; DeKrey; Froelich; Galvin; Kerzman; Kingsbury; Koppelman; Metcalf; Meyer, S.; Ruby; Sitte; Skarphol; Wrangham

**NAYS:** Aarsvold; Berg; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Delmore; Delzer; Devlin; Dosch; Drovdal; Ekstrom; Froseth; Glassheim; Grande; Gulleston; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsh, S.; Kempenich; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Monson; Mueller; Nelson; Nicholas; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Sandvig; Schmidt; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigasaa; Wald; Wall; Weiler; Wieland; Williams; Zaiser; Speaker Klein

**ABSENT AND NOT VOTING:** Bernstein; Dietrich; Kelsch, R.; Klemin; Norland; Weisz

Engrossed HB 1502 lost.

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**SECOND READING OF HOUSE BILL**

**HB 1220:** A BILL for an Act to amend and reenact subsection 12 of section 20.1-02-05 of the North Dakota Century Code, relating to use of crossbows by handicapped individuals.

**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 84 YEAS, 2 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Belter; Berg; Boe; Boehning; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Guleson; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunsakor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

**NAYS:** Bellew; Ruby

**ABSENT AND NOT VOTING:** Bernstein; Boucher; Damschen; Dietrich; Kelsch, R.; Klemin; Norland; Weisz

Engrossed HB 1220 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1272:** A BILL for an Act to amend and reenact section 4-28-03 of the North Dakota Century Code, relating to membership of the wheat commission; and to provide for a legislative council study.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 58 YEAS, 33 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Belter; Berg; Boe; Boehning; Brandenburg; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Ekstrom; Froelich; Froseth; Grande; Haas; Hawken; Headland; Herbel; Hunsakor; Iverson; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kingsbury; Klemin; Kreidt; Kretschmar; Kroeber; Maragos; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Nottestad; Onstad; Pietsch; Pollert; Potter; Price; Sandvig; Schmidt; Solberg; Svedjan; Thoreson; Uglem; Wald; Wall; Weiler; Williams; Zaiser; Speaker Klein

**NAYS:** Aarsvold; Amerman; Bellew; Boucher; Brusegaard; Carlisle; Delzer; Devlin; Dosch; Drovdal; Galvin; Glassheim; Guleson; Hanson; Horter; Kaldor; Kasper; Kempenich; Koppelman; Martinson; Meier, L.; Norland; Owens; Porter; Rennerfeldt; Ruby; Sitte; Skarphol; Thorpe; Timm; Vigesaa; Wieland; Wrangham

**ABSENT AND NOT VOTING:** Bernstein; Dietrich; Weisz

Engrossed HB 1272 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1312:** A BILL for an Act to create and enact a new section to chapter 32-19 of the North Dakota Century Code, relating to deficiency judgments on agricultural land; and to amend and reenact section 32-19-06 of the North Dakota Century Code, relating to foreclosures of real estate mortgages.

**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 86 YEAS, 5 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.



**YEAS:** Amerman; Bellew; Belter; Berg; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Devlin; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

**NAYS:** Aarsvold; Boe; Delzer; Maragos; Onstad

**ABSENT AND NOT VOTING:** Bernstein; Dietrich; Weisz

Engrossed HB 1312 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1322:** A BILL for an Act to amend and reenact sections 38-08.1-01 and 38-08.1-04.1 of the North Dakota Century Code, relating to definitions and exploration permit requirements to conduct geophysical exploration; and to provide an expiration date.

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 32 YEAS, 58 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Boe; Boucher; Conrad; Damschen; Delmore; Devlin; Ekstrom; Froelich; Glassheim; Gulleson; Hunskor; Kaldor; Kelsh, S.; Kerzman; Kreidt; Kroeber; Metcalf; Meyer, S.; Mueller; Nelson; Onstad; Owens; Pietsch; Potter; Price; Sandvig; Schmidt; Solberg; Vigesaa; Zaiser

**NAYS:** Bellew; Belter; Berg; Boehning; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; DeKrey; Delzer; Dosch; Drovdal; Froseth; Galvin; Grande; Haas; Hanson; Hawken; Headland; Herbel; Horter; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kempenich; Kingsbury; Klemin; Koppelman; Kretschmar; Maragos; Martinson; Meier, L.; Monson; Nicholas; Norland; Nottestad; Pollert; Porter; Ruby; Sitte; Skarphol; Svedjan; Thoreson; Thorpe; Timm; Uglem; Wald; Wall; Weiler; Wieland; Williams; Wrangham; Speaker Klein

**ABSENT AND NOT VOTING:** Bernstein; Dietrich; Rennerfeldt; Weisz

Engrossed HB 1322 lost.

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### SECOND READING OF HOUSE BILL

**HB 1343:** A BILL for an Act to create and enact a new section to chapter 20.1-01 of the North Dakota Century Code, relating to hunting on nonposted land.

### 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, 74 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Brusegaard; Damschen; Drovdal; Froelich; Galvin; Kasper; Kempenich; Kerzman; Meyer, S.; Owens; Skarphol; Thorpe; Speaker Klein

**NAYS:** Aarsvold; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; DeKrey; Delmore; Delzer; Devlin; Dosch; Ekstrom; Froseth; Glassheim; Grande; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Ruby; Sandvig; Schmidt; Sitte; Solberg; Svedjan; Thoreson; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Wieland; Williams; Wrangham; Zaiser

**ABSENT AND NOT VOTING:** Bernstein; Dietrich; Kaldor; Monson; Rennerfeldt; Weisz

Engrossed HB 1343 lost.

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### SECOND READING OF HOUSE BILL

**HB 1377:** A BILL for an Act to create and enact a new section to chapter 44-08 of the North Dakota Century Code, relating to disclosure of whether work on state contracts will be performed within the United States and rejection of bids.

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 40 YEAS, 50 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Boe; Boucher; Conrad; Damschen; DeKrey; Delmore; Ekstrom; Froelich; Galvin; Glassheim; Gulleston; Hanson; Hunskor; Kaldor; Kelsh, S.; Kerzman; Klemin; Kreidt; Kroeber; Maragos; Meier, L.; Metcalf; Meyer, S.; Mueller; Nicholas; Onstad; Owens; Potter; Price; Sandvig; Schmidt; Sitte; Solberg; Thorpe; Uglem; Wall; Williams; Zaiser

**NAYS:** Bellew; Belter; Berg; Boehning; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Delzer; Devlin; Dosch; Drovda; Froseth; Grande; Haas; Hawken; Headland; Herbel; Horter; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kempenich; Kingsbury; Koppelman; Kretschmar; Martinson; Monson; Nelson; Norland; Nottestad; Pietsch; Pollert; Porter; Ruby; Skarphol; Svedjan; Thoreson; Timm; Vigesaa; Wald; Weiler; Wieland; Wrangham; Speaker Klein

**ABSENT AND NOT VOTING:** Bernstein; Dietrich; Rennerfeldt; Weisz

Engrossed HB 1377 lost.

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### SECOND READING OF HOUSE BILL

**HB 1426:** A BILL for an Act to amend and reenact section 40-01-09.1 of the North Dakota Century Code, relating to publication of city government proceedings.

### ROLL CALL

The question being on the final passage of the resolution, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 22 YEAS, 67 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Bellew; Boehning; Carlson; Clark; Conrad; Dosch; Galvin; Glassheim; Grande; Horter; Iverson; Johnson, N.; Kasper; Kempenich; Meier, L.; Nicholas; Ruby; Sandvig; Skarphol; Thoreson; Timm; Wieland

**NAYS:** Aarsvold; Amerman; Belter; Berg; Boe; Boucher; Brandenburg; Brusegaard; Carlisle; Charging; Damschen; DeKrey; Delmore; Delzer; Devlin; Drovda; Ekstrom; Froelich; Froseth; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Johnson, D.; Kaldor; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Schmidt; Sitte; Solberg; Svedjan; Thorpe; Uglem; Vigesaa; Wald; Wall; Weiler; Williams; Wrangham; Zaiser; Speaker Klein

**ABSENT AND NOT VOTING:** Bernstein; Dietrich; Gulleston; Rennerfeldt; Weisz

Engrossed HB 1426 lost.

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### SECOND READING OF HOUSE BILL

**HB 1439:** A BILL for an Act to amend and reenact sections 43-32-01, 43-32-03, 43-32-07, 43-32-08, 43-32-08.1, 43-32-08.2, 43-32-12, 43-32-13, 43-32-14, 43-32-17, 43-32-19, 43-32-20, 43-32-20.1, 43-32-23, 43-32-25, 43-32-26, 43-32-27, 43-32-27.1, 43-32-30, and 43-32-32 of the North Dakota Century Code, relating to North Dakota state board of psychologist examiners licensure of industrial-organizational psychologists; to provide a penalty; 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 86 YEAS, 0 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleon; Haas; Hanson; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemmin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

**ABSENT AND NOT VOTING:** Bernstein; Dietrich; Ekstrom; Hawken; Owens; Rennerfeldt; Thoreson; Weisz

Engrossed HB 1439 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1448:** A BILL for an Act to create and enact a new section to chapter 36-09 of the North Dakota Century Code, relating to animal identification program records.

**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, 0 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleon; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemmin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

**ABSENT AND NOT VOTING:** Bernstein; Dietrich; Ekstrom; Owens; Rennerfeldt; Weisz

Engrossed HB 1448 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1464:** A BILL for an Act to create and enact a new section to chapter 44-04 of the North Dakota Century Code, relating to information in feedlot permits.

**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 84 YEAS, 2 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Berg; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Timm; Uglem; Vigesaa; Wald; Wall; Williams; Wrangham; Zaiser; Speaker Klein

**NAYS:** Klemmin; Thorpe

**ABSENT AND NOT VOTING:** Belter; Bernstein; Dietrich; Gulleeson; Rennerfeldt; Weiler; Weisz; Wieland

Engrossed HB 1464 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1492:** A BILL for an Act to amend and reenact section 4-05.1-05 of the North Dakota Century Code, relating to feral hemp seed.

### 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 87 YEAS, 3 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleeson; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

**NAYS:** Bellew; Ruby; Thoreson

**ABSENT AND NOT VOTING:** Bernstein; Dietrich; Rennerfeldt; Weisz

Engrossed HB 1492 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1517:** A BILL for an Act to amend and reenact subsection 1 of section 57-02-01 and subdivision a of subsection 15 of section 57-02-08 of the North Dakota Century Code, relating to classification of greenhouse property as agricultural property for assessment purposes and property exempt from taxation; 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 78 YEAS, 11 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Devlin; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleeson; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Kasper; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Price; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

**NAYS:** Bellew; Dosch; Drovdal; Iverson; Keiser; Kelsch, R.; Koppelman; Porter; Potter; Ruby; Weiler

**ABSENT AND NOT VOTING:** Bernstein; Delzer; Dietrich; Rennerfeldt; Weisz

Engrossed HB 1517 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1518:** A BILL for an Act to amend and reenact sections 4-28-06 and 4-28-07 of the North Dakota Century Code, relating to the North Dakota wheat commission; to provide an effective 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 53 YEAS, 37 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Charging; Clark; Damschen; DeKrey; Delmore; Dosch; Ekstrom; Froelich; Froseth; Glassheim; Haas; Hawken; Headland; Herbel; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Kreidt; Maragos; Meyer, S.; Monson; Nicholas; Norland; Nottestad; Pietsch; Pollert; Potter; Price; Skarphol; Solberg; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

**NAYS:** Aarsvold; Amerman; Bellew; Brusegaard; Carlisle; Carlson; Conrad; Delzer; Devlin; Drovdal; Galvin; Grande; Gulleson; Hanson; Horter; Hunskor; Iverson; Kaldor; Kasper; Koppelman; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Mueller; Nelson; Onstad; Owens; Porter; Ruby; Sandvig; Schmidt; Sitte; Svedjan; Thoreson; Weiler

**ABSENT AND NOT VOTING:** Bernstein; Dietrich; Rennerfeldt; Weisz

Engrossed HB 1518 passed, the title was agreed to, but the emergency clause lost.

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**MOTION**

**REP. MONSON MOVED** that the House stand in recess until 12:30 p.m., which motion prevailed.

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

**SIXTH ORDER OF BUSINESS**

**SPEAKER KLEIN DEEMED** approval of HB 1252 HB 1259, HB 1354, HB 1423, HB 1459, HB 1460, HB 1465 and HB 1512.

HB 1252, HB 1259, HB 1354, HB 1423, HB 1459, HB 1460, HB 1465 and HB 1512, as amended, were placed on the Eleventh order of business on the calendar.

**SIXTH ORDER OF BUSINESS**

**HB 1050: REP. CARLSON (Appropriations Committee) MOVED** that the amendments on HJ pages 645-646 be adopted and then be placed on the Eleventh order.

**REQUEST**

**REP. S. KELSH REQUESTED** a recorded roll call vote on the motion to adopt the proposed amendments to HB 1050, which request was granted.

**ROLL CALL**

The question being the motion to adopt the amendments to HB 1050, the roll was called and there were 48 YEAS, 44 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Bellew; Belter; Berg; Boehning; Brandenburg; Brusegaard; Carlson; Charging; Clark; Damschen; DeKrey; Delzer; Devlin; Drovdal; Froseth; Grande; Haas; Headland; Herbel; Horter; Iverson; Johnson, D.; Kasper; Kempenich; Kingsbury; Koppelman; Kreidt; Monson; Nelson; Nicholas; Norland; Owens; Pietsch; Pollert; Price; Rennerfeldt; Ruby; Skarphol; Svedjan; Thoreson; Timm; Uglem; Vigesaa; Wald; Wall; Weisz; Wieland; Wrangham

**NAYS:** Aarsvold; Amerman; Boe; Boucher; Carlisle; Conrad; Delmore; Dosch; Ekstrom; Froelich; Galvin; Glassheim; Gulleson; Hanson; Hawken; Hunskor; Johnson, N.; Kaldor; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Klemin; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Mueller; Nottestad; Onstad; Porter; Potter; Sandvig; Schmidt; Sitte; Solberg; Thorpe; Weiler; Williams; Zaiser; Speaker Klein

**ABSENT AND NOT VOTING:** Bernstein; Dietrich

The motion to adopt the amendments to HB 1050 passed.

**MOTION**

**REP. BERG MOVED** that HB 1050, as amended, be placed on the Eleventh order for immediate second reading, which motion prevailed.

**SECOND READING OF HOUSE BILL**

**HB 1050:** A BILL for an Act to provide a statement of legislative intent regarding state employee compensation adjustments.

**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 64 YEAS, 28 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Belter; Berg; Boehning; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Damschen; DeKrey; Delzer; Devlin; Dosch; Drovdal; Froseth; Galvin; Grande; Haas; Hawken; Headland; Herbel; Horter; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kempenich; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Maragos; Martinson; Meier, L.; Monson; Nelson; Nicholas; Norland; Nottestad; Owens; Pietsch; Pollert; Porter; Price; Rennerfeldt; Ruby; Sitte; Skarphol; Svedjan; Thoreson; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Wrangham; Speaker Klein

**NAYS:** Aarsvold; Amerman; Bellew; Boe; Boucher; Conrad; Delmore; Ekstrom; Froelich; Glassheim; Gulleson; Hanson; Hunskor; Kaldor; Kelsh, S.; Kerzman; Kroeber; Metcalf; Meyer, S.; Mueller; Onstad; Potter; Sandvig; Schmidt; Solberg; Thorpe; Williams; Zaiser

**ABSENT AND NOT VOTING:** Bernstein; Dietrich

Engrossed HB 1050 passed and the title was agreed to.

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**MOTION**

**REP. BERG MOVED** that HB 1050 be laid on the table.

**SECOND READING OF HOUSE BILL**

**HB 1292:** A BILL for an Act to amend and reenact sections 60-10-01 and 60-10-03 of the North Dakota Century Code, relating to the credit-sale contract indemnity fund.

**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 4 YEAS, 85 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Brandenburg; Delzer; Kempenich; Rennerfeldt

**NAYS:** Amerman; Bellew; Belter; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Devlin; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Zaiser; Speaker Klein

**ABSENT AND NOT VOTING:** Aarsvold; Berg; Bernstein; Dietrich; Wrangham

HB 1292 lost.

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**REPORT OF STANDING COMMITTEE**

**HB 1509, as engrossed: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION** (14 YEAS, 7 NAYS, 2 ABSENT AND NOT VOTING). Engrossed HB 1509 was placed on the Eleventh order on the calendar.

**SECOND READING OF HOUSE BILL**

**HB 1509:** A BILL for an Act to create and enact a new chapter to title 53 of the North Dakota Century Code, relating to the licensing and regulating of live poker; to provide a penalty; and to provide an effective date.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and is PLACED ON THE CALENDAR WITHOUT RECOMMENDATION, the roll was called and there were 49 YEAS, 43 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Boe; Boehning; Brandenburg; Carlisle; Carlson; Charging; Clark; Delmore; Devlin; Dosch; Froseth; Galvin; Grande; Hawken; Headland; Horter; Iverson; Johnson, D.; Johnson, N.; Kasper; Kelsch, R.; Kelsh, S.; Kempenich; Kreidt; Kretschmar; Maragos; Meier, L.; Meyer, S.; Monson; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Porter; Price; Sandvig; Svedjan; Thoreson; Timm; Uglem; Wald; Wall; Weiler; Wieland; Williams; Wrangham; Zaiser

**NAYS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boucher; Brusegaard; Conrad; Damschen; DeKrey; Delzer; Drovdal; Ekstrom; Froelich; Glassheim; Gulleson; Haas; Hanson; Herbel; Hunskor; Kaldor; Keiser; Kerzman; Kingsbury; Klemin; Koppelman; Kroeber; Martinson; Metcalf; Mueller; Pietsch; Pollert; Potter; Rennerfeldt; Ruby; Schmidt; Sitte; Skarphol; Solberg; Thorpe; Vigesaa; Weisz; Speaker Klein

**ABSENT AND NOT VOTING:** Bernstein; Dietrich

Engrossed HB 1509 passed and the title was agreed to.

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**MOTION**

**REP. MONSON MOVED** that HB 1458 be moved to the bottom of the calendar, which motion prevailed.

**MOTION**

**REP. MONSON MOVED** that HCR 3015 be moved to the top of the Eleventh order, which motion prevailed.

**SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 3015:** A concurrent resolution urging the United States Department of Treasury and the United States Mint to consider a design theme featuring Roger Maris for the North Dakota quarter under the Fifty States Commemorative Coin Program Act and urging the Governor and the North Dakota Quarter Design Selection Process Commission to support this design theme.

**ROLL CALL**

The question being on the final passage of the resolution, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 37 YEAS, 53 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Boe; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Damschen; Delmore; Dosch; Ekstrom; Gulleson; Hawken; Headland; Hunskor; Kaldor; Kelsh, S.; Kerzman; Koppelman; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Meyer, S.; Onstad; Porter; Sandvig; Solberg; Thoreson; Wald; Wall; Wieland; Williams; Wrangham; Zaiser

**NAYS:** Bellew; Belter; Berg; Boehning; Charging; Clark; Conrad; DeKrey; Delzer; Devlin; Drovdal; Froelich; Froseth; Galvin; Glassheim; Grande; Haas; Herbel; Horter; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kempenich; Kingsbury; Klemin; Kreidt; Metcalf; Monson; Mueller; Nelson; Norland; Nottestad; Owens; Pietsch; Pollert; Potter; Price; Rennerfeldt; Ruby; Schmidt; Sitte; Skarphol; Svedjan; Thorpe; Timm; Uglem; Vigesaa; Weiler; Weisz; Speaker Klein

**ABSENT AND NOT VOTING:** Bernstein; Dietrich; Hanson; Nicholas

HCR 3015 lost.

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**SECOND READING OF HOUSE BILL**

**HB 1231:** A BILL for an Act to amend and reenact sections 25-07-01, 25-07-04, 25-07-05, 25-07-06, 25-07-08, and 25-07-11 of the North Dakota Century Code, relating to the school for the deaf.

**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 87 YEAS, 1 NAY, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Gulletson; Haas; Hawken; Headland; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Wrangham; Zaiser; Speaker Klein

**NAYS:** Williams

**ABSENT AND NOT VOTING:** Bernstein; Boucher; Dietrich; Hanson; Herbel; Nicholas

Engrossed HB 1231 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1291:** A BILL for an Act to amend and reenact section 23-25-11 of the North Dakota Century Code, relating to animal feeding operations.

**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 85 YEAS, 6 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Grande; Gulletson; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Nelson; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

**NAYS:** Galvin; Kelsch, R.; Kreidt; Mueller; Porter; Thorpe

**ABSENT AND NOT VOTING:** Bernstein; Dietrich; Nicholas

Engrossed HB 1291 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1260:** A BILL for an Act to provide for a legislative council study of public improvement contracts and issues relating to use of multiple bids versus single prime bids, construction management, professional liability and indemnification, and design-build delivery systems.

**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 87 YEAS, 2 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovdal; Ekstrom; Froseth; Galvin; Glassheim; Grande; Gulletson; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Norland; Nottestad; Onstad; Owens;



Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Zaiser; Speaker Klein

**NAYS:** Froelich; Kerzman

**ABSENT AND NOT VOTING:** Bernstein; Devlin; Dietrich; Nicholas; Wrangham

Engrossed HB 1260 passed and the title was agreed to.

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#### SECOND READING OF HOUSE BILL

**HB 1410:** A BILL for an Act to amend and reenact sections 23-07.5-01, 23-07.5-02, 23-07.5-04, 23-07.5-06, and 23-07.5-07 of the North Dakota Century Code, relating to testing for exposure to bloodborne pathogens; and to repeal chapter 23-07.3 of the North Dakota Century Code, relating to notification of exposure to infectious diseases.

#### 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 86 YEAS, 1 NAY, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Wieland; Williams; Zaiser; Speaker Klein

**NAYS:** Weisz

**ABSENT AND NOT VOTING:** Bernstein; Dietrich; Gulleson; Koppelman; Maragos; Nicholas; Wrangham

Engrossed HB 1410 passed and the title was agreed to.

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#### SECOND READING OF HOUSE BILL

**HB 1414:** A BILL for an Act to amend and reenact section 15-20.4-04 of the North Dakota Century Code, relating to medical transcription schools; and to provide an expiration date.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 62 YEAS, 27 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Bellew; Belter; Berg; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delzer; Devlin; Dosch; Drovdal; Froelich; Froseth; Galvin; Grande; Haas; Hawken; Headland; Herbel; Horter; Hunskor; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kempenich; Kingsbury; Klemin; Kreidt; Kretschmar; Martinson; Meier, L.; Metcalf; Nelson; Norland; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sitte; Skarphol; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wald; Weiler; Weisz; Wieland; Speaker Klein

**NAYS:** Aarsvold; Amerman; Boe; Boehning; Boucher; Delmore; Ekstrom; Glassheim; Gulleson; Hanson; Iverson; Kaldor; Kelsh, S.; Kerzman; Koppelman; Kroeber; Meyer, S.; Monson; Mueller; Nottestad; Onstad; Sandvig; Schmidt; Solberg; Wall; Williams; Zaiser

**ABSENT AND NOT VOTING:** Bernstein; Dietrich; Maragos; Nicholas; Wrangham

Engrossed HB 1414 passed and the title was agreed to.

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**MOTION**

**REP. EKSTROM MOVED** that the House reconsider its action whereby Engrossed HB 1485 failed to pass, which motion prevailed on a verification vote.

**SECOND READING OF HOUSE BILL**

**HB 1485:** A BILL for an Act to provide for terms of broadcast agreements with public entities.

**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, 43 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Belter; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Conrad; Damschen; DeKrey; Delzer; Dosch; Drovdal; Ekstrom; Froelich; Galvin; Glassheim; Grande; Gulleson; Headland; Herbel; Hunskor; Iverson; Kaldor; Kerzman; Kreidt; Meier, L.; Metcalf; Mueller; Onstad; Owens; Pollert; Rennerfeldt; Schmidt; Skarphol; Solberg; Thoreson; Timm; Uglem; Wall; Weiler; Weisz; Zaiser

**NAYS:** Amerman; Bellew; Berg; Brusegaard; Clark; Delmore; Devlin; Froseth; Haas; Hanson; Hawken; Horter; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kingsbury; Klemin; Koppelman; Kretschmar; Kroeber; Martinson; Meyer, S.; Monson; Nelson; Norland; Nottestad; Pietsch; Porter; Potter; Price; Ruby; Sandvig; Sitte; Svedjan; Thorpe; Vigasaa; Wieland; Williams; Speaker Klein

**ABSENT AND NOT VOTING:** Bernstein; Dietrich; Maragos; Nicholas; Wald; Wrangham

Engrossed HB 1485 lost.

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**SECOND READING OF HOUSE BILL**

**HB 1463:** A BILL for an Act to create and enact two new sections to chapter 54-06 of the North Dakota Century Code, relating to qualifications for continued membership on boards and designation of substitute members; and to amend and reenact sections 2-05-01, 12-59-01, 20.1-02-23, 43-03-04, 43-04-05, 43-11-03, 43-12.1-06, 43-17-05, 43-19.1-06, 43-23.3-02, 43-25-06, 43-29-02, 43-34-02, 43-36-05, 43-47-02, 43-49-03, and 61-28-03 of the North Dakota Century Code, relating to removal of gubernatorial appointees.

**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 58 YEAS, 31 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Bellew; Belter; Berg; Boehning; Brandenburg; Carlisle; Carlson; Charging; Clark; Damschen; DeKrey; Delzer; Devlin; Dosch; Drovdal; Froseth; Galvin; Grande; Haas; Hawken; Headland; Herbel; Horter; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kempenich; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Martinson; Meier, L.; Monson; Nicholas; Norland; Nottestad; Owens; Pietsch; Pollert; Porter; Rennerfeldt; Ruby; Sitte; Skarphol; Svedjan; Timm; Uglem; Vigasaa; Wald; Wall; Weiler; Wieland; Speaker Klein

**NAYS:** Aarsvold; Amerman; Boe; Boucher; Brusegaard; Conrad; Delmore; Ekstrom; Froelich; Glassheim; Hanson; Hunskor; Kaldor; Kelsh, S.; Kerzman; Kroeber; Metcalf; Meyer, S.; Mueller; Nelson; Onstad; Potter; Price; Sandvig; Schmidt; Solberg; Thoreson; Thorpe; Weisz; Williams; Zaiser

**ABSENT AND NOT VOTING:** Bernstein; Dietrich; Gulleson; Maragos; Wrangham

Engrossed HB 1463 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1522:** A BILL for an Act to amend and reenact section 57-36-27 of the North Dakota Century Code, relating to consumer's use tax.

**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, 11 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boehning; Brandenburg; Brusegaard; Carlisle; Carlson; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleston; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Johnson, D.; Kaldor; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Nottestad; Owens; Pietsch; Pollert; Porter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Zaiser; Speaker Klein

**NAYS:** Boe; Boucher; Charging; Iverson; Johnson, N.; Kasper; Meier, L.; Onstad; Potter; Thoreson; Thorpe

**ABSENT AND NOT VOTING:** Bernstein; Dietrich; Maragos; Norland; Wrangham

Engrossed HB 1522 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1400:** A BILL for an Act to amend and reenact subsection 3 of section 10-06.1-10 of the North Dakota Century Code, relating to composition of the natural areas advisory committee.

**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 41 YEAS, 49 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Belter; Boehning; Brandenburg; Brusegaard; Charging; Conrad; Damschen; DeKrey; Delzer; Devlin; Drovdal; Froelich; Froseth; Galvin; Haas; Hawken; Headland; Herbel; Iverson; Johnson, D.; Kempenich; Kerzman; Koppelman; Kreidt; Meyer, S.; Monson; Nelson; Nicholas; Norland; Onstad; Pollert; Potter; Price; Rennerfeldt; Ruby; Sandvig; Skarphol; Timm; Uglem; Weisz; Speaker Klein

**NAYS:** Aarsvold; Amerman; Bellew; Berg; Boe; Boucher; Carlisle; Carlson; Clark; Delmore; Dosch; Ekstrom; Glassheim; Grande; Gulleston; Hanson; Horter; Hunskor; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kingsbury; Klemin; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Mueller; Nottestad; Owens; Pietsch; Porter; Schmidt; Sitte; Solberg; Svedjan; Thoreson; Thorpe; Vigesaa; Wald; Wall; Weiler; Wieland; Williams; Zaiser

**ABSENT AND NOT VOTING:** Bernstein; Dietrich; Maragos; Wrangham

HB 1400 lost.

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**SECOND READING OF HOUSE BILL**

**HB 1373:** A BILL for an Act to provide an appropriation to the superintendent of public instruction for services to English language learners.

**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 20 YEAS, 67 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

**YEAS:** Boucher; Carlson; Conrad; Delmore; Dosch; Ekstrom; Glassheim; Grande; Haas; Hawken; Horter; Johnson, N.; Kelsh, S.; Meier, L.; Nottestad; Rennerfeldt; Sandvig; Wall; Wieland; Zaiser

**NAYS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Brandenburg; Brusegaard; Carlisle; Charging; Clark; Damschen; Delzer; Devlin; Drovdal; Froelich; Froseth; Galvin; Gulleston; Hanson; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Kasper; Keiser; Kelsch, R.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar;

Kroeber; Martinson; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Ruby; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wald; Weiler; Weisz; Williams; Speaker Klein

**ABSENT AND NOT VOTING:** Bernstein; Boehning; DeKrey; Dietrich; Kaldor; Maragos; Wrangham

Engrossed HB 1373 lost.

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### SECOND READING OF HOUSE BILL

**HB 1029:** A BILL for an Act to provide an appropriation for a public education and awareness campaign regarding vulnerable adult abuse and neglect.

### 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 41 YEAS, 48 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Boe; Boehning; Boucher; Charging; Conrad; DeKrey; Delmore; Ekstrom; Froelich; Glassheim; Gulleeson; Hanson; Hawken; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kelsch, R.; Kelsh, S.; Kerzman; Klemin; Kretschmar; Kroeber; Meier, L.; Metcalf; Meyer, S.; Mueller; Nelson; Nottestad; Onstad; Potter; Sandvig; Schmidt; Solberg; Thorpe; Wall; Williams; Zaiser

**NAYS:** Bellew; Belter; Berg; Brandenburg; Brusegaard; Carlisle; Carlson; Clark; Damschen; Delzer; Devlin; Dosch; Drovdal; Froseth; Galvin; Haas; Headland; Herbel; Horter; Kasper; Keiser; Kempenich; Kingsbury; Koppelman; Kreidt; Martinson; Monson; Norland; Owens; Pietsch; Pollert; Porter; Price; Rennerfeldt; Ruby; Sitte; Skarphol; Svedjan; Thoreson; Timm; Uglem; Vigesaa; Wald; Weiler; Weisz; Wieland; Speaker Klein

**ABSENT AND NOT VOTING:** Bernstein; Dietrich; Maragos; Nicholas; Wrangham

HB 1029 lost.

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### SECOND READING OF HOUSE BILL

**HB 1227:** A BILL for an Act to create and enact a new section to chapter 12.1-16 and a new section to chapter 43-17 of the North Dakota Century Code, relating to the protection of a preborn child and the duty of physicians; and to provide a penalty.

### 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 19 YEAS, 69 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

**YEAS:** Bellew; Belter; Brandenburg; Carlson; Damschen; Delzer; Galvin; Grande; Iverson; Kasper; Kretschmar; Rennerfeldt; Ruby; Sandvig; Sitte; Skarphol; Thoreson; Wald; Speaker Klein

**NAYS:** Aarsvold; Amerman; Berg; Boe; Boehning; Boucher; Brusegaard; Carlisle; Charging; Clark; Conrad; DeKrey; Delmore; Devlin; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Gulleeson; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Kreidt; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Schmidt; Solberg; Svedjan; Thorpe; Timm; Uglem; Vigesaa; Wall; Weiler; Weisz; Wieland; Williams

**ABSENT AND NOT VOTING:** Bernstein; Dietrich; Koppelman; Maragos; Wrangham; Zaiser

HB 1227 lost.

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**MOTION**

**REP. BERG MOVED** that the House stand in recess until 3:25 p.m., which motion prevailed.

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

**REPORT OF STANDING COMMITTEE**

**HB 1450, as engrossed: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION** (21 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1450 was placed on the Eleventh order on the calendar.

**SECOND READING OF HOUSE BILL**

**HB 1450:** A BILL for an Act to amend and reenact subsections 1 and 7 of section 39-06-14, subsection 6 of section 39-06-19, and subsection 1 of section 39-06.2-08 of the North Dakota Century Code, relating to fees for a driver's license.

**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, 41 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

**YEAS:** Belter; Berg; Boe; Boehning; Brandenburg; Brusegaard; Clark; Conrad; Damschen; DeKrey; Delmore; Devlin; Dosch; Ekstrom; Haas; Hawken; Headland; Herbel; Horter; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kingsbury; Klemin; Kreidt; Kretschmar; Meyer, S.; Monson; Nelson; Norland; Nottestad; Owens; Pietsch; Pollert; Potter; Price; Schmidt; Svedjan; Uglen; Vigesaa; Wall; Weisz; Wieland; Williams; Speaker Klein

**NAYS:** Aarsvold; Amerman; Bellew; Boucher; Carlisle; Carlson; Charging; Delzer; Drovdal; Froelich; Froseth; Galvin; Grande; Gulleson; Hanson; Hunskor; Iverson; Kaldor; Kasper; Kelsh, S.; Kempenich; Kerzman; Koppelman; Kroeber; Martinson; Meier, L.; Metcalf; Mueller; Onstad; Porter; Rennerfeldt; Sandvig; Sitte; Skarphol; Solberg; Thoreson; Thorpe; Timm; Wald; Weiler; Zaiser

**ABSENT AND NOT VOTING:** Bernstein; Dietrich; Glassheim; Maragos; Nicholas; Ruby; Wrangham

Engrossed HB 1450 lost.

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**REPORT OF STANDING COMMITTEE**

**HB 1278: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **DO PASS** (14 YEAS, 9 NAYS, 0 ABSENT AND NOT VOTING). HB 1278 was placed on the Eleventh order on the calendar.

**SECOND READING OF HOUSE BILL**

**HB 1278:** A BILL for an Act to amend and reenact section 54-16-04.1 of the North Dakota Century Code, relating to the appropriation of federal funds.

**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 66 YEAS, 21 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

**YEAS:** Bellew; Belter; Berg; Boe; Boehning; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Damschen; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Froseth; Galvin; Grande; Haas; Hawken; Headland; Herbel; Horter; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kempenich; Kingsbury; Klemin; Kreidt; Kretschmar; Martinson; Meier, L.; Meyer, S.; Monson; Nelson; Norland; Nottestad; Owens; Pietsch; Pollert; Porter; Price; Rennerfeldt; Sandvig; Sitte; Skarphol; Svedjan; Thoreson; Timm; Uglen; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Zaiser; Speaker Klein

**NAYS:** Aarsvold; Amerman; Boucher; Conrad; Ekstrom; Froelich; Glassheim; Gulleson; Hanson; Hunskor; Kaldor; Kelsh, S.; Kerzman; Kroeber; Metcalf; Mueller; Onstad; Potter; Schmidt; Solberg; Thorpe

**ABSENT AND NOT VOTING:** Bernstein; Dietrich; Koppelman; Maragos; Nicholas; Ruby; Wrangham

HB 1278 passed and the title was agreed to.

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#### REPORT OF STANDING COMMITTEE

**HB 1271, as engrossed: Appropriations Committee (Rep. Svedjan, Chairman)**  
recommends **DO PASS** (21 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING).  
Engrossed HB 1271 was placed on the Eleventh order on the calendar.

#### SECOND READING OF HOUSE BILL

**HB 1271:** A BILL for an Act to amend and reenact section 15-10-18.2 of the North Dakota Century Code, relating to tuition waivers for dependents of veterans.

#### 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, 0 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleon; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Zaiser; Speaker Klein

**ABSENT AND NOT VOTING:** Bernstein; Dietrich; Maragos; Nicholas; Ruby; Wrangham

Engrossed HB 1271 passed and the title was agreed to.

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#### REPORT OF STANDING COMMITTEE

**HB 1069, as engrossed: Appropriations Committee (Rep. Svedjan, Chairman)**  
recommends **DO PASS** (22 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING).  
Engrossed HB 1069 was placed on the Eleventh order on the calendar.

#### SECOND READING OF HOUSE BILL

**HB 1069:** A BILL for an Act to create and enact a new section to chapter 39-03.1, a new section to chapter 54-52, a new subsection to section 54-52.6-02, and a new section to chapter 54-52.6 of the North Dakota Century Code, relating to military service retirement credit and temporary employee participation in the defined contribution retirement plan under the public employees retirement system; to amend and reenact section 39-03.1-10.1, subsection 9 of section 39-03.1-11, sections 39-03.1-11.2, 39-03.1-28, and 39-03.1-30, subsection 11 of section 54-52-01, subsection 3 of section 54-52-05, section 54-52-06, subsections 9 and 10 of section 54-52-17, sections 54-52-17.4 and 54-52-28, subsection 3 of section 54-52.6-01, and section 54-52.6-13 of the North Dakota Century Code, relating to the purchase of service credit for qualified military service, highway patrol retirement options, compliance with Internal Revenue Code provisions, confidentiality of records, purchase of sick leave, eligibility for the law enforcement retirement plan, temporary employee participation in the defined contribution retirement plan, and retirement benefit options under the public employees retirement system; to repeal sections 54-52-19.2 and 54-52.6-09.3 of the North Dakota Century Code, relating to prior service credit under the public employees retirement system and retirement contributions for military service; and to provide an appropriation.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 89 YEAS, 0 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleon; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson;

Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Zaiser; Speaker Klein

**ABSENT AND NOT VOTING:** Bernstein; Dietrich; Maragos; Nicholas; Wrangham

Engrossed HB 1069 passed and the title was agreed to.

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#### REPORT OF STANDING COMMITTEE

**HB 1489, as engrossed: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **DO NOT PASS** (21 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed HB 1489 was placed on the Eleventh order on the calendar.

#### SECOND READING OF HOUSE BILL

**HB 1489:** A BILL for an Act to create and enact a new section to chapter 15.1-21 of the North Dakota Century Code, relating to school reporting of student progress and achievement.

#### 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 61 YEAS, 29 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Devlin; Dosch; Drovdal; Ekstrom; Froseth; Galvin; Glassheim; Grande; Haas; Hanson; Hawken; Herbel; Horter; Hunsakor; Johnson, D.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Owens; Pietsch; Porter; Potter; Price; Ruby; Schmidt; Sitte; Solberg; Thorpe; Uglem; Vigesaa; Wall; Weisz; Zaiser

**NAYS:** Aarsvold; Amerman; Bellew; Brusegaard; Carlisle; Carlson; Delzer; Froelich; Gulleon; Headland; Iverson; Johnson, N.; Kempenich; Kerzman; Kroeber; Martinson; Onstad; Pollert; Rennerfeldt; Sandvig; Skarphol; Svedjan; Thoreson; Timm; Wald; Weiler; Wieland; Williams; Speaker Klein

**ABSENT AND NOT VOTING:** Bernstein; Dietrich; Maragos; Wrangham

Engrossed HB 1489 passed and the title was agreed to.

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#### REPORT OF STANDING COMMITTEE

**HB 1157, as engrossed: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **DO NOT PASS** (14 YEAS, 9 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1157 was placed on the Eleventh order on the calendar.

#### SECOND READING OF HOUSE BILL

**HB 1157:** A BILL for an Act to provide a contingent appropriation for property tax rebates to owners of residential property.

#### 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 24 YEAS, 66 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Bellew; Boehning; Brandenburg; Carlisle; Carlson; Dosch; Galvin; Grande; Headland; Iverson; Kasper; Koppelman; Kreidt; Kretschmar; Meier, L.; Owens; Porter; Potter; Ruby; Schmidt; Sitte; Thoreson; Timm; Weiler

**NAYS:** Aarsvold; Amerman; Belter; Berg; Boe; Boucher; Brusegaard; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Gulleon; Haas; Hanson; Hawken; Herbel; Horter; Hunsakor; Johnson, D.; Johnson, N.; Kaldor; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Kroeber; Martinson; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Pietsch; Pollert; Price; Rennerfeldt; Sandvig; Skarphol;

Solberg; Svedjan; Thorpe; Uglem; Vigesaa; Wald; Wall; Weisz; Wieland; Williams; Zaiser; Speaker Klein

**ABSENT AND NOT VOTING:** Bernstein; Dietrich; Maragos; Wrangham

Engrossed HB 1157 lost.

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**SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 3003:** A concurrent resolution directing the Legislative Council to study severed mineral interests, including the laws in other states and problems associated with severed mineral interests.

The question being on the final adoption of the amended resolution, which has been read, and has committee recommendation of DO PASS.

HCR 3003 was declared adopted on a verification vote.

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**SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 3005:** A concurrent resolution directing the Legislative Council to seek information identifying state-owned real estate and study the utilization of real estate owned by state agencies and institutions, the best use of state-owned real estate, and whether the state should establish and maintain an inventory of state-owned real estate.

The question being on the final adoption of the amended resolution, which has been read, and has committee recommendation of DO PASS.

HCR 3005 was declared adopted on a voice vote.

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**SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 3019:** A concurrent resolution urging the United States Army Corps of Engineers to retain sufficient water in the upper portion of Lake Oahe to ensure a stable water supply for the residents of the Standing Rock Indian Reservation and surrounding communities, complimenting the Governor and the Attorney General on their efforts, and urging them to continue their actions to ensure federal officials retain sufficient water in the upper portion of Lake Oahe to protect the health and well-being of the citizens of the area.

The question being on the final adoption of the amended resolution, which has been read, and has committee recommendation of DO PASS.

HCR 3019 was declared adopted on a voice vote.

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**SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 3024:** A concurrent resolution urging the United States Secretary of Commerce to complete a Taiwan-United States free trade agreement.

The question being on the final adoption of the amended resolution, which has been read, and has committee recommendation of DO PASS.

HCR 3024 was declared adopted on a voice vote.

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**SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 3027:** A concurrent resolution urging the United States Army Corps of Engineers to retain sufficient water in Lake Sakakawea to ensure a stable water supply for all water users, including municipal, rural, irrigation, and industrial, complimenting the Governor and the Attorney General on their efforts, and urging them to continue their actions to ensure federal officials retain sufficient water in Lake Sakakawea to protect the health and well-being of the citizens of western North Dakota.

The question being on the final adoption of the amended resolution, which has been read, and has committee recommendation of DO PASS.



HCR 3027 was declared adopted on a voice vote.

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### SECOND READING OF HOUSE CONCURRENT RESOLUTION

**HCR 3045:** A concurrent resolution directing the Legislative Council to study the feasibility and desirability of authorizing nonprofit organizations to participate in a government liability self-insurance pool.

The question being on the final adoption of the amended resolution, which has been read, and has committee recommendation of DO PASS.

HCR 3045 was declared adopted on a voice vote.

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### SECOND READING OF HOUSE CONCURRENT RESOLUTIONS ON CONSENT CALENDAR

**HCR 3032:** A concurrent resolution urging the President of the United States and Congress to evaluate carefully the impact of any proposed budget cuts on the men, women, and children of this state.

**HCR 3043:** A concurrent resolution directing the Legislative Council to study the need for supportive housing and services, including emergency shelters, transition housing, and permanent supportive housing for homeless individuals and families with children.

The question being on the final adoption of the resolutions, which have been read.

HCR 3032 and HCR 3043 were declared adopted on a voice vote, and the titles were agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1458:** A BILL for an Act to create and enact two new sections to chapter 24-02 of the North Dakota Century Code, relating to transportation funding; to amend and reenact sections 39-04-19 and 57-43.1-02 of the North Dakota Century Code, relating to motor vehicle registration fees and motor vehicles fuels tax; to repeal section 7 of chapter 12 of the 2003 Session Laws, relating to registration fee allocation; to provide a continuing appropriation; to provide an effective date; and to provide an expiration date.

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 51 YEAS, 40 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Berg; Boe; Boucher; Brandenburg; Brusegaard; Clark; Conrad; DeKrey; Delmore; Devlin; Dosch; Ekstrom; Glassheim; Haas; Hawken; Headland; Herbel; Horter; Johnson, D.; Johnson, N.; Kaldor; Keiser; Kelsch, R.; Kelsh, S.; Klemin; Kreidt; Kretschmar; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Owens; Pietsch; Porter; Potter; Price; Ruby; Schmidt; Svedjan; Uglem; Vigesaa; Wall; Weisz; Wieland; Williams; Speaker Klein

**NAYS:** Aarsvold; Amerman; Bellew; Belter; Boehning; Carlisle; Carlson; Charging; Damschen; Delzer; Drovdal; Froelich; Froseth; Galvin; Grande; Gullerson; Hanson; Hunskor; Iverson; Kasper; Kempenich; Kerzman; Kingsbury; Koppelman; Kroeber; Martinson; Onstad; Pollert; Rennerfeldt; Sandvig; Sitte; Skarphol; Solberg; Thoreson; Thorpe; Timm; Wald; Weiler; Wrangham; Zaiser

**ABSENT AND NOT VOTING:** Bernstein; Dietrich; Maragos

Engrossed HB 1458 passed and the title was agreed to.

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### REPORT OF STANDING COMMITTEE

**HB 1512, as engrossed: Appropriations Committee (Rep. Svedjan, Chairman)**  
recommends **BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION**

(16 YEAS, 7 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1512 was placed on the Sixth order on the calendar.

### SECOND READING OF HOUSE BILL

**HB 1512:** A BILL for an Act to create and enact section 15.1-27-04.1, a new subsection to section 57-38-30.3, a new subsection to section 57-39.2-02.1, and a new subsection to section 57-40.2-02.1 of the North Dakota Century Code, relating to school district cost factors, sales and use taxes and income taxes; to amend and reenact sections 15.1-09-47, 15.1-23-19, 15.1-27-08, 15.1-27-09, 15.1-27-18, 15.1-27-20, 15.1-29-12, 15.1-31-03, 15.1-31-07, 15.1-32-14, 57-15-01.1, 57-15-14, 57-35.3-03, 57-38-29, 57-38-30, and 57-38-55, subsection 3 of section 57-38.4-02, and sections 57-39.2-26, 57-39.5-02, 57-39.6-02, and 57-40.3-02 of the North Dakota Century Code, relating to the distribution of per student payments, school district property tax levies, financial institutions taxes, corporate and individual income taxes, and sales, use, and motor vehicle excise taxes; to provide hold harmless payments; to repeal sections 15.1-07-28, 15.1-12-11.1, 15.1-12-11.2, 15.1-27-04, 15.1-27-05, 15.1-27-06, 15.1-27-07, 15.1-27-10, 15.1-27-11, 15.1-27-12, 15.1-27-14, 15.1-27-15, 15.1-27-16, 15.1-27-17, 15.1-27-19, 15.1-27-21, 15.1-27-32, 15.1-27-33, 15.1-27-36, 15.1-27-37, 15.1-27-38, 15.1-27-40, and 15.1-28-03 of the North Dakota Century Code, relating to state aid payments to school districts, reorganization bonuses, joint powers association payments, the school district equalization factor, and supplemental payments; 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 49 YEAS, 41 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Boe; Boucher; Brusegaard; Charging; Conrad; Damschen; DeKrey; Delmore; Drovdal; Ekstrom; Froseth; Galvin; Glassheim; Guleson; Haas; Hawken; Herbel; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Keiser; Kelsch, R.; Kerzman; Kingsbury; Kreidt; Kretschmar; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Potter; Price; Schmidt; Svedjan; Uglen; Wall; Williams; Zaiser; Speaker Klein

**NAYS:** Bellew; Belter; Berg; Boehning; Brandenburg; Carlisle; Carlson; Clark; Delzer; Dosch; Froelich; Grande; Hanson; Headland; Horter; Iverson; Kasper; Kelsh, S.; Kempenich; Klemin; Koppelman; Kroeber; Martinson; Pietsch; Pollert; Porter; Rennerfeldt; Ruby; Sandvig; Sitte; Skarphol; Solberg; Thoreson; Thorpe; Timm; Vigesaa; Wald; Weiler; Weisz; Wieland; Wrangham

**ABSENT AND NOT VOTING:** Bernstein; Devlin; Dietrich; Maragos

Engrossed HB 1512 passed and the title was agreed to.

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### REPORT OF STANDING COMMITTEE

**HB 1252, as engrossed: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (18 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1252 was placed on the Sixth order on the calendar.

Page 1, line 2, remove the first "and"

Page 1, line 3, after "50-24.4-27" insert ", and subsection 3 of section 50-24.5-02" and after "rates" insert "and basic care rates"

Page 1, line 22, overstrike "The department shall maintain access to national and state economic change"

Page 1, overstrike lines 23 and 24

Page 2, line 1, overstrike "3."

Page 2, line 4, overstrike "4." and insert immediately thereafter "3."

Page 2, line 18, overstrike "using the appropriate"

Page 2, line 19, overstrike "economic change indices established in subsection 5" and insert immediately thereafter "by the inflation rate for nursing home services used to develop the legislative appropriation for the department"

Page 3, overstrike line 6

Page 3, line 7, overstrike "of the increase in the", remove "global insight", overstrike the first comma, remove "incorporated", and overstrike the second comma

Page 3, overstrike lines 8 through 11

Page 3, line 12, overstrike "6." and insert immediately thereafter "4."

Page 3, line 16, overstrike "appropriate index established in subsection 5" and insert immediately thereafter "inflation rate for nursing home services used to develop the legislative appropriation for the department"

Page 3, line 17, overstrike "4" and insert immediately thereafter "3"

Page 3, line 18, overstrike "index" and insert immediately thereafter "inflation rate"

Page 3, line 24, overstrike "7." and insert immediately thereafter "5."

Page 3, line 25, overstrike "4" and insert immediately thereafter "3"

Page 3, line 28, overstrike "indices" and insert immediately thereafter "rates"

Page 3, line 29, overstrike "indices" and insert immediately thereafter "rates"

Page 4, line 1, overstrike "8." and insert immediately thereafter "6."

Page 4, line 5, replace "9." with "7." and replace "four" with "three"

Page 4, line 6, replace "2007" with "2006"

Page 4, line 29, overstrike "a percentage amount equal to"

Page 4, overstrike line 30

Page 5, line 1, overstrike "section 50-24.4-10" and insert immediately thereafter "the inflation rate for nursing home services used to develop the legislative appropriation for the department"

Page 8, after line 22, insert:

**"SECTION 9. AMENDMENT.** Subsection 3 of section 50-24.5-02 of the North Dakota Century Code is amended and reenacted as follows:

3. Supplement, within the limits of legislative appropriation, the income of an eligible beneficiary receiving necessary basic care services to the extent that the eligible beneficiary lacks income sufficient to meet the cost of that care, provided at rates determined by the department adjusted by the inflation rate for basic care services used to develop the legislative appropriation for the department."

Renumber accordingly

#### **STATEMENT OF PURPOSE OF AMENDMENT:**

This amendment:

- Provides that inflationary increases for nursing home payment rates be based on inflationary rates used by the Legislative Assembly in developing the Department of Human Services appropriation each biennium rather than the average increase in the nursing home input price index and the consumer price index each year.
- Provides that inflationary increases for basic care rates be based on inflationary rates used by the Legislative Assembly in developing the Department of Human Services appropriation each biennium rather than as determined by the department.

- Requires nursing home rates to be rebased every three years.

### SECOND READING OF HOUSE BILL

**HB 1252:** A BILL for an Act to amend and reenact sections 50-24.4-06 and 50-24.4-10, subsection 1 of section 50-24.4-11, sections 50-24.4-13, 50-24.4-14, 50-24.4-16, 50-24.4-19, and 50-24.4-27, and subsection 3 of section 50-24.5-02 of the North Dakota Century Code, relating to nursing home rates and basic care rates; and to repeal section 50-24.4-09 of the North Dakota Century Code, relating to interim rates for nursing homes.

### 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 89 YEAS, 0 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleon; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemm; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

**ABSENT AND NOT VOTING:** Bernstein; Devlin; Dietrich; Maragos; Weiler

Reengrossed HB 1252 passed and the title was agreed to.

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### MOTION

**REP. BERG MOVED** that HB 1423 be moved to the bottom of the calendar, which motion prevailed.

### REPORT OF STANDING COMMITTEE

**HB 1460: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (19 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1460 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "an annual" with "a biennial"

Page 1, line 3, remove "and" and after "appropriation" insert "; and to provide an expiration date"

Page 1, line 7, replace "**Annual**" with "**Biennial**" and replace "an annual" with "a biennial"

Page 1, line 8, replace "legislative council" with "appropriations committees of the legislative assembly"

Page 1, line 14, replace "legislative council" with "appropriations committees"

Page 1, line 15, replace "legislative council determines" with "appropriations committees determine"

Page 1, line 18, replace "\$350,000" with "\$50,000"

Page 1, line 19, after the comma insert "and from special funds derived from federal funds or other income, the sum of \$50,000, or so much of the sum as may be necessary,"

Page 1, line 22, replace "date" with "data"

Page 1, after line 24, insert:

**"SECTION 3. EXPIRATION DATE.** This Act is effective through June 30, 2007, and after that date is ineffective."

ReNUMBER accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

The amendment requires a biennial rather than an annual report, adds a June 30, 2007, expiration date for the Act, and reduces the appropriation of \$350,000 from the general fund to \$100,000 in total, of which \$50,000 is from the general fund and \$50,000 is from federal funds.

**SECOND READING OF HOUSE BILL**

**HB 1460:** A BILL for an Act to create and enact a new section to chapter 50-06 of the North Dakota Century Code, relating to a biennial report of certain programs administered or funded by the department of human services; to provide an appropriation; and to provide an expiration date.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 85 YEAS, 2 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Dosch; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Svedjan; Thoreson; Thorpe; Uglem; Vigesaa; Wald; Wall; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

**NAYS:** Delzer; Drovdal

**ABSENT AND NOT VOTING:** Bernstein; Devlin; Dietrich; Maragos; Solberg; Timm; Weiler

Engrossed HB 1460 passed and the title was agreed to.

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**REPORT OF STANDING COMMITTEE**

**HB 1459, as engrossed: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (21 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed HB 1459 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "to provide for the managed care development fund and the development of a"

Page 1, line 2, remove "system for managing the health care needs of medical assistance patients;"

Page 1, line 4, remove "to provide an appropriation;"

Page 1, remove line 7 through 18

Page 3, line 5, after "shall" insert "receive input from and"

Page 3, line 6, replace "2" with "1"

Page 3, remove lines 7 through 13

Re-number accordingly

**SECOND READING OF HOUSE BILL**

**HB 1459:** A BILL for an Act to create and enact a new section to chapter 50-24.1 of the North Dakota Century Code, relating to medical assistance program management; to provide for a report; 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 88 YEAS, 0 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleon; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

**ABSENT AND NOT VOTING:** Bernstein; Devlin; Dietrich; Maragos; Nicholas; Weiler

Reengrossed HB 1459 passed, the title was agreed to, and the emergency clause was declared carried.

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#### REPORT OF STANDING COMMITTEE

**HB 1465, as engrossed: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (21 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed HB 1465 was placed on the Sixth order on the calendar.

Page 2, remove lines 7 and 8

Page 2, line 17, replace "for the biennium beginning July 1, 2005," with "beginning with the effective date of this Act"

Renumber accordingly

#### SECOND READING OF HOUSE BILL

**HB 1465:** A BILL for an Act to create and enact a new section to chapter 50-24.1 of the North Dakota Century Code, relating to the management of the state medical assistance program; to provide for a report; to provide an appropriation; and to declare an emergency.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 90 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleon; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

**ABSENT AND NOT VOTING:** Bernstein; Devlin; Dietrich; Maragos

Reengrossed HB 1465 passed, the title was agreed to, and the emergency clause was declared carried.

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#### MOTION

**REP. MONSON MOVED** that HCR 3048 be returned to the House floor from the **Education Committee** and be rereferred to the **Constitutional Revision Committee**, which motion prevailed.

#### 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 2147, SB 2204, SB 2209, SB 2213, SB 2221, SB 2296, SB 2340, SB 2344, SB 2360, SB 2362, SB 2401.

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

**MR. SPEAKER:** The Senate has passed, the emergency clause carried, and your favorable consideration is requested on: SB 2179.

**MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)**

**MR. PRESIDENT:** The House has passed and your favorable consideration is requested on: HCR 3001, HCR 3002, HCR 3008, HCR 3009, HCR 3010, HCR 3011, HCR 3013, HCR 3014, HCR 3016, HCR 3021, HCR 3022, HCR 3023, HCR 3025, HCR 3026, HCR 3028, HCR 3029, HCR 3031, HCR 3033, HCR 3034, HCR 3036, HCR 3038, HCR 3039, HCR 3040.

**MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)**

**MR. PRESIDENT:** The House has passed, the emergency clause carried, and your favorable consideration is requested on: HB 1148, HB 1370, HB 1399.

**MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)**

**MR. PRESIDENT:** The House has passed and your favorable consideration is requested on: HB 1172, HB 1181, HB 1239, HB 1254, HB 1398, HB 1488.

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

**MR. SPEAKER:** The Senate has passed, the emergency clause carried, and your favorable consideration is requested on: SB 2001.

**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 2007, SB 2008, SB 2009, SB 2010, SB 2017, SB 2022, SB 2069, SB 2157, SB 2195, SB 2274, SB 2290, SB 2295, SB 2325, SB 2333.

**MOTION**

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

**MOTION**

**REP. MONSON MOVED** that the House be on the Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 8:00 a.m., Thursday, February 17, 2005, which motion prevailed.

**FIRST READING OF HOUSE CONCURRENT RESOLUTIONS**

Reps. Hawken, Maragos, Weiler and Sens. Grindberg, Holmberg introduced:

**HCR 3052:** A concurrent resolution directing the Legislative Council to study and compare the delivery of elementary and secondary education to students in contiguous school districts.

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

Reps. Wrangham, Clark, Delzer, Keiser and Sen. Klein introduced:

**HCR 3053:** A concurrent resolution directing the Legislative Council to study the role of the state in reviewing and approving various postsecondary skill development programs.

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

Reps. Wrangham, Charging and Sen. J. Lee introduced:

**HCR 3054:** A concurrent resolution directing the Legislative Council to study state programs providing services to children with special health care needs to determine whether the programs are effective in meeting these special health care needs, whether there are gaps in the state's system for providing services to children with special health care needs, and whether there are significant unmet special health care needs of children which should be addressed.

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

Reps. N. Johnson, Ekstrom, Keiser and Sens. Klein, Krebsbach, Triplett introduced:

**HCR 3055:** A concurrent resolution for the amendment of sections 1, 2, and 6 of article XII of the Constitution of North Dakota, relating to regulation of corporations and to cumulative voting by corporate members or shareholders; and to repeal sections 3, 4, 7, 8, 9, 11, 12, 13, 14, 15, and 17 of article XII of the Constitution of North Dakota, relating to regulation of business, railroad, and banking corporations; and to provide an effective date.

Was read the first time and referred to the **Constitutional Revision Committee**.

**REPORT OF STANDING COMMITTEE**

**HB 1001: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (23 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1001 was placed on the Sixth order on the calendar.

Page 2, line 1, replace "267,753" with "178,703"

Page 2, line 7, replace "2,038,886" with "1,949,836"

Page 2, line 9, replace "258,886" with "169,836"

Page 2, line 16, replace "2,277,603" with "2,188,553"

Page 2, line 21, replace "5,150,772" with "5,061,722"

Page 2, line 23, replace "2,590,772" with "2,501,722"

Page 3, line 1, remove "may not"

Page 3, line 2, remove "exceed"

Page 3, line 8, remove "may not exceed"

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

##### House Bill No. 1001 - Governor's Office - House Action

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$2,277,603	(\$89,050)	\$2,188,553
Operating expenses	352,369		352,369
Grants	2,500,000		2,500,000
Contingencies	10,000		10,000
Roughrider Awards	<u>10,800</u>		<u>10,800</u>
Total all funds	\$5,150,772	(\$89,050)	\$5,061,722
Less estimated income	<u>2,560,000</u>		<u>2,560,000</u>
General fund	\$2,590,772	(\$89,050)	\$2,501,722
FTE	18.00	0.00	18.00

##### Dept. 101 - Governor's Office - Detail of House Changes

	REDUCES COMPENSATION PACKAGE TO 3/4	REMOVES FUNDING FOR SENIOR ADVISOR <sup>1</sup>	TOTAL HOUSE CHANGES
Salaries and wages	(\$9,160)	(\$79,890)	(\$89,050)
Operating expenses			
Grants			
Contingencies			
Roughrider Awards			
Total all funds	(\$9,160)	(\$79,890)	(\$89,050)
Less estimated income			
General fund	(\$9,160)	(\$79,890)	(\$89,050)
FTE	0.00	0.00	0.00

<sup>1</sup> Removes funding added in the executive budget for a senior policy advisor. The FTE position is not removed.

#### REPORT OF STANDING COMMITTEE

**HB 1002: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (23 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1002 was placed on the Sixth order on the calendar.

Page 1, line 3, remove the first "and"

Page 1, line 4, after "state" insert "; and to declare an emergency"

Page 2, line 7, replace "142,596" with "133,738"

Page 2, line 8, replace "300,472" with "50,472"

Page 2, line 10, replace "376,547" with "79,853"



Page 2, line 11, replace "834,615" with "279,063"

Page 2, line 12, replace "436,172" with "63,378"

Page 2, line 13, replace "398,443" with "215,685"

Page 2, line 18, replace "389,443" with "206,685"

Page 2, line 19, replace "436,172" with "63,378"

Page 2, line 20, replace "825,615" with "270,063"

Page 2, line 29, replace "2,296,214" with "2,287,356"

Page 2, line 30, replace "2,326,061" with "2,076,061"

Page 3, line 2, replace "9,876,547" with "9,579,853"

Page 3, line 3, replace "14,521,822" with "13,966,270"

Page 3, line 4, replace "10,316,535" with "9,943,741"

Page 3, line 5, replace "4,205,287" with "4,022,529"

Page 3, line 10, replace "4,532,287" with "4,349,529"

Page 3, line 11, replace "10,316,535" with "9,943,741"

Page 3, line 12, replace "14,848,822" with "14,293,270"

Page 3, replace lines 13 through 15 with:

**"SECTION 4. COLLECTIONS FROM COUNTIES - GENERAL FUND REVENUE.** The secretary of state shall collect \$76,100 from counties to reimburse the general fund for a portion of the state matching requirement provided for federal election reform funds for the biennium beginning July 1, 2005, and ending June 30, 2007. All funds collected by the secretary of state under this section must be deposited in the general fund."

Page 3, line 20, remove "seven", overstrike "hundred", and replace "thirty-nine" with "fifty-nine"

Page 3, line 21, replace "may not exceed seventy-three" with "seventy-two" and replace "five hundred sixty-eight" with "eight hundred sixty-one"

Page 3, after line 22, insert:

**"SECTION 6. EMERGENCY.** The election reform line item in subdivision 1 of section 3 of this Act is declared to be an emergency measure."

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### House Bill No. 1002 - Summary of House Action

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Secretary of State			
Total all funds	\$14,521,822	(\$555,552)	\$13,966,270
Less estimated income	<u>10,316,535</u>	<u>(372,794)</u>	<u>9,943,741</u>
General fund	\$4,205,287	(\$182,758)	\$4,022,529
Public Printing			
Total all funds	\$327,000	\$0	\$327,000
Less estimated income			
General fund	<u>\$327,000</u>	<u>\$0</u>	<u>\$327,000</u>
Bill Total			
Total all funds	\$14,848,822	(\$555,552)	\$14,293,270
Less estimated income	<u>10,316,535</u>	<u>(372,794)</u>	<u>9,943,741</u>
General fund	\$4,532,287	(\$182,758)	\$4,349,529

**House Bill No. 1002 - Secretary of State - House Action**

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$2,296,214	(\$8,858)	\$2,287,356
Operating expenses	2,326,061	(250,000)	2,076,061
Capital assets	15,000		15,000
Petition review	8,000		8,000
Election reform	<u>9,876,547</u>	<u>(296,694)</u>	<u>9,579,853</u>
Total all funds	\$14,521,822	(\$555,552)	\$13,966,270
Less estimated income	<u>10,316,535</u>	<u>(372,794)</u>	<u>9,943,741</u>
General fund	\$4,205,287	(\$182,758)	\$4,022,529
FTE	27.00	0.00	27.00

**Dept. 108 - Secretary of State - Detail of House Changes**

	REDUCES COMPENSATION PACKAGE TO 3/4	REMOVES FUNDING FOR IT PROJECT <sup>1</sup>	CHANGES ELECTION REFORM MATCHING FUNDS <sup>2</sup>	TOTAL HOUSE CHANGES
Salaries and wages	(\$8,858)			(\$8,858)
Operating expenses		(\$250,000)		(250,000)
Capital assets				
Petition review				
Election reform	<u>(200)</u>		<u>(\$296,494)</u>	<u>(296,694)</u>
Total all funds	(\$9,058)	(\$250,000)	(\$296,494)	(\$555,552)
Less estimated income	<u>(200)</u>		<u>(372,594)</u>	<u>(372,794)</u>
General fund	(\$8,858)	(\$250,000)	\$76,100	(\$182,758)
FTE	0.00	0.00	0.00	0.00

<sup>1</sup> Funding from the general fund of \$250,000 added in the executive budget for migrating the Secretary of State's information technology data base to a more current platform is removed.

<sup>2</sup> The election reform line item is reduced by \$296,494. Funding of \$372,594 from counties included in the executive budget for the 5 percent state matching requirement for the \$7,446,803 of federal election reform funds available to North Dakota is removed. Funding of \$76,100 from the general fund is added to provide the state matching funds required. It is anticipated that previous expenditures made by the Secretary of State and counties may be used for the remaining \$296,250 of state matching requirement. A section is added requiring the Secretary of State to collect \$76,100 from counties during the 2005-07 biennium for deposit in the general fund to reimburse the general fund for the state matching funds appropriated in this bill. An emergency clause is added allowing the Secretary of State to access the federal election reform funding prior to July 1, 2005.

**REPORT OF STANDING COMMITTEE**

**HB 1003: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (23 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1003 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "for a contingent appropriation" with "an exemption" and replace "and" with "to provide a statement of legislative intent; to provide for duties of the attorney general;"

Page 1, line 4, after "general" insert "; and to declare an emergency"

Page 2, line 1, replace "939,420" with "860,869"

Page 2, line 2, replace "258,633" with "283,953"

Page 2, line 5, replace "387,007" with "367,395"

Page 2, line 7, replace "1,574,486" with "1,501,643"

Page 2, line 8, replace "359,067" with "(78,717)"

Page 2, line 9, replace "1,215,419" with "1,580,360"

Page 2, line 15, replace "19,400,721" with "19,322,170"

Page 2, line 16, replace "8,254,104" with "8,279,424"

Page 2, line 21, replace "387,007" with "367,395"

Page 2, line 24, replace "36,058,177" with "35,985,334"

Page 2, line 25, replace "17,788,541" with "17,350,757"

Page 2, line 26, replace "18,269,636" with "18,634,577"

Page 2, line 28, replace "sections 1 and" with "section"

Page 3, line 18, replace the first "\$129,002" with "\$73,945" and replace the second "\$129,002" with "\$73,945"

Page 3, line 19, replace "\$129,003" with "\$73,946"

Page 3, after line 21, insert:

**"SECTION 9. FEDERAL FUNDS - REDUCTION IN GENERAL FUND EXPENDITURES.** If the attorney general receives federal funds that may be used to replace the reduction in federal Byrne grant funds for drug enforcement activities during the 2005-07 biennium, the attorney general may seek emergency commission approval to receive and spend the federal funds but may not spend moneys from the general fund added by the legislative assembly to the extent of the federal funds received for this purpose for the biennium beginning July 1, 2005, and ending June 30, 2007.

**SECTION 10. ATTORNEY GENERAL REFUND FUND TRANSFER TO THE GENERAL FUND - EXCEPTION.** Notwithstanding section 54-12-18, the attorney general may retain the balance in the attorney general refund fund that would otherwise be transferred to the general fund on June 30, 2005.

**SECTION 11. LEGISLATIVE INTENT - FUNDING PRIORITY.** It is the intent of the fifty-ninth legislative assembly that the attorney general prioritize the attorney general's funding appropriated by the legislative assembly for the biennium beginning July 1, 2005, and ending June 30, 2005, to continue, to the extent possible, the drug enforcement activities that were previously paid for from federal Byrne grant funds.

**SECTION 12. MEDICARE AND MEDICAID FRAUD ABUSE - COLLABORATION WITH UNITED STATES DEPARTMENT OF JUSTICE.** The attorney general shall collaborate with the United States department of justice to determine whether the state of North Dakota should be named as a plaintiff in medicare and medicaid fraud abuse cases being considered by the United States department of justice for the biennium beginning July 1, 2005, and ending June 30, 2007."

Page 3, line 26, replace "seventy-seven" with "seventy-six", replace "six" with "nine", and replace "fifty-five" with "eight"

Page 3, line 27, replace "may not exceed eighty" with "seventy-nine", replace "seven" with "nine", and replace "sixty-one" with "eighty-four"

Page 3, after line 28, insert:

**"SECTION 14. EMERGENCY.** Section 10 of this Act is declared to be an emergency measure."

ReNUMBER accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### House Bill No. 1003 - Attorney General - House Action

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$19,400,721	(\$78,551)	\$19,322,170
Operating expenses	8,254,104	25,320	8,279,424
Capital assets	1,767,250		1,767,250
Grants	5,944,056		5,944,056
Litigation fees	50,000		50,000
State school finance lawsuit	240,000		240,000
Racing Commission	387,007	(19,612)	367,395
Arrest and return of fugitives	10,000		10,000
Gaming Commission	<u>5,039</u>		<u>5,039</u>
Total all funds	\$36,058,177	(\$72,843)	\$35,985,334
Less estimated income	<u>17,788,541</u>	<u>(437,784)</u>	<u>17,350,757</u>

General fund	\$18,269,636	\$364,941	\$18,634,577
FTE	177.00	(2.00)	175.00

**Dept. 125 - Attorney General - Detail of House Changes**

	REDUCES COMPENSATION PACKAGE TO 3/4	REPLACES FEDERAL FUNDS REDUCTION <sup>1</sup>	REALLOCATES GENERAL FUND INCREASE <sup>2</sup>	REDUCES FUNDING FOR RACING COMMISSION <sup>3</sup>	ADDS FUNDING FOR DNA TESTING <sup>4</sup>	TOTAL HOUSE CHANGES
Salaries and wages	(\$78,551)					(\$78,551)
Operating expenses					\$25,320	25,320
Capital assets						
Grants						
Litigation fees						
State school finance lawsuit						
Racing Commission	(978)			(\$18,634)		(19,612)
Arrest and return of fugitives						
Gaming Commission						
<b>Total all funds</b>	<b>(\$79,529)</b>	<b>\$0</b>	<b>\$0</b>	<b>(\$18,634)</b>	<b>\$25,320</b>	<b>(\$72,843)</b>
Less estimated income	(21,018)	(398,132)		(18,634)		(437,784)
General fund	(\$58,511)	\$398,132	\$0	\$0	\$25,320	\$364,941
FTE	0.00	0.00	(2.00)	0.00	0.00	(2.00)

<sup>1</sup> Additional general fund support is added to replace a portion of the anticipated reduction in federal funds available for drug enforcement activities of the Bureau of Criminal Investigation and the crime lab. Sections are added to the bill providing:

- If federal funds are received for these drug enforcement purposes, the Attorney General may seek Emergency Commission approval to receive and spend the federal funds but may not spend this funding from the general fund.
- Legislative intent that the Attorney General prioritize its 2005-07 biennium funding to continue, to the extent possible, the drug enforcement activities which were previously paid for from federal Byrne grant funds.

<sup>2</sup> Funding added in the executive budget of \$157,957 from the general fund for an additional Bureau of Criminal Investigation agent and \$106,467 for an additional lab forensic scientist is reallocated to provide for the anticipated reduction in federal funds available for drug enforcement activities of the Bureau of Criminal Investigation and the crime lab. The 2 FTE positions added in the executive budget for these new positions are removed.

<sup>3</sup> Funding from Racing Commission special funds included in the executive budget for the Racing Commission executive director's salary and fringe benefits is reduced to provide for the current estimate of the amount needed for the director's salary and fringe benefits for the 2005-07 biennium.

<sup>4</sup> The operating expenses line item is increased by \$25,320 from the general fund for costs of processing DNA samples of sexual offenders required by House Bill No. 1061.

A new section is added to the bill allowing the Attorney General to retain the June 30, 2005, balance in the Attorney General refund fund estimated to be \$213,697, rather than transferring the balance to the general fund as required by North Dakota Century Code Section 54-12-18. As this amount was not reflected in the 2005-07 executive revenue forecast, there will be no general fund budget status impact.

A new section is added directing the Attorney General to work with federal prosecutors to determine whether the state of North Dakota should be included as a plaintiff in federal Medicare and Medicaid fraud cases.

**REPORT OF STANDING COMMITTEE**

**HB 1004: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 5 NAYS, 3 ABSENT AND NOT VOTING). HB 1004 was placed on the Sixth order on the calendar.

Page 1, line 17, replace "535,249" with "645,152"

Page 1, line 18, replace "58,524" with "158,524"

Page 1, line 20, replace "603,773" with "813,676"

Page 1, line 21, replace "309,014" with "301,913"

Page 1, line 22, replace "294,759" with "511,763"

Page 2, line 4, replace "6,516,686" with "6,626,589"

Page 2, line 5, replace "776,295" with "876,295"

Page 2, line 7, replace "7,302,981" with "7,512,884"

Page 2, line 8, replace "2,426,990" with "2,419,889"

Page 2, line 9, replace "4,875,991" with "5,092,995"

Page 2, line 18, overstrike "seven hundred" and replace "thirty-nine" with "fifty-nine"

Page 2, line 19, replace "and may not exceed seventy-three" with "seventy-two" and replace "five" with "eight"

Page 2, line 20, replace "sixty-nine" with "sixty-one"

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

##### House Bill No. 1004 - State Auditor - House Action

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$6,516,686	\$109,903	\$6,626,589
Operating expenses	776,295	100,000	876,295
Capital assets	<u>10,000</u>		<u>10,000</u>
Total all funds	\$7,302,981	\$209,903	\$7,512,884
Less estimated income	<u>2,426,990</u>	<u>(7,101)</u>	<u>2,419,889</u>
General fund	\$4,875,991	\$217,004	\$5,092,995
FTE	55.00	0.00	55.00

##### Dept. 117 - State Auditor - Detail of House Changes

	REDUCES COMPENSATION PACKAGE TO 3/4	ADDS SALARY FUNDING <sup>1</sup>	ADDS IT SECURITY TESTING FUNDING <sup>2</sup>	TOTAL HOUSE CHANGES
Salaries and wages	(\$25,597)	\$135,500		\$109,903
Operating expenses			\$100,000	100,000
Capital assets				
Total all funds	(\$25,597)	\$135,500	\$100,000	\$209,903
Less estimated income	<u>(7,101)</u>			<u>(7,101)</u>
General fund	(\$18,496)	\$135,500	\$100,000	\$217,004
FTE	0.00	0.00	0.00	0.00

<sup>1</sup> The salaries and wages line item is increased by \$135,500 from the general fund to provide full funding of the agency's pay plan.

<sup>2</sup> The operating expenses line item is increased by \$100,000 from the general fund to provide funding for the State Auditor's office to hire consultants to test information technology system security in the Information Technology Department.

#### REPORT OF STANDING COMMITTEE

**HB 1005: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (21 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1005 was placed on the Sixth order on the calendar.

Page 1, line 16, replace "38,983" with "46,396"

Page 1, line 19, replace "(\$293,784)" with "(\$286,371)"

Page 2, line 1, replace "632,813" with "640,226"

Page 2, line 4, replace "2,332,600" with "2,340,013"

Page 2, line 9, replace "eight" with "one", replace "two" with "sixty", and remove "may"

Page 2, line 10, replace "not exceed sixty-nine" with "sixty-eight", replace "four" with "eight", and replace "seventy-four" with "six"

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

##### House Bill No. 1005 - State Treasurer - House Action

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$632,813	\$7,413	\$640,226
Operating expenses	154,787		154,787
In lieu of tax payments	<u>1,545,000</u>		<u>1,545,000</u>
Total all funds	\$2,332,600	\$7,413	\$2,340,013
Less estimated income			
General fund	\$2,332,600	\$7,413	\$2,340,013
FTE	6.00	0.00	6.00

#### Dept. 120 - State Treasurer - Detail of House Changes

	REDUCES COMPENSATION PACKAGE TO 3/4	ADDS FUNDING FOR SALARIES AND WAGES <sup>1</sup>	TOTAL HOUSE CHANGES
Salaries and wages	(\$2,587)	\$10,000	\$7,413
Operating expenses			
In lieu of tax payments			
Total all funds	(\$2,587)	\$10,000	\$7,413
Less estimated income			
General fund	(\$2,587)	\$10,000	\$7,413
FTE	0.00	0.00	0.00

<sup>1</sup> This amendment increases funding for salaries and wages, temporary wages, and overtime.

#### REPORT OF STANDING COMMITTEE

**HB 1006: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 10 NAYS, 0 ABSENT AND NOT VOTING). HB 1006 was placed on the Sixth order on the calendar.

Page 1, line 3, remove the first "and"

Page 1, line 4, after "salary" insert "; to authorize the tax commissioner to enter into a financing agreement to establish an integrated tax system; and to declare an emergency"

Page 1, line 20, replace "621,818" with "568,477"

Page 1, line 21, replace "224,702" with "174,702"

Page 1, remove line 22

Page 1, line 23, replace "3,846,520" with "743,179"

Page 2, line 2, replace "3,841,564" with "738,223"

Page 2, line 9, replace "13,427,930" with "13,374,589"

Page 2, line 10, replace "4,663,329" with "4,613,329"

Page 2, line 12, replace "7,000,000" with "4,000,000"

Page 2, line 13, replace "25,116,259" with "22,012,918"

Page 2, line 15, replace "24,996,259" with "21,892,918"

Page 2, line 25, remove "seven" and overstrike "hundred seventy-four" and insert immediately thereafter "thirty-six"

Page 2, line 26, remove "may not exceed", overstrike "eight hundred", and replace "forty-five" with "seventy-seven"

Page 2, after line 27, insert:

**"SECTION 6. FINANCING AGREEMENT AUTHORIZATION - APPROPRIATION.** The state tax commissioner is authorized, with the advice of the chief information officer of the state, to purchase, finance the purchase, and lease equipment, software, and services, as may be determined necessary by the state tax commissioner, to establish an integrated tax processing system for use by the office of

the state tax commissioner. The principal amount of any financing agreement entered into by the state tax commissioner may not exceed \$14,000,000 and the proceeds acquired from any financing agreement must be used for this stated purpose and are appropriated for the period beginning with the effective date of this Act and ending June 30, 2007. During the biennium beginning July 1, 2007, and ending June 30, 2009, the state tax commissioner shall commence repayment of any financing agreement entered into, and repayment amounts, including principal and interest, must be incorporated in the state tax commissioner's biennial budget requests to the legislative assembly.

**SECTION 7. EMERGENCY.** Section 6 of this Act is declared to be an emergency measure."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1006 - State Tax Commissioner - House Action**

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$13,427,930	(\$53,341)	\$13,374,589
Operating expenses	4,663,329	(50,000)	4,613,329
Capital assets	25,000		25,000
Homestead tax credit	<u>7,000,000</u>	<u>(3,000,000)</u>	<u>4,000,000</u>
Total all funds	\$25,116,259	(\$3,103,341)	\$22,012,918
Less estimated income	<u>120,000</u>		<u>120,000</u>
General fund	\$24,996,259	(\$3,103,341)	\$21,892,918
FTE	133.00	0.00	133.00

**Dept. 127 - State Tax Commissioner - Detail of House Changes**

	DECREASES FUNDING FOR OPERATIONS <sup>1</sup>	REDUCES COMPENSATION PACKAGE TO 3/4	DECREASES FUNDING FOR THE HOMESTEAD TAX CREDIT <sup>2</sup>	TOTAL HOUSE CHANGES
Salaries and wages		(\$53,341)		(\$53,341)
Operating expenses	(\$50,000)			(50,000)
Capital assets				
Homestead tax credit			<u>(\$3,000,000)</u>	<u>(3,000,000)</u>
Total all funds	(\$50,000)	(\$53,341)	(\$3,000,000)	(\$3,103,341)
Less estimated income				
General fund	(\$50,000)	(\$53,341)	(\$3,000,000)	(\$3,103,341)
FTE	0.00	0.00	0.00	0.00

<sup>1</sup> This amendment decreases funding for operations.

<sup>2</sup> This amendment decreases funding for the homestead tax credit from \$7 million to \$4 million, the 2003-05 level.

This amendment authorizes the State Tax Commissioner to purchase, finance the purchase, and lease equipment, software, and services to establish an integrated tax processing system. The principal amount of any financing agreement entered into may not exceed \$14 million and the proceeds are appropriated.

**REPORT OF STANDING COMMITTEE**

**HB 1007: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (23 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1007 was placed on the Sixth order on the calendar.

Page 1, line 16, replace "187,962" with "183,404"

Page 1, line 18, replace "349,192" with "344,634"

Page 1, line 19, replace "268,517" with "267,432"

Page 1, line 20, replace "80,675" with "77,202"

Page 2, line 3, replace "1,132,494" with "1,127,936"

Page 2, line 5, replace "1,456,837" with "1,452,279"

Page 2, line 6, replace "498,215" with "497,130"

Page 2, line 7, replace "958,622" with "955,149"

ReNUMBER accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

##### House Bill No. 1007 - Labor Commissioner - House Action

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$1,132,494	(\$4,558)	\$1,127,936
Operating expenses	<u>324,343</u>		<u>324,343</u>
Total all funds	\$1,456,837	(\$4,558)	\$1,452,279
Less estimated income	<u>498,215</u>	<u>(1,085)</u>	<u>497,130</u>
General fund	\$958,622	(\$3,473)	\$955,149
FTE	11.00	0.00	11.00

##### Dept. 406 - Labor Commissioner - Detail of House Changes

	REDUCES COMPENSATION PACKAGE TO 3/4	TOTAL HOUSE CHANGES
Salaries and wages	(\$4,558)	(\$4,558)
Operating expenses		
Total all funds	(\$4,558)	(\$4,558)
Less estimated income	<u>(1,085)</u>	<u>(1,085)</u>
General fund	(\$3,473)	(\$3,473)
FTE	0.00	0.00

#### REPORT OF STANDING COMMITTEE

**HB 1008: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (19 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1008 was placed on the Sixth order on the calendar.

Page 1, line 4, after the semicolon insert "to provide for a legislative council study; to provide a statement of legislative intent;"

Page 1, line 22, replace "328,087" with "312,608"

Page 2, line 2, replace "650,000" with "950,000"

Page 2, line 3, replace "1,157,479" with "1,442,000"

Page 2, line 4, replace "(87,628)" with "1,105,516"

Page 2, line 5, replace "1,245,107" with "336,484"

Page 2, line 11, replace "5,099,584" with "5,084,105"

Page 2, line 16, replace "900,000" with "1,200,000"

Page 2, line 17, replace "11,141,740" with "11,426,261"

Page 2, line 18, replace "5,985,139" with "7,178,283"

Page 2, line 19, replace "5,156,601" with "4,247,978"



Page 2, line 20, after the first boldfaced period insert "**ESTIMATED INCOME** -" and replace "general fund" with "estimated income line item"

Page 2, line 21, replace "\$900,000" with "\$1,200,000, or so much of the sum as may be necessary, from the beginning farmer revolving loan fund"

Page 2, line 26, replace "seventy-two" with "seventy-one"

Page 2, line 27, replace "six" with "nine" and replace "sixty-nine" with "seventy"

Page 2, line 28, replace "may not exceed seventy-five" with "seventy-four", remove the overstrike over "eight", remove "five", and replace "seventy-six" with "forty-nine"

Page 2, after line 31, insert:

**SECTION 6. LEGISLATIVE COUNCIL STUDY - PUBLIC SERVICE COMMISSION FEES AND SERVICES.** The legislative council shall study during the 2005-06 interim the feasibility and desirability of funding the public service commission entirely from special fund revenue sources. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixtieth legislative assembly.

**SECTION 7. REPAYMENT OF FUNDING.** The public service commission shall reimburse the beginning farmer revolving loan fund for any amounts available from damages or proceeds received net of legal fees from a successful outcome of the rail rate complaint case.

**SECTION 8. NORTH DAKOTA RAIL SYSTEM - LEGISLATIVE INTENT.** It is the intent of the legislative assembly that a well-maintained, efficient, and fairly priced railroad transportation system in North Dakota is critical to the future of the North Dakota agriculture sector and the use of funds from the beginning farmer revolving loan fund for the rail rate complaint case will assist in achieving that objective."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1008 - Public Service Commission - House Action**

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$5,099,584	(\$15,479)	\$5,084,105
Operating expenses	1,408,153		1,408,153
Capital assets	58,511		58,511
Grants	7,000		7,000
Abandoned mined lands contractual services	3,668,492		3,668,492
Rail rate complaint case	<u>900,000</u>	<u>300,000</u>	<u>1,200,000</u>
Total all funds	\$11,141,740	\$284,521	\$11,426,261
Less estimated income	<u>5,985,139</u>	<u>1,193,144</u>	<u>7,178,283</u>
General fund	\$5,156,601	(\$908,623)	\$4,247,978
FTE	41.00	0.00	41.00

**Dept. 408 - Public Service Commission - Detail of House Changes**

	REDUCES COMPENSATION PACKAGE TO 3/4	INCREASES FUNDING FOR RAIL RATE CASE <sup>1</sup>	TOTAL HOUSE CHANGES
Salaries and wages	(\$15,479)		(\$15,479)
Operating expenses			
Capital assets			
Grants			
Abandoned mined lands contractual services			
Rail rate complaint case	<u>                    </u>	<u>\$300,000</u>	<u>300,000</u>
Total all funds	(\$15,479)	\$300,000	\$284,521
Less estimated income	<u>(6,856)</u>	<u>1,200,000</u>	<u>1,193,144</u>
General fund	(\$8,623)	(\$900,000)	(\$908,623)
FTE	0.00	0.00	0.00

<sup>1</sup> This amendment increases the funding for a rail rate complaint case from \$900,000 to \$1,200,000 and changes the funding source from the general fund to the beginning farmer revolving loan fund.

### REPORT OF STANDING COMMITTEE

**HB 1009: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 8 NAYS, 0 ABSENT AND NOT VOTING). HB 1009 was placed on the Sixth order on the calendar.

Page 1, line 2, after the second comma insert "4-22-22, 4-37-03, 4-37-04,"

Page 1, line 4, after the comma insert "compensation of supervisors of soil conservation districts, the agriculture in the classroom program,"

Page 2, line 5, replace "1,271,667" with "1,211,582"

Page 2, line 6, replace "998,453" with "822,550"

Page 2, line 8, replace "1,424,225" with "1,674,225"

Page 2, line 9, replace "1,505,368" with "1,310,099"

Page 2, line 17, replace "1,701,598" with "1,520,341"

Page 2, line 18, replace "1,049,165" with "1,318,026"

Page 2, line 19, replace "652,433" with "202,315"

Page 2, line 25, replace "5,766,637" with "5,706,552"

Page 2, line 26, replace "4,358,278" with "4,182,375"

Page 2, line 28, replace "1,524,225" with "1,774,225"

Page 2, line 29, replace "2,374,832" with "2,179,563"

Page 2, line 31, replace "14,253,972" with "14,072,715"

Page 3, line 1, replace "9,368,014" with "9,636,875"

Page 3, line 2, replace "4,885,958" with "4,435,840"

Page 3, line 5, replace "\$2,725,077" with "\$2,805,077"

Page 4, line 3, replace "seventy-two" with "seventy-one", replace "six" with "nine", and replace "sixty-nine" with "seventy"

Page 4, line 4, replace "may not exceed seventy-five" with "seventy-four", remove the overstrike over "eight", and remove "five"

Page 4, line 5, replace "seventy-six" with "forty-nine"

Page 4, after line 5, insert:

**"SECTION 10. AMENDMENT.** Section 4-22-22 of the North Dakota Century Code is amended and reenacted as follows:

**4-22-22. Supervisors - Terms of office - Vacancies - Removal - Compensation - Expenses.** At the general election to be held in 1972, three district supervisors must be elected. The candidate receiving the largest number of votes is elected for a six-year term; the candidate receiving the second highest number of votes is elected for a four-year term; and the candidate receiving the third highest number of votes is elected for a two-year term. At each succeeding general election, one supervisor must be elected for a term of six years, or until the successor is duly elected and qualified, to each expiring or vacant term. In newly formed districts, three supervisors must be elected at the first general election following the district's organization. The candidate receiving the largest number of votes is elected for a six-year term; the candidate receiving the second highest number of votes is elected for a four-year term; and the candidate receiving the third highest number of votes is elected for a two-year term. At each succeeding general election, one supervisor must be elected for a term of six years, or until the successor is duly elected and qualified, to

each expiring or vacant term. The county auditor of the county or counties in which the district lies shall return to the secretary of state before four p.m. on the tenth day following any general election a certified abstract of the votes cast in the county at the election for each candidate for district supervisor. The secretary of state shall canvass the returns and issue certificates of election under chapter 16.1-15.

In order to be eligible for election to the office of supervisor, candidates must be land occupiers and physically living in the district. Candidates must be elected on a nonpartisan ballot. In case the office of any supervisor, for any reason, becomes vacant, the remaining members of the board of supervisors shall, with the advice and consent of the committee, fill the vacancy by appointment. If vacancies occur in the office of two supervisors, the remaining supervisor and the committee shall fill the vacancy; and in case the offices of all supervisors of a district become vacant, the committee shall fill the vacancies by appointment. A supervisor appointed to fill a vacancy holds office until the next general election. A supervisor elected to fill a vacancy serves the balance of the unexpired term in which the vacancy occurred.

Any soil conservation district, upon resolution of the three elected supervisors, may appoint two additional supervisors who shall serve for a term of one year from and after the date of their appointment. Such supervisors must be appointed by a majority of the three elected supervisors and have all the powers, voting privileges, duties, and responsibilities of elected supervisors, except that the expense allowances of the appointed supervisors must be paid by the local soil conservation district concerned. As far as possible, the appointed supervisors shall represent interests within the district which are not represented by the elected supervisors.

Any supervisor of a soil conservation district may, after notice given and hearing held in accordance with chapter 28-32, be removed from office by the committee.

The supervisors of soil conservation districts are entitled to receive, upon a majority vote of the supervisors, up to ~~twenty-five~~ sixty-two dollars and fifty cents for attending each regular or special meeting or for attending other meetings or events in the performance of their official duties as compensation for their services. Supervisors of soil conservation districts are entitled to receive travel and subsistence expenses necessarily incurred in attending district, state, or other meetings. The compensation and all other expenses including travel incurred by district supervisors while transacting district business must be paid from district funds.

**SECTION 11. AMENDMENT.** Section 4-37-03 of the North Dakota Century Code is amended and reenacted as follows:

**4-37-03. Purpose - Powers and duties.** The agriculture in the classroom council ~~shall~~ may provide grants and ~~contracts to individuals and organizations that conduct~~ contract with any person for the provision of an agriculture in the classroom program to develop, the development of agricultural curriculum activities and train applicable to students from kindergarten through grade twelve, and the training of teachers in these agricultural curriculum activities for grades kindergarten through twelve in this state's public school system. The council shall work with ~~all educators, including teachers,~~ the superintendent of public instruction, the department of career and technical education, the United States department of agriculture, and the state agriculture commissioner in accomplishing ~~its~~ this purpose. The council ~~shall render services consistent with this purpose which include~~ may:

1. ~~Consultations~~ Consult with the state superintendent of public instruction, the department of career and technical education, the state agriculture commissioner, and the United States department of agriculture.
2. ~~Preparation of~~ Prepare instructional, informational, and reference publications on the North Dakota agricultural economy and rural lifestyles.
3. Provide training programs for public school teachers in ~~developed~~ agricultural curriculum activities.
4. Encourage research on and identification of new instructional, informational, and reference publications relating to this state's agricultural economy and rural lifestyles.
5. Monitor the quality and condition of the agriculture in the classroom program.

**SECTION 12. AMENDMENT.** Section 4-37-04 of the North Dakota Century Code is amended and reenacted as follows:

**4-37-04. Gifts and grants.** ~~In order to carry out its duties under this chapter, the~~ The agriculture in the classroom council may contract for and accept and expend private contributions, gifts, and grants-in-aid from the federal government, private industry, and other sources. Additional income must be spent ~~The council shall expend any moneys received under this section for the designated purposes designated, if any, in if a purpose is included as a condition of the gift, grant, or donation. The funds must be used to contract with individuals or organizations that conduct an agriculture in the classroom program~~ council may use all other moneys received under this section to carry out the purposes of this chapter."

Page 4, line 8, remove the overstrike over "~~(Effective through June 30,~~", after "**2005**" insert "2007", and remove the overstrike over the overstruck closing parenthesis

Page 5, line 10, remove the overstrike over "~~(Effective July 1,~~", after "**2005**" insert "2007", remove the overstrike over the overstruck closing parenthesis, and remove the overstrike over "~~Registration Fees. Any person before selling or offering for~~"

Page 5, remove the overstrike over lines 11 through 31

Page 6, remove the overstrike over lines 1 through 6

ReNUMBER accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1009 - Department of Agriculture - House Action**

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$5,766,637	(\$60,085)	\$5,706,552
Operating expenses	4,358,278	(175,903)	4,182,375
Capital assets	5,000		5,000
Grants	1,524,225	250,000	1,774,225
Board of Animal Health	2,374,832	(195,269)	2,179,563
Crop Harmonization Board	<u>225,000</u>		<u>225,000</u>
Total all funds	\$14,253,972	(\$181,257)	\$14,072,715
Less estimated income	<u>9,368,014</u>	<u>268,861</u>	<u>9,636,875</u>
General fund	\$4,885,958	(\$450,118)	\$4,435,840
FTE	61.00	0.00	61.00

**Dept. 602 - Department of Agriculture - Detail of House Changes**

	ADDS FUNDING FOR SALT CEDAR 1	ADDS FUNDING FOR AGRICULTURE IN THE CLASSROOM 2	DECREASES FUNDING FOR PROJECT SAFE SEND 3	DECREASES FUNDING FOR PRIDE OF DAKOTA PROGRAM 4	DECREASES FUNDING FOR MEAT INSPECTION PROGRAM 5	DECREASES FUNDING FOR BOARD OF ANIMAL HEALTH 6
Salaries and wages					(\$37,995)	
Operating expenses		\$100,000	(\$70,000)	(\$182,403)	(23,500)	
Capital assets						
Grants	\$250,000					
Board of Animal Health						(\$191,663)
Crop Harmonization Board						
Total all funds	\$250,000	\$100,000	(\$70,000)	(\$182,403)	(\$61,495)	(\$191,663)
Less estimated income	<u>250,000</u>	<u>100,000</u>	<u>(70,000)</u>			
General fund	\$0	\$0	\$0	(\$182,403)	(\$61,495)	(\$191,663)
FTE	0.00	0.00	0.00	0.00	0.00	0.00
	REDUCES COMPENSATION PACKAGE TO 3/4	TOTAL HOUSE CHANGES				
Salaries and wages	(\$22,090)	(\$60,085)				
Operating expenses		(175,903)				
Capital assets						
Grants		250,000				
Board of Animal Health	(3,606)	(195,269)				
Crop Harmonization Board						
Total all funds	(\$25,696)	(\$181,257)				
Less estimated income	<u>(11,139)</u>	<u>268,861</u>				

General fund	(\$14,557)	(\$450,118)
FTE	0.00	0.00

- 1 This amendment adds \$250,000 from the environment and rangeland protection fund for saltcedar surveys and eradication.
- 2 This amendment adds funding from the environment and rangeland protection fund for the Agriculture in the Classroom program.
- 3 This amendment decreases the funding for Project Safe Send by \$70,000. The funding source for this reduction is from the environment and rangeland protection fund.
- 4 This amendment decreases funding for the Pride of Dakota program. The general fund appropriation associated with general fund revenue collections is from Pride of Dakota events.
- 5 This amendment removes general fund moneys for a meat inspector position and related operating expenses. The meat inspector FTE positions are not removed.
- 6 This amendment removes the general fund moneys for 2 new FTE positions for the Board of Animal Health. The FTE positions were not removed.

This amendment adjusts the compensation of supervisors of soil conservation districts for attending meetings or events related to their duties.

This amendment makes statutory changes relating to the duties and responsibilities of the Agriculture in the Classroom Council.

#### REPORT OF STANDING COMMITTEE

**HB 1010: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 8 NAYS, 0 ABSENT AND NOT VOTING). HB 1010 was placed on the Sixth order on the calendar.

Page 1, line 21, replace "382,171" with "361,269"

Page 1, line 24, replace "(100,000)" with "(100,000)"

Page 1, after line 24, insert:  
"Grants

2,116,000"

Page 2, line 1, replace "607,147" with "2,702,245"

Page 2, line 2, replace "707,147" with "2,802,245"

Page 2, line 9, replace "5,080,549" with "5,059,647"

Page 2, line 11, replace "5,304,000" with "7,420,000"

Page 2, line 12, replace "12,497,926" with "14,593,024"

Page 2, line 13, remove "**TO FIRE**"

Page 2, line 14, remove "**DEPARTMENTS AND NORTH DAKOTA FIREFIGHTER'S ASSOCIATION**"

Page 2, line 15, replace "\$5,304,000" with "\$7,420,000"

Page 2, line 16, replace "\$5,200,000" with "\$7,200,000"

Page 2, line 17, replace "and" with a comma and replace "\$104,000" with "\$120,000"

Page 2, line 18, after "association" insert ", and \$100,000 is for the purpose of providing a grant to the North Dakota association of oil and gas producing counties"

Page 3, line 14, remove "seven", overstrike "hundred", and replace "thirty-nine" with "fifty-nine"

Page 3, line 15, replace "may not exceed seventy-three" with "seventy-two", replace "five" with "eight", and replace "sixty-eight" with "sixty-one"

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1010 - Insurance Department - House Action**

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$5,080,549	(\$20,902)	\$5,059,647
Operating expenses	2,113,377		2,113,377
Grants	<u>5,304,000</u>	<u>2,116,000</u>	<u>7,420,000</u>
Total all funds	\$12,497,926	\$2,095,098	\$14,593,024
Less estimated income	<u>12,497,926</u>	<u>2,095,098</u>	<u>14,593,024</u>
General fund	\$0	\$0	\$0
FTE	46.50	0.00	46.50

**Dept. 401 - Insurance Department - Detail of House Changes**

	REDUCES COMPENSATION PACKAGE TO 3/4	INCREASES FUNDING FOR PAYMENTS TO FIRE DEPARTMENTS 1	ADDS FUNDING FOR A GRANT TO THE NORTH DAKOTA ASSOCIATION OF OIL AND GAS PRODUCING COUNTIES 2	TOTAL HOUSE CHANGES
Salaries and wages	(\$20,902)			(\$20,902)
Operating expenses				
Grants		<u>\$2,016,000</u>	<u>\$100,000</u>	<u>2,116,000</u>
Total all funds	(\$20,902)	\$2,016,000	\$100,000	\$2,095,098
Less estimated income	<u>(20,902)</u>	<u>2,016,000</u>	<u>100,000</u>	<u>2,095,098</u>
General fund	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00

<sup>1</sup> This amendment adds funding of \$2,016,000 from insurance premium tax collections for increasing funding for making payments to fire departments by \$2 million from \$5.2 million to \$7.2 million and for making two equal payments to the North Dakota Firefighter's Association by \$16,000 from \$104,000 to \$120,000. This change would reduce the amount of general fund revenues available for the 2005-07 biennium by \$2,016,000.

<sup>2</sup> This amendment adds funding of \$100,000 from insurance premium tax collections for providing a grant to the North Dakota Association of Oil and Gas Producing Counties for the establishment of a Williston Basin oilfield fire training facility at Dickinson. This change would reduce the amount of general fund revenues available for the 2005-07 biennium by \$100,000.

**REPORT OF STANDING COMMITTEE**

**HB 1011: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (23 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1011 was placed on the Sixth order on the calendar.

Page 1, line 16, replace "176,384" with "171,758"

Page 1, line 17, replace "104,633" with "29,633"

Page 1, line 18, replace "281,017" with "201,391"

Page 1, line 20, replace "375,398" with "295,772"

Page 2, line 3, replace "1,101,907" with "1,097,281"

Page 2, line 4, replace "570,855" with "495,855"

Page 2, line 5, replace "1,672,762" with "1,593,136"

Page 2, line 7, replace "1,455,563" with "1,375,937"

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:****House Bill No. 1011 - Securities Department - House Action**

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$1,101,907	(\$4,626)	\$1,097,281
Operating expenses	<u>570,855</u>	<u>(75,000)</u>	<u>495,855</u>

Total all funds	\$1,672,762	(\$79,626)	\$1,593,136
Less estimated income	<u>217,199</u>		<u>217,199</u>
General fund	\$1,455,563	(\$79,626)	\$1,375,937
FTE	9.00	0.00	9.00

**Dept. 414 - Securities Department - Detail of House Changes**

	DECREASES FUNDING FOR OUTSIDE LEGAL COUNSEL COSTS <sup>1</sup>	REDUCES COMPENSATION PACKAGE TO 3/4	TOTAL HOUSE CHANGES
Salaries and wages		(\$4,626)	(\$4,626)
Operating expenses	<u>(\$75,000)</u>		<u>(75,000)</u>
Total all funds	(\$75,000)	(\$4,626)	(\$79,626)
Less estimated income			
General fund	(\$75,000)	(\$4,626)	(\$79,626)
FTE	0.00	0.00	0.00

<sup>1</sup> This amendment decreases funding for the Securities Department to hire outside legal counsel specializing in securities law.

**REPORT OF STANDING COMMITTEE**

**HB 1013: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 8 NAYS, 0 ABSENT AND NOT VOTING). HB 1013 was placed on the Sixth order on the calendar.

Page 1, line 3, after the first semicolon insert "to provide an appropriation to the division of independent study;"

Page 1, line 4, replace "section" with "sections 15.1-02-01 and" and after the second "the" insert "qualifications and the"

Page 3, line 6, replace "780,156" with "742,596"

Page 3, line 7, replace "1,834,485" with "2,109,485"

Page 3, line 9, replace "22,773,769" with "21,473,769"

Page 3, remove line 12

Page 3, line 14, replace "25,610,339" with "25,403,839"

Page 3, after line 14, insert:  
"Reorganization bonuses (500,000)"

Page 3, remove line 16

Page 3, line 18, replace "59,237,803" with "52,968,743"

Page 3, line 19, replace "29,817,869" with "29,792,978"

Page 3, line 20, replace "29,419,934" with "23,175,765"

Page 3, line 23, replace "147,358" with "138,550"

Page 3, line 26, replace "503,176" with "494,368"

Page 3, line 27, replace "28,596" with "27,568"

Page 3, line 28, replace "474,580" with "466,800"

Page 4, line 1, replace "296,666" with "84,501"

Page 4, line 2, replace "326,990" with "275,105"

Page 4, line 4, replace "870,428" with "606,378"

Page 4, line 5, replace "455,117" with "330,918"

Page 4, line 6, replace "415,311" with "275,460"

Page 4, line 9, replace "133,962" with "128,781"

Page 4, line 12, replace "91,822" with "86,641"

Page 4, line 13, replace "(321,848)" with "(323,317)"

Page 4, line 14, replace "413,670" with "409,958"

Page 4, line 15, replace "30,723,495" with "24,327,983"

Page 4, line 16, replace "29,979,734" with "29,828,147"

Page 4, line 17, replace "60,703,229" with "54,156,130"

Page 4, line 27, replace "10,057,842" with "10,020,282"

Page 4, line 28, replace "14,892,308" with "15,167,308"

Page 4, line 29, replace "512,153,759" with "510,853,759"

Page 5, line 1, replace "7,500,000" with "5,000,000"

Page 5, line 3, replace "207,865,583" with "207,659,083"

Page 5, remove lines 4 and 5

Page 5, line 7, replace "930,021,612" with "923,752,552"

Page 5, line 8, replace "295,876,672" with "295,851,781"

Page 5, line 9, replace "634,144,940" with "627,900,771"

Page 5, line 12, replace "2,225,929" with "2,217,121"

Page 5, line 15, replace "5,160,201" with "5,151,393"

Page 5, line 16, replace "1,658,575" with "1,657,547"

Page 5, line 17, replace "3,501,626" with "3,493,846"

Page 5, line 20, replace "5,106,474" with "4,894,309"

Page 5, line 21, replace "1,429,150" with "1,377,265"

Page 5, line 23, replace "6,815,119" with "6,551,069"

Page 5, line 24, replace "1,326,566" with "1,202,367"

Page 5, line 25, replace "5,488,553" with "5,348,702"

Page 5, line 28, replace "2,674,254" with "2,669,073"

Page 5, line 31, replace "3,349,030" with "3,343,849"

Page 6, line 1, replace "845,535" with "844,066"

Page 6, line 2, replace "2,503,495" with "2,499,783"

Page 6, after line 2, 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 \$148,800, or so much of the sum as may be necessary, to the division of independent study for the purpose of developing, publishing, and distributing a North Dakota studies textbook and workbook for both grades four and eight, for the biennium beginning July 1, 2005, and ending June 30, 2007."



Page 6, line 3, replace "645,638,614" with "639,391,902"

Page 6, line 4, replace "299,707,348" with "299,555,761"

Page 6, line 5, replace "945,345,962" with "938,947,663"

Page 7, after line 28, insert:

**"SECTION 13. AMENDMENT.** Section 15.1-02-01 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-02-01. Superintendent of public instruction - Qualifications.** The qualified electors of this state shall elect a superintendent of public instruction at the appropriate general election. The superintendent must be at least twenty-five years of age on the day of the election; and have the qualifications of an elector for that office; and hold a valid North Dakota professional teaching license on the day of the election and at all times during the superintendent's term of office."

Page 8, line 2, replace "eighty" with "seventy-nine", replace "five" with "seven", and replace "thirty-one" with "fifty-seven"

Page 8, line 3, replace "may not exceed eighty-three" with "eighty-two", remove the overstrike over "nine", and remove "seven"

Page 8, line 4, replace "fifty-two" with "forty-seven"

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1013 - Summary of House Action**

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Department of Public Instruction			
Total all funds	\$930,021,612	(\$6,269,060)	\$924,752,552
Less estimated income	295,876,672	(24,891)	295,851,781
General fund	\$634,144,940	(\$6,244,169)	\$627,900,771
Division of Independent Study			
Total all funds	\$0	\$148,800	\$148,800
Less estimated income			
General fund	\$0	\$148,800	\$148,800
State Library			
Total all funds	\$5,160,201	(\$8,808)	\$5,151,393
Less estimated income	1,658,575	(1,028)	1,657,547
General fund	\$3,501,626	(\$7,780)	\$3,493,846
School for the Deaf			
Total all funds	\$6,815,119	(\$264,050)	\$6,551,069
Less estimated income	1,326,566	(124,199)	1,202,367
General fund	\$5,488,553	(\$139,851)	\$5,348,702
North Dakota Vision Services - School for the Blind			
Total all funds	\$3,349,030	(\$5,181)	\$3,343,849
Less estimated income	845,535	(1,469)	844,066
General fund	\$2,503,495	(\$3,712)	\$2,499,783
Bill Total			
Total all funds	\$945,345,962	(\$6,398,299)	\$938,947,663
Less estimated income	299,707,348	(151,587)	299,555,761
General fund	\$645,638,614	(\$6,246,712)	\$639,391,902

**House Bill No. 1013 - Department of Public Instruction - House Action**

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$10,057,842	(\$37,560)	\$10,020,282
Operating expenses	14,892,308	275,000	15,167,308
Grants - State school aid	512,153,759	(1,300,000)	510,853,759
Grants - Tuition apportionment	71,600,000		71,600,000
Grants - Special education	52,500,000		52,500,000
Grants - Revenue supplement	7,500,000	(2,500,000)	5,000,000
Grants - Teacher compensation	50,912,120		50,912,120
Grants - Other grants	207,865,583	(206,500)	207,659,083
Reorganization bonuses	500,000	(500,000)	
JPA incentives	2,000,000	(2,000,000)	
National board certification	40,000		40,000
Total all funds	\$930,021,612	(\$6,269,060)	\$923,752,552

Less estimated income	<u>295,876,672</u>	<u>(24,891)</u>	<u>295,851,781</u>
General fund	\$634,144,940	(\$6,244,169)	\$627,900,771
FTE	92.75	0.00	92.75

### Dept. 201 - Department of Public Instruction - Detail of House Changes

	REDUCES COMPENSATION PACKAGE TO 3/4	PROVIDES FUNDING FOR ENGLISH LANGUAGE PROFICIENCY STANDARDS AND ASSESSMENTS <sup>1</sup>	FROM DECREASES FUNDING FOR TRANSPORTATION AID <sup>2</sup>	REALLOCATES FUNDING FROM TRANSPORTATION AID TO PER STUDENT PAYMENTS <sup>3</sup>	REMOVES THE FUNDING FOR REVENUE SUPPLEMENTAL PAYMENTS <sup>4</sup>	INCREASE IN FUNDING FOR THE NORTH DAKOTA LEAD CENTER <sup>5</sup>
Salaries and wages	(\$37,560)					
Operating expenses		\$275,000				
Grants - State school aid			(\$1,300,000)			
Grants - Tuition apportionment						
Grants - Special education						
Grants - Revenue supplement					(\$2,500,000)	
Grants - Teacher compensation						
Grants - Other grants						(\$21,500)
Reorganization bonuses						
JPA incentives						
National board certification						
Total all funds	(\$37,560)	\$275,000	(\$1,300,000)	\$0	(\$2,500,000)	(\$21,500)
Less estimated income	<u>(24,891)</u>					
General fund	(\$12,669)	\$275,000	(\$1,300,000)	\$0	(\$2,500,000)	(\$21,500)
FTE	0.00	0.00	0.00	0.00	0.00	0.00
	REMOVES THE INCREASE IN FUNDING FOR THE NORTH DAKOTA MUSEUM OF ART <sup>6</sup>	DECREASES FUNDING FOR THE NORTH DAKOTA GOVERNOR'S SCHOOL <sup>7</sup>	REMOVES THE INCREASE IN FUNDING FOR THE NATIONAL WRITING PROJECTS <sup>8</sup>	REMOVES FUNDING FOR REORGANIZATION BONUS PAYMENTS <sup>9</sup>	REMOVES FUNDING FOR JPA INCENTIVES <sup>10</sup>	TOTAL HOUSE CHANGES
Salaries and wages						(\$37,560)
Operating expenses						275,000
Grants - State school aid						(1,300,000)
Grants - Tuition apportionment						
Grants - Special education						
Grants - Revenue supplement						(2,500,000)
Grants - Teacher compensation						
Grants - Other grants	(\$125,000)	(\$20,000)	(\$40,000)			(206,500)
Reorganization bonuses				(\$500,000)		(500,000)
JPA incentives					(\$2,000,000)	(2,000,000)
National board certification						
Total all funds	(\$125,000)	(\$20,000)	(\$40,000)	(\$500,000)	(\$2,000,000)	(\$6,269,060)
Less estimated income						<u>(24,891)</u>
General fund	(\$125,000)	(\$20,000)	(\$40,000)	(\$500,000)	(\$2,000,000)	(\$6,244,169)
FTE	0.00	0.00	0.00	0.00	0.00	0.00

<sup>1</sup> This amendment provides funding of \$275,000 from the general fund to develop standards for English language proficiency and to implement assessments that are aligned to the standards.

<sup>2</sup> This amendment reduces funding for transportation aid payments by \$1.3 million from the general fund, from \$34.8 million to \$33.5 million.

<sup>3</sup> This amendment reallocates half of the funding proposed for transportation aid of \$16,750,000 from transportation aid to funding for per student payments. The following is a summary of the proposed changes:

	2003-05 APPROPRIATION	2005-07 EXECUTIVE BUDGET	2005-07 HOUSE VERSION	INCREASE (DECREASE) COMPARED TO 2003-05 APPROPRIATION	INCREASE (DECREASE) COMPARED TO 2005-07 EXECUTIVE BUDGET
Per student payments	\$453,929,990	\$476,703,759	\$493,453,759	\$39,523,769	\$16,750,000
Limited English proficient student payments	650,000	650,000	650,000		
Transportation	<u>34,800,000</u>	<u>34,800,000</u>	<u>16,750,000</u>	<u>(18,050,000)</u>	<u>(18,050,000)</u>
Total	\$489,379,990	\$512,153,759	\$510,853,759	\$21,473,769	(\$1,300,000)

<sup>4</sup> This amendment reduces funding for revenue supplemental payments by \$2,500,000 from the general fund, from \$7,500,000 to \$5,000,000, the same level of funding provided in the 2003-05 biennium.

<sup>5</sup> This amendment removes the increase in funding of \$21,500 from the general fund provided in the executive budget recommendation for the North Dakota LEAD Center.

<sup>6</sup> This amendment removes the increase in funding of \$125,000 from the general fund provided in the executive budget recommendation for the North Dakota Museum of Art's educational outreach initiative.

<sup>7</sup> This amendment reduces funding for the North Dakota Governor's School by \$20,000 from the general fund, from \$270,000 to \$250,000. The funding level of \$250,000 represents an increase of \$25,000 from the 2003-05 legislative appropriation of \$225,000.

<sup>8</sup> This amendment reduces the increase in funding of \$40,000 from the general fund provided in the executive budget recommendation for the national writing projects.

<sup>9</sup> This amendment removes the funding provided in the executive budget recommendation of \$500,000 from the general fund for reorganization bonus payments.

<sup>10</sup> This amendment removes the funding provided in the executive budget recommendation of \$2,000,000 from the general fund for JPA incentives.

This amendment also amends North Dakota Century Code Section 15.1-02-01 to remove the requirement that the Superintendent of Public Instruction hold a valid North Dakota professional teaching license.

### House Bill No. 1013 - Division of Independent Study - House Action

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
North Dakota studies textbook proposal		\$148,800	\$148,800
Total all funds	\$0	\$148,800	\$148,800
Less estimated income			
General fund	\$0	\$148,800	\$148,800
FTE	0.00	0.00	0.00

### Dept. 202 - Division of Independent Study - Detail of House Changes

	ADDS FUNDING FOR A NORTH DAKOTA STUDIES TEXTBOOK PROPOSAL <sup>1</sup>	TOTAL HOUSE CHANGES
North Dakota studies textbook proposal	\$148,800	\$148,800
Total all funds	\$148,800	\$148,800
Less estimated income		
General fund	\$148,800	\$148,800
FTE	0.00	0.00

<sup>1</sup> This amendment provides a \$148,800 general fund appropriation to the Division of Independent Study for the purpose of developing, publishing, and distributing a North Dakota studies textbook and workbook for grades 4 and 8.

### House Bill No. 1013 - State Library - House Action

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$2,225,929	(\$8,808)	\$2,217,121
Operating expenses	1,381,772		1,381,772
Grants	1,552,500		1,552,500
Total all funds	\$5,160,201	(\$8,808)	\$5,151,393
Less estimated income	1,658,575	(1,028)	1,657,547
General fund	\$3,501,626	(\$7,780)	\$3,493,846
FTE	28.75	0.00	28.75

### Dept. 250 - State Library - Detail of House Changes

	REDUCES COMPENSATION PACKAGE TO 3/4	TOTAL HOUSE CHANGES
Salaries and wages	(\$8,808)	(\$8,808)
Operating expenses		
Grants		
Total all funds	(\$8,808)	(\$8,808)
Less estimated income	(1,028)	(1,028)
General fund	(\$7,780)	(\$7,780)
FTE	0.00	0.00

### House Bill No. 1013 - School for the Deaf - House Action

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$5,106,474	(\$212,165)	\$4,894,309
Operating expenses	1,429,150	(51,885)	1,377,265
Capital assets	<u>279,495</u>		<u>279,495</u>
Total all funds	\$6,815,119	(\$264,050)	\$6,551,069
Less estimated income	<u>1,326,566</u>	<u>(124,199)</u>	<u>1,202,367</u>
General fund	\$5,488,553	(\$139,851)	\$5,348,702
FTE	49.94	(2.00)	47.94

#### Dept. 252 - School for the Deaf - Detail of House Changes

	REDUCES COMPENSATION PACKAGE TO 3/4	REMOVES FUNDING RELATING TO NEW OUTREACH EFFORTS <sup>1</sup>	TOTAL HOUSE CHANGES
Salaries and wages	(\$11,989)	(\$200,176)	(\$212,165)
Operating expenses		(51,885)	(51,885)
Capital assets			
Total all funds	(\$11,989)	(\$252,061)	(\$264,050)
Less estimated income	<u>(772)</u>	<u>(123,427)</u>	<u>(124,199)</u>
General fund	(\$11,217)	(\$128,634)	(\$139,851)
FTE	0.00	(2.00)	(2.00)

<sup>1</sup> This amendment removes funding totaling \$252,061 relating to the school's new outreach efforts to individuals who are over 21 years of age, including funding of \$200,176, of which \$76,749 is from the general fund and \$123,427 is from special funds for 2 FTE positions and \$51,885 for operating expenses.

#### House Bill No. 1013 - North Dakota Vision Services - School for the Blind - House Action

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$2,674,254	(\$5,181)	\$2,669,073
Operating expenses	607,306		607,306
Capital assets	<u>67,470</u>		<u>67,470</u>
Total all funds	\$3,349,030	(\$5,181)	\$3,343,849
Less estimated income	<u>845,535</u>	<u>(1,469)</u>	<u>844,066</u>
General fund	\$2,503,495	(\$3,712)	\$2,499,783
FTE	26.95	0.00	26.95

#### Dept. 253 - North Dakota Vision Services - School for the Blind - Detail of House Changes

	REDUCES COMPENSATION PACKAGE TO 3/4	TOTAL HOUSE CHANGES
Salaries and wages	(\$5,181)	(\$5,181)
Operating expenses		
Capital assets		
Total all funds	(\$5,181)	(\$5,181)
Less estimated income	<u>(1,469)</u>	<u>(1,469)</u>
General fund	(\$3,712)	(\$3,712)
FTE	0.00	0.00

#### REPORT OF STANDING COMMITTEE

**HB 1014: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (21 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1014 was placed on the Sixth order on the calendar.

Page 1, line 2, after "advocacy" insert "; and to provide a statement of legislative intent"

Page 1, line 14, replace "487,184" with "476,684"

Page 1, line 15, replace "459,443" with "451,328"

Page 1, line 16, replace "27,741" with "25,356"

Page 2, line 1, replace "3,713,439" with "3,702,939"

Page 2, line 2, replace "2,902,975" with "2,894,860"

Page 2, line 3, replace "810,464" with "808,079"

Page 2, after line 3, insert:

**"SECTION 4. LEGISLATIVE INTENT - FEDERAL FUNDS REDUCTION - ELIMINATION OF FULL-TIME EQUIVALENT POSITION.** It is the intent of the legislative assembly that if the protection and advocacy project receives less federal funds during the 2005-07 biennium than anticipated, then the protection and advocacy project shall eliminate the new full-time equivalent position for a disabilities advocate for the Turtle Mountain Indian Reservation or eliminate a different full-time equivalent position rather than reduce other services to make up for the reduction of funding to the agency."

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### House Bill No. 1014 - Protection and Advocacy Project - House Action

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Protection and Advocacy Project	<u>\$3,713,439</u>	<u>(\$10,500)</u>	<u>\$3,702,939</u>
Total all funds	\$3,713,439	(\$10,500)	\$3,702,939
Less estimated income	<u>2,902,975</u>	<u>(8,115)</u>	<u>2,894,860</u>
General fund	\$810,464	(\$2,385)	\$808,079
FTE	25.50	0.00	25.50

#### Dept. 360 - Protection and Advocacy Project - Detail of House Changes

	REDUCES COMPENSATION PACKAGE TO 3/4	TOTAL HOUSE CHANGES
Protection and Advocacy Project	<u>(\$10,500)</u>	<u>(\$10,500)</u>
Total all funds	(\$10,500)	(\$10,500)
Less estimated income	<u>(8,115)</u>	<u>(8,115)</u>
General fund	(\$2,385)	(\$2,385)
FTE	0.00	0.00

#### REPORT OF STANDING COMMITTEE

**HB 1016: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (22 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1016 was placed on the Sixth order on the calendar.

Page 1, line 2, after "management" insert "; to provide for a performance audit of 911 services; to provide authorization for a loan from the Bank of North Dakota; to provide for a report to the legislative council; and to require political subdivision financial participation in the state radio communications system migration project"

Page 1, line 18, replace "3,784,380" with "3,760,579"

Page 1, line 22, replace "23,481,584" with "23,457,783"

Page 1, line 23, replace "19,744,380" with "19,733,090"

Page 1, line 24, replace "3,737,204" with "3,724,693"

Page 2, line 7, replace "6,821,939" with "6,798,138"

Page 2, line 11, replace "62,067,760" with "62,043,959"

Page 2, line 12, replace "56,961,521" with "56,950,231"

Page 2, line 13, replace "5,106,239" with "5,093,728"

Page 2, after line 18, insert:

**"SECTION 5. PERFORMANCE AUDIT - 911 SERVICES.** The state auditor shall conduct a performance audit of the fees collected for 911 services and the utilization of such fees during the biennium beginning July 1, 2005, and ending June 30, 2007. The audit must include a recommendation by the state auditor of the appropriate method of funding costs incurred by the division of emergency management for providing these services, including the costs incurred by the division for answering calls from counties not under contract with the division for 911 services. The results of the audit must be presented to the legislative audit and fiscal review committee and the appropriations committees of the sixtieth legislative assembly.

**SECTION 6. STATE RADIO COMMUNICATIONS - LOAN AUTHORIZATION.** Subject to the approval of the emergency commission and the budget section, the division of emergency management may borrow an amount not to exceed \$900,000 from the Bank of North Dakota for expenses associated with the migration of the state radio communications system from analog to digital during the biennium beginning July 1, 2005, and ending June 30, 2007. The loan only may be provided if the division has the prior written approval to repay any loan, including accrued interest, from future funding made available from the United States department of homeland security. Any funds borrowed by the division under this section are hereby appropriated.

**SECTION 7. HOMELAND SECURITY FUNDING ALLOCATION REVIEW PROCESS - REPORT TO THE LEGISLATIVE COUNCIL.** The division of emergency management shall implement during the 2005-06 interim a review process relating to the division's allocation of federal homeland security funds to political subdivisions. The process must assure that all agencies and responders are involved in the distribution of the federal funds and that the priorities included in the local needs assessment are met. The division, as requested, shall provide an appropriate committee of the legislative council a report detailing the uses of federal homeland security funds at the state and local level and a report regarding any discrepancies relating to the needs assessment completed by the division and purchases made with federal homeland security funds.

**SECTION 8. State radio communications system migration project - Political subdivision financial participation.** The division of emergency management shall require political subdivisions to spend a portion of federal homeland security funding allocations on costs associated with the migration of the state radio communications system from analog to digital."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1016 - Division of Emergency Management - House Action**

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$6,821,939	(\$23,801)	\$6,798,138
Operating expenses	3,325,844		3,325,844
Capital assets	4,957,923		4,957,923
Grants	46,962,054		46,962,054
Adult services			
Total all funds	\$62,067,760	(\$23,801)	\$62,043,959
Less estimated income	56,961,521	(11,290)	56,950,231
General fund	\$5,106,239	(\$12,511)	\$5,093,728
FTE	54.00	0.00	54.00

**Dept. 512 - Division of Emergency Management - Detail of House Changes**

	REDUCES COMPENSATION PACKAGE TO 3/4	TOTAL HOUSE CHANGES
Salaries and wages	(\$23,801)	(\$23,801)
Operating expenses		
Capital assets		
Grants		
Adult services		
Total all funds	(\$23,801)	(\$23,801)

Less estimated income	(11,290)	(11,290)
General fund	(\$12,511)	(\$12,511)
FTE	0.00	0.00

This amendment also:

- Adds a new section to the bill to require the State Auditor to conduct a performance audit of the fees collected for 911 services and the utilization of such fees.
- Adds a new section to the bill to provide the Division of Emergency Management with the authority to borrow funds from the Bank of North Dakota up to \$900,000 for expenses associated with the migration of the State Radio Communications system from analog to digital.
- Adds a new section to the bill to require the Division of Emergency Management to implement a review process relating to the allocation of federal homeland security funds, and the division report to an appropriate committee of the Legislative Council regarding uses of federal homeland security funds at the state and local level and any discrepancies relating to the needs assessment completed by the division and purchases made with federal homeland security funds.
- Adds a new section to the bill to provide that the Division of Emergency Management shall require political subdivisions to spend a portion of federal homeland security funding allocations on costs associated with the migration of the State Radio Communications system from analog to digital.

#### REPORT OF STANDING COMMITTEE

**HB 1017: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (22 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1017 was placed on the Sixth order on the calendar.

Page 2, line 1, replace "189,128" with "177,549"

Page 2, line 5, replace "(36,306)" with "(36,637)"

Page 2, line 7, replace "856,128" with "833,502"

Page 2, line 8, replace "9,637,372" with "9,616,967"

Page 2, line 9, replace "16,857" with "15,799"

Page 2, line 10, replace "17,920,053" with "17,864,054"

Page 2, line 11, replace "10,666,199" with "10,625,002"

Page 2, line 12, replace "7,253,854" with "7,239,052"

Page 2, line 18, replace "3,757,644" with "3,746,065"

Page 2, line 22, replace "156,714" with "156,383"

Page 2, line 24, replace "7,174,492" with "7,151,866"

Page 2, line 25, replace "25,008,357" with "24,987,952"

Page 2, line 26, replace "292,003" with "290,945"

Page 2, line 27, replace "47,809,752" with "47,753,753"

Page 2, line 28, replace "31,384,915" with "31,343,718"

Page 2, line 29, replace "16,424,837" with "16,410,035"

Page 3, replace lines 13 through 16 with:

**"SECTION 6. EXEMPTION - TRANSFER.** Any unexpended general fund appropriation authority relating to the \$5,000,000 appropriated in section 3 of this Act for the payment of adjusted compensation to veterans is not subject to the provisions of section 54-44.1-11. Any unexpended funds from this appropriation must be transferred

to the veterans' cemetery trust fund during the biennium beginning July 1, 2007, and ending June 30, 2009."

ReNUMBER accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1017 - Adjutant General - House Action**

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$3,757,644	(\$11,579)	\$3,746,065
Operating expenses	3,213,528		3,213,528
Capital assets	870,000		870,000
Grants	5,329,514		5,329,514
Civil Air Patrol	156,714	(331)	156,383
Tuition and enlistment compensation	2,007,500		2,007,500
Air Guard contract	7,174,492	(22,626)	7,151,866
Army Guard contract	25,008,357	(20,405)	24,987,952
Veterans' Cemetery	<u>292,003</u>	<u>(1,058)</u>	<u>290,945</u>
Total all funds	\$47,809,752	(\$55,999)	\$47,753,753
Less estimated income	<u>31,384,915</u>	<u>(41,197)</u>	<u>31,343,718</u>
General fund	\$16,424,837	(\$14,802)	\$16,410,035
FTE	139.00	0.00	139.00

**Dept. 540 - Adjutant General - Detail of House Changes**

	REDUCES COMPENSATION PACKAGE TO 3/4	TOTAL HOUSE CHANGES
Salaries and wages	(\$11,579)	(\$11,579)
Operating expenses		
Capital assets		
Grants		
Civil Air Patrol	(331)	(331)
Tuition and enlistment compensation		
Air Guard contract	(22,626)	(22,626)
Army Guard contract	(20,405)	(20,405)
Veterans' Cemetery	<u>(1,058)</u>	<u>(1,058)</u>
Total all funds	(\$55,999)	(\$55,999)
Less estimated income	<u>(41,197)</u>	<u>(41,197)</u>
General fund	(\$14,802)	(\$14,802)
FTE	0.00	0.00

This amendment also:

- Removes Section 6 of the bill as introduced which provides that any unspent general fund appropriations from the Adjutant General's legislative appropriation for the 2003-05 biennium be transferred into the Adjutant General's emergency fund.
- Adds a section providing that any unspent general fund appropriation relating to the \$5,000,000 appropriated for the payment of adjusted compensation to veterans shall be transferred during the 2007-09 biennium to the Veterans' Cemetery trust fund created in North Dakota Century Code Section 39-04-10.10.

**REPORT OF STANDING COMMITTEE**

**HB 1018: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (22 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1018 was placed on the Sixth order on the calendar.

Page 1, line 2, after "department" insert "; to amend and reenact section 20.1-02-16.1 of the North Dakota Century Code, relating to the game and fish fund; and to declare an emergency"

Page 1, line 22, replace "1,496,565" with "1,431,668"

Page 2, line 2, replace "50,871" with "47,683"

Page 2, line 5, replace "193,507" with "191,480"



Page 2, after line 5, insert:

"Ramp improvements and marina development 800,000"

Page 2, line 6, replace "5,099,403" with "5,829,291"

Page 2, line 13, replace "16,870,147" with "16,805,250"

Page 2, line 17, replace "10,232,286" with "10,229,098"

Page 2, line 21, replace "1,531,060" with "1,529,033"

Page 2, line 22, replace "550,000" with "550,000"

Page 2, after line 22, insert:

"Ramp improvements and marina development 800,000"

Page 2, line 23, replace "48,465,166" with "49,195,054"

Page 3, after line 15, insert:

**"SECTION 8. AMENDMENT.** Section 20.1-02-16.1 of the North Dakota Century Code is amended and reenacted as follows:

**20.1-02-16.1. Game and fish fund - Use - Required balance - Budget section approval.** All income of the state game and fish department deposited by the director with the state treasurer must be credited to the state game and fish fund and the fund may be used only by the department. All money derived from the investment of the fund or portions of the fund must be credited to the game and fish department private land habitat and access improvement fund. The department shall spend moneys in the game and fish fund within the limits of legislative appropriations, only to the extent the balance of the fund is not reduced below ~~ten~~ fifteen million dollars, unless otherwise authorized by the budget section.

**SECTION 9. EMERGENCY.** The ramp improvements and marina development line item contained in section 3 of this Act is declared to be an emergency measure."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1018 - Game and Fish Department - House Action**

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$16,870,147	(\$64,897)	\$16,805,250
Operating expenses	9,736,435		9,736,435
Capital assets	2,961,116		2,961,116
Grants	5,414,122		5,414,122
Land habitat and deer depredation	10,232,286	(3,188)	10,229,098
Noxious weed control	350,000		350,000
Grants, gifts, and donations	700,000		700,000
Nongame wildlife conservation	120,000		120,000
Lonetree Reservoir	1,531,060	(2,027)	1,529,033
Wildlife services	550,000		550,000
Ramp improvements and marina development		800,000	800,000
<b>Total all funds</b>	<b>\$48,465,166</b>	<b>\$729,888</b>	<b>\$49,195,054</b>
<b>Less estimated income</b>	<b><u>48,465,166</u></b>	<b><u>729,888</u></b>	<b><u>49,195,054</u></b>
General fund	\$0	\$0	\$0
FTE	152.00	0.00	152.00

**Dept. 720 - Game and Fish Department - Detail of House Changes**

	REDUCES COMPENSATION PACKAGE TO 3/4	ADDS FUNDING FOR RAMP IMPROVEMENTS AND MARINA DEVELOPMENT <sup>1</sup>	TOTAL HOUSE CHANGES
Salaries and wages	(\$64,897)		(\$64,897)
Operating expenses			
Capital assets			

Grants			
Land habitat and deer depredation	(3,188)		(3,188)
Noxious weed control			
Grants, gifts, and donations			
Nongame wildlife conservation			
Lonetree Reservoir	(2,027)		(2,027)
Wildlife services			
Ramp improvements and marina development		\$800,000	800,000
Total all funds	(\$70,112)	\$800,000	\$729,888
Less estimated income	<u>(70,112)</u>	<u>800,000</u>	<u>729,888</u>
General fund	\$0	\$0	\$0
FTE	0.00	0.00	0.00

<sup>1</sup> Adds a new line item and \$800,000 from the game and fish fund for various boat ramp improvements and marina development.

### REPORT OF STANDING COMMITTEE

**HB 1019: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (19 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1019 was placed on the Sixth order on the calendar.

Page 1, line 22, replace "539,255" with "518,505"

Page 1, line 23, replace "223,702" with "238,702"

Page 1, line 24, replace "(2,267,225)" with "(1,867,225)"

Page 1, after line 24, insert:

"Cultural heritage grants 250,000"

Page 2, line 1, replace "9,471" with "8,923"

Page 2, line 3, replace "(\$1,644,797)" with "(\$1,001,095)"

Page 2, line 4, replace "(1,965,587)" with "(1,767,955)"

Page 2, line 5, replace "320,790" with "766,860"

Page 2, line 11, replace "5,617,445" with "5,596,695"

Page 2, line 12, replace "1,493,706" with "1,508,706"

Page 2, line 13, replace "582,319" with "982,319"

Page 2, line 15, replace "75,000" with "325,000"

Page 2, line 17, replace "933,217" with "932,669"

Page 2, line 18, replace "10,006,179" with "10,649,881"

Page 2, line 19, replace "2,425,455" with "2,623,087"

Page 2, line 20, replace "7,580,724" with "8,026,794"

Re-number accordingly

### STATEMENT OF PURPOSE OF AMENDMENT:

#### House Bill No. 1019 - State Historical Society - House Action

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$5,617,445	(\$20,750)	\$5,596,695
Operating expenses	1,493,706	15,000	1,508,706
Capital assets	582,319	400,000	982,319
Grants	1,300,000		1,300,000
Cultural heritage grants	75,000	250,000	325,000
Yellowstone-Missouri-Fort Union Commission	4,492		4,492
Lewis and Clark Bicentennial	<u>933,217</u>	<u>(548)</u>	<u>932,669</u>
Total all funds	\$10,006,179	\$643,702	\$10,649,881
Less estimated income	<u>2,425,455</u>	<u>197,632</u>	<u>2,623,087</u>

General fund	\$7,580,724	\$446,070	\$8,026,794
FTE	57.00	0.00	57.00

**Dept. 701 - State Historical Society - Detail of House Changes**

	REDUCES COMPENSATION PACKAGE TO 3/4	INCREASES FUNDING FOR CULTURAL HERITAGE GRANTS <sup>1</sup>	ADDS FUNDING FOR POSTER COSTS <sup>2</sup>	ADDS FUNDING FOR FORT ABERCROMBIE INTERPRETIVE CENTER PROJECT <sup>3</sup>	TOTAL HOUSE CHANGES
Salaries and wages	(\$20,750)				(\$20,750)
Operating expenses			\$15,000		15,000
Capital assets				\$400,000	400,000
Grants					
Cultural heritage grants		\$250,000			250,000
Yellowstone-Missouri-Fort Union Commission					
Lewis and Clark Bicentennial	(548)				(548)
Total all funds	(\$21,298)	\$250,000	\$15,000	\$400,000	\$643,702
Less estimated income	(2,368)			200,000	197,632
General fund	(\$18,930)	\$250,000	\$15,000	\$200,000	\$446,070
FTE	0.00	0.00	0.00	0.00	0.00

<sup>1</sup> Adds \$250,000 from the general fund to the cultural heritage grants line item to increase the total line item from \$75,000 to \$325,000.

<sup>2</sup> Adds \$15,000 from the general fund to the operating expenses line item for the costs of reprinting and creating new posters.

<sup>3</sup> Adds \$400,000 to the capital assets line item for the Fort Abercrombie Interpretive Center Project. The \$400,000 consists of \$200,000 from the general fund that will be used to match \$200,000 of federal funds from the Save America's Treasures grant.

**REPORT OF STANDING COMMITTEE**

**HB 1020: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (22 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1020 was placed on the Sixth order on the calendar.

Page 1, line 2, after "Garden" insert "; and to declare an emergency"

Page 2, remove line 5

Page 2, line 7, replace "691,903" with "529,031"

Page 2, line 8, replace "(245,255)" with "(307,255)"

Page 2, line 9, replace "262,406" with "187,406"

Page 2, line 10, replace "2,144,000" with "2,594,000"

Page 2, line 11, replace "(142,846)" with "(448,161)"

Page 2, line 12, replace "2,710,208" with "2,555,021"

Page 2, line 13, replace "1,514,146" with "1,602,586"

Page 2, line 14, replace "1,196,062" with "952,435"

Page 2, remove lines 15 through 21

Page 2, line 30, replace "5,946,469" with "5,783,597"

Page 2, line 31, replace "4,361,533" with "4,299,533"

Page 3, line 1, replace "2,780,200" with "2,705,200"

Page 3, line 2, replace "6,480,000" with "6,930,000"

Page 3, line 3, replace "617,772" with "312,457"

Page 3, line 4, replace "20,185,974" with "20,030,787"

Page 3, line 5, replace "12,286,253" with "12,374,693"

Page 3, line 6, replace "7,899,721" with "7,656,094"

Page 3, line 9, replace "602,854" with "352,854"

Page 3, line 10, replace "602,854" with "352,854"

Page 3, line 11, replace "8,502,575" with "8,008,948"

Page 3, line 12, replace "12,286,253" with "12,374,693"

Page 3, line 13, replace "20,788,828" with "20,383,641"

Page 4, after line 4, insert:

**"SECTION 8. EMERGENCY.** The amount of \$200,000 of federal funds for Lake Sakakawea boat ramp access included in the capital assets line item contained in subdivision 1 of section 3 of this Act is declared to be an emergency measure."

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### House Bill No. 1020 - Summary of House Action

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Parks and Recreation Department			
Total all funds	\$20,185,974	(\$155,187)	\$20,030,787
Less estimated income	<u>12,286,253</u>	88,440	<u>12,374,693</u>
General fund	\$7,899,721	(\$243,627)	\$7,656,094
International Peace Garden			
Total all funds	\$602,854	(\$250,000)	\$352,854
Less estimated income			
General fund	<u>\$602,854</u>	<u>(\$250,000)</u>	<u>\$352,854</u>
Bill Total			
Total all funds	\$20,788,828	(\$405,187)	\$20,383,641
Less estimated income	<u>12,286,253</u>	88,440	<u>12,374,693</u>
General fund	\$8,502,575	(\$493,627)	\$8,008,948

#### House Bill No. 1020 - Parks and Recreation Department - House Action

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$5,946,469	(\$162,872)	\$5,783,597
Operating expenses	4,361,533	(62,000)	4,299,533
Capital assets	2,780,200	(75,000)	2,705,200
Grants	6,480,000	450,000	6,930,000
Lewis and Clark Bicentennial	<u>617,772</u>	<u>(305,315)</u>	<u>312,457</u>
Total all funds	\$20,185,974	(\$155,187)	\$20,030,787
Less estimated income	<u>12,286,253</u>	88,440	<u>12,374,693</u>
General fund	\$7,899,721	(\$243,627)	\$7,656,094
FTE	48.50	(2.00)	46.50

#### Dept. 750 - Parks and Recreation Department - Detail of House Changes

	REDUCES COMPENSATION PACKAGE TO 3/4	REMOVES FUNDING AND RELATED FTEs FOR THE ELKHORN RANCH PROJECT 1	INCREASES FUNDING FOR GRANTS 2	ADDS FUNDING FOR LAKE SAKAKAWEA BOAT RAMP ACCESS 3	REMOVES FUNDING FOR CAPITAL PROJECTS 4	TOTAL HOUSE CHANGES
Salaries and wages	(\$17,411)	(\$145,461)				(\$162,872)
Operating expenses		(62,000)				(62,000)
Capital assets		(220,000)		\$200,000	(\$55,000)	(75,000)
Grants			\$450,000			450,000
Lewis and Clark Bicentennial	<u>(315)</u>				<u>(305,000)</u>	<u>(305,315)</u>
Total all funds	(\$17,726)	(\$427,641)	\$450,000	\$200,000	(\$360,000)	(\$155,187)
Less estimated income	<u>(1,560)</u>	<u>(110,000)</u>		<u>200,000</u>		<u>88,440</u>
General fund	(\$16,166)	(\$317,461)	\$450,000	\$0	(\$360,000)	(\$243,627)

FTE 0.00 (2.00) 0.00 0.00 0.00 (2.00)

1 This amendment removes funding and 2 FTE positions related to the Elkhorn Ranch (Eberts Ranch) project.

2 This amendment adds \$450,000 from the general fund to the grants line item for the following entities:

Fort Abraham Lincoln Foundation	\$100,000
Lewis and Clark Foundation	100,000
Three Affiliated Tribes Lewis and Clark Bicentennial	100,000
Indian Affairs Commission First Nations Day	50,000
Standing Rock Tourism, Lewis and Clark	50,000
Cowboy Hall of Fame	<u>50,000</u>
Total	\$450,000

3 This amendment adds \$200,000 of federal funds authority to the capital assets line item so the department may receive \$200,000 from the Corps of Engineers to maintain boat ramp access on Lake Sakakawea. An emergency clause is added to the bill as a result of this amendment.

4 This amendment removes funding from the general fund for the following capital projects:

Fort Stevenson State Park campground rehabilitation	\$160,000
Lake Sakakawea State Park campground rewire	55,000
Lake Sakakawea State Park campground utilities upgrade	<u>145,000</u>
Total	\$360,000

**House Bill No. 1020 - International Peace Garden - House Action**

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
International Peace Garden	<u>\$602,854</u>	<u>(\$250,000)</u>	<u>\$352,854</u>
Total all funds	\$602,854	(\$250,000)	\$352,854
Less estimated income	_____	_____	_____
General fund	\$602,854	(\$250,000)	\$352,854
FTE	0.00	0.00	0.00

**Dept. 751 - International Peace Garden - Detail of House Changes**

	REMOVES FUNDING FOR CONFLICT RESOLUTION CENTER <sup>1</sup>	TOTAL HOUSE CHANGES
International Peace Garden	<u>(\$250,000)</u>	<u>(\$250,000)</u>
Total all funds	(\$250,000)	(\$250,000)
Less estimated income	_____	_____
General fund	(\$250,000)	(\$250,000)
FTE	0.00	0.00

<sup>1</sup> This amendment removes the funding for a grant to the International Peace Garden for planning relating to the construction of a conflict resolution center.

**REPORT OF STANDING COMMITTEE**

**HB 1021: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (19 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1021 was placed on the Sixth order on the calendar.

Page 1, line 2, remove the second "and"

Page 1, line 4, after "outlet" insert "; and to transfer funds from the water development trust fund to the general fund"

Page 1, line 18, replace "99,825" with "94,276"

Page 1, line 19, replace "(47,170,845)" with "(47,204,774)"

Page 1, line 20, replace "(\$47,071,020)" with "(\$47,110,498)"

Page 1, line 21, replace "(39,748,981)" with "(47,544,575)"

Page 1, line 22, replace "(\$7,322,039)" with "\$434,077"

Page 2, line 4, replace "2,176,060" with "2,170,511"

Page 2, line 5, replace "110,611,774" with "110,577,845"

Page 2, line 6, replace "112,787,834" with "112,748,356"

Page 2, line 7, replace "110,724,477" with "102,928,883"

Page 2, line 8, replace "2,063,357" with "9,819,473"

Page 2, line 18, replace "\$24,863,873" with "\$15,044,400"

Page 5, after line 29, insert:

**"SECTION 12. TRANSFER.** Notwithstanding section 54-27-25, during the biennium beginning July 1, 2005, and ending June 30, 2007, the director of the office of management and budget shall transfer \$9,819,473 from the water development trust fund to the general fund."

ReNUMBER accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

##### House Bill No. 1021 - State Water Commission - House Action

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Administrative and support services	\$2,176,060	(\$5,549)	\$2,170,511
Water and atmospheric resources	110,611,774	(33,929)	110,577,845
Total all funds	\$112,787,834	(\$39,478)	\$112,748,356
Less estimated income	<u>110,724,477</u>	<u>(7,795,594)</u>	<u>102,928,883</u>
General fund	\$2,063,357	\$7,756,116	\$9,819,473
FTE	84.00	0.00	84.00

##### Dept. 770 - State Water Commission - Detail of House Changes

	CHANGES FUNDING FOR ADMINISTRATIVE EXPENSES <sup>1</sup>	REDUCES COMPENSATION PACKAGE TO 3/4	TOTAL HOUSE CHANGES
Administrative and support services		(\$5,549)	(\$5,549)
Water and atmospheric resources		(33,929)	(33,929)
Total all funds	\$0	(\$39,478)	(\$39,478)
Less estimated income	<u>(7,795,594)</u>		<u>(7,795,594)</u>
General fund	\$7,795,594	(\$39,478)	\$7,756,116
FTE	0.00	0.00	0.00

<sup>1</sup> This amendment changes the funding for administrative expenses in the water and atmospheric resources line item from the water development trust fund to the general fund.

Section 12 provides for a transfer of \$9,819,473 from the water development trust fund to the general fund. This amount represents administrative expenses of the State Water Commission.

#### REPORT OF STANDING COMMITTEE

**HB 1022: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (19 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING). HB 1022 was placed on the Sixth order on the calendar.

Page 1, line 12, replace "1,043,183" with "938,642"

Page 1, line 17, replace "33,440,814" with "33,336,273"

ReNUMBER accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

**House Bill No. 1022 - Workforce Safety and Insurance - House Action**

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Workforce Safety and Insurance	<u>\$33,440,814</u>	<u>(\$104,541)</u>	<u>\$33,336,273</u>
Total all funds	\$33,440,814	(\$104,541)	\$33,336,273
Less estimated income	<u>33,440,814</u>	<u>(104,541)</u>	<u>33,336,273</u>
General fund	\$0	\$0	\$0
FTE	223.14	0.00	223.14

**Dept. 485 - Workforce Safety and Insurance - Detail of House Changes**

	REDUCES COMPENSATION PACKAGE TO 3/4	TOTAL HOUSE CHANGES
Workforce Safety and Insurance	<u>(\$104,541)</u>	<u>(\$104,541)</u>
Total all funds	(\$104,541)	(\$104,541)
Less estimated income	<u>(104,541)</u>	<u>(104,541)</u>
General fund	\$0	\$0
FTE	0.00	0.00

**REPORT OF STANDING COMMITTEE**

**HB 1023: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (22 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1023 was placed on the Sixth order on the calendar.

Page 1, line 2, after "agencies" insert "; and to amend and reenact section 54-44.1-11 of the North Dakota Century Code, relating to the cancellation of unexpended appropriations"

Page 2, line 3, replace "195,430" with "187,647"

Page 2, line 6, replace "(\$1,876,406)" with "(\$1,884,189)"

Page 2, line 9, replace "223,640" with "212,122"

Page 2, line 11, replace "300,847" with "289,329"

Page 2, line 12, replace "(\$1,575,559)" with "(\$1,594,860)"

Page 2, line 20, replace "1,970,315" with "1,962,532"

Page 2, line 23, replace "2,966,923" with "2,959,140"

Page 2, line 26, replace "2,877,294" with "2,865,776"

Page 2, line 29, replace "4,692,005" with "4,680,487"

Page 2, line 30, replace "7,658,928" with "7,639,627"

Page 3, line 3, replace "unexpected" with "unexpended"

Page 3, after line 10, insert:

**"SECTION 6. AMENDMENT.** Section 54-44.1-11 of the North Dakota Century Code is amended and reenacted as follows:

**54-44.1-11. (Effective through June 30, 2005) Office of management and budget to cancel unexpended appropriations - When they may continue.** Except as otherwise provided by law, the office of management and budget, thirty days after the close of each biennial period, shall cancel all unexpended appropriations or balances of appropriations after the expiration of the biennial period during which they became available under the law. Unexpended appropriations for the North Dakota university system are not subject to this section 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. The

chairmen of the appropriations committees of the senate and house of representatives of the legislative assembly with the office of the budget may continue appropriations or balances in force for not more than two years after the expiration of the biennial period during which they became available upon recommendation of the director of the budget for:

1. New construction projects.
2. Major repair or improvement projects.
3. Purchases of new equipment costing more than ten thousand dollars per unit if it was ordered during the first twelve months of the biennium in which the funds were appropriated.
4. The purchase of land by the state on a "contract for deed" purchase if the total purchase price is within the authorized appropriation.

**(Effective after June 30, 2005) Office of management and budget to cancel unexpended appropriations - When they may continue.** The office of management and budget, thirty days after the close of each biennial period, shall cancel all unexpended appropriations or balances of appropriations after the expiration of the biennial period during which they became available under the law. The chairmen of the appropriations committees of the senate and house of representatives of the legislative assembly with the office of the budget may continue appropriations or balances in force for not more than two years after the expiration of the biennial period during which they became available upon recommendation of the director of the budget for:

1. New construction projects.
2. Major repair or improvement projects.
3. Purchases of new equipment costing more than ten thousand dollars per unit if it was ordered during the first twelve months of the biennium in which the funds were appropriated.
4. The purchase of land by the state on a "contract for deed" purchase if the total purchase price is within the authorized appropriation.
5. Authorized ongoing information technology projects."

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### House Bill No. 1023 - Summary of House Action

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Retirement and Investment Office			
Total all funds	\$2,966,923	(\$7,783)	\$2,959,140
Less estimated income	<u>2,966,923</u>	<u>(7,783)</u>	<u>2,959,140</u>
General fund	\$0	\$0	\$0
Public Employees Retirement System			
Total all funds	\$4,692,005	(\$11,518)	\$4,680,487
Less estimated income	<u>4,692,005</u>	<u>(11,518)</u>	<u>4,680,487</u>
General fund	\$0	\$0	\$0
Bill Total			
Total all funds	\$7,658,928	(\$19,301)	\$7,639,627
Less estimated income	<u>7,658,928</u>	<u>(19,301)</u>	<u>7,639,627</u>
General fund	\$0	\$0	\$0

#### House Bill No. 1023 - Retirement and Investment Office - House Action

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$1,970,315	(\$7,783)	\$1,962,532
Operating expenses	914,608		914,608
Contingencies	<u>82,000</u>		<u>82,000</u>
Total all funds	\$2,966,923	(\$7,783)	\$2,959,140



Less estimated income	<u>2,966,923</u>	<u>(7,783)</u>	<u>2,959,140</u>
General fund	\$0	\$0	\$0
FTE	17.00	0.00	17.00

**Dept. 190 - Retirement and Investment Office - Detail of House Changes**

	REDUCES COMPENSATION PACKAGE TO 3/4	TOTAL HOUSE CHANGES
Salaries and wages	(\$7,783)	(\$7,783)
Operating expenses		
Contingencies		
Total all funds	(\$7,783)	(\$7,783)
Less estimated income	<u>(7,783)</u>	<u>(7,783)</u>
General fund	\$0	\$0
FTE	0.00	0.00

**House Bill No. 1023 - Public Employees Retirement System - Detail House Action**

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$2,877,294	(\$11,518)	\$2,865,776
Operating expenses	1,564,711		1,564,711
Contingencies	<u>250,000</u>		<u>250,000</u>
Total all funds	\$4,692,005	(\$11,518)	\$4,680,487
Less estimated income	<u>4,692,005</u>	<u>(11,518)</u>	<u>4,680,487</u>
General fund	\$0	\$0	\$0
FTE	29.00	0.00	29.00

**Dept. 192 - Public Employees Retirement System - Detail of House Changes**

	REDUCES COMPENSATION PACKAGE TO 3/4	TOTAL HOUSE CHANGES
Salaries and wages	(\$11,518)	(\$11,518)
Operating expenses		
Contingencies		
Total all funds	(\$11,518)	(\$11,518)
Less estimated income	<u>(11,518)</u>	<u>(11,518)</u>
General fund	\$0	\$0
FTE	0.00	0.00

**REPORT OF STANDING COMMITTEE**

**HB 1030: Government and Veterans Affairs Committee (Rep. Haas, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1030 was placed on the Sixth order on the calendar.

In lieu of the amendments printed on pages 612 and 613 of the House Journal, House Bill No. 1030 is amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new section to chapter 54-06 of the North Dakota Century Code, relating to the smoking of tobacco products in state-owned or state-leased buildings.

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

**SECTION 1.** A new section to chapter 54-06 of the North Dakota Century Code is created and enacted as follows:

**Smoking prohibited in or near state buildings - Exceptions.** Except for the buildings and grounds of any hospital operated by the state and buildings and grounds under the control of the state board of higher education, the smoking of tobacco

products in buildings owned or leased by the state and on the grounds of those buildings is prohibited."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1035: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (22 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1035 was placed on the Sixth order on the calendar.

Page 1, line 13, after "activities" insert "by providing written strategies and related indicators to measure agency performance"

Page 2, line 1, replace "data" with "indicators"

Page 2, line 11, after "participation" insert "- Acceptance and expenditure of funds"

Page 2, line 14, replace "no more than three of whom may be from the" with "at least one from each"

Page 2, line 15, remove "same", after "party" insert an underscored comma, and replace "no more than three of whom may be" with "at least one"

Page 2, line 16, replace "the same" with "each"

Page 2, line 17, after the underscored period insert "Any citizen member appointed must have demonstrated experience in developing or implementing goals and objectives in a large organization."

Page 2, line 22, replace "three" with "four"

Page 2, line 23, after "representatives" insert ", at least one from each political party,", replace "three" with "four", and after "senate" insert ", at least one from each political party,"

Page 2, line 28, after the underscored period insert "The committee may accept and use gifts, grants, or assistance to accomplish its purposes."

Page 3, line 3, replace "data" with "indicators and by receiving public input regarding state agency performance and accountability"

Page 3, line 9, replace "data" with "indicators" and remove "proposed"

Page 3, line 10, replace "data" with "indicators"

Page 3, line 12, replace "data" with "indicators"

Page 3, line 14, remove "proposed" and replace "data" with "indicators"

Page 3, line 16, remove "proposed" and after "provide" insert ", to the extent possible."

Page 3, line 18, after the underscored period insert "An agency or department that does not have assessment data available for a major activity of the agency or department shall provide an explanation of the reasons for the lack of assessment data."

Page 3, line 19, remove "proposed"

Page 3, line 20, replace "data" with "indicators" and remove "office of management and budget and the"

Page 3, line 21, replace "and shall make revisions" with ". The government performance and accountability committee may make recommendations for changes to an agency's or department's biennial goals, objectives, and related performance measurement indicators."

Page 3, remove lines 22 through 25

Page 3, line 26, replace "approval" with "review"

Page 3, line 27, remove "or government performance and accountability committee"

Page 3, line 31, after "agency" insert "or department"

Page 4, line 3, after "agency" insert "or department"

Page 4, line 4, after "agency's" insert "or department's"

Page 4, line 7, after "agency" insert "or department"

Page 4, line 8, replace "data" with "indicators"

Page 4, line 9, after "agency's" insert "department's"

Page 4, line 11, replace "an annual" with "a biennial"

Page 4, line 15, remove "annual"

Page 4, line 16, replace "available by September first of each year and be provided to the government" with "presented to the budget section of the legislative council by October 31 of each even-numbered year"

Page 4, remove line 17

Page 4, line 18, remove "succeeding legislative assembly"

Page 4, line 20, after "agency" insert "or department" and after "results" insert "for validity and reliability"

Page 4, line 26, after "agency's" insert "or department's"

Page 4, line 28, after "agency's" insert "or department's"

Page 5, line 1, after "agency" insert "or department that may assist it in achieving its goals and objectives or"

Page 5, line 5, after "agency" insert "or department"

Page 5, after line 5, insert:

"b. A review by the office of management and budget of the agency, department, or program goals, objectives, and performance measurement indicators resulting in recommendations to improve the agency's or department's performance results."

Page 5, line 6, replace "b." with "c." and after "agency" insert "or department"

Page 5, remove line 7

Page 5, line 13, replace "data" with "indicators"

Page 7, line 19, replace "data" with "indicators"

Page 8, line 24, replace "data to be presented to the government performance and accountability" with "indicators"

Page 8, line 25, remove "committee"

Page 8, line 30, replace "\$200,000" with "\$100,000"

Page 9, line 1, replace "administering" with "contracting with a consultant to train agency personnel and to assist agencies and departments in developing strategic plans and performance measures to comply with"

Page 9, remove lines 3 through 12

Re-number accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1153: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS**

(21 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1153 was placed on the Sixth order on the calendar.

Page 1, line 4, remove the third "and"

Page 1, line 5, remove "subsection 3 of section 61-02.1-04"

Page 2, line 27, remove the overstrike over "~~The legislative assembly finds that there is a critical need to develop a~~"

Page 2, remove the overstrike over lines 28 through 30

Page 3, line 1, remove the overstrike over "~~5:~~"

Page 4, line 22, remove the overstrike over "~~6:~~" and remove "5."

Page 5, line 5, remove the overstrike over "~~7:~~", remove "6.", remove the overstrike over "~~purposes~~", remove "purpose", remove the overstrike over "~~subsections~~", and remove "subsection"

Page 5, line 6, remove the overstrike over "~~and 4~~"

Page 5, line 7, remove the overstrike over "~~one or more of the projects identified in this~~" and remove "the Devils Lake"

Page 5, line 8, remove "outlet identified in", overstrike "subsection", and remove "3."

Page 5, line 31, after "~~River~~" insert "section" and remove the overstrike over the overstruck period

Page 6, line 1, remove the overstrike over "~~8:~~" and remove "7."

Page 6, line 3, remove the overstrike over "~~9:~~" and remove "8."

Page 6, line 4, remove the overstrike over "~~5~~" and remove "4"

Page 7, remove lines 4 through 23

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1154, as engrossed: Appropriations Committee (Rep. Svedjan, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS** (12 YEAS, 10 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1154 was placed on the Sixth order on the calendar.

Page 1, line 2, after the comma insert "15.1-27-37,"

Page 1, line 10, replace "seven" with "eight"

Page 1, line 11, replace "twenty-six" with "thirteen"

Page 1, line 12, replace "eight" with "nine" and replace "twenty-six" with "twelve"

Page 8, after line 29, insert:

**"SECTION 5. AMENDMENT.** Section 15.1-27-37 of the North Dakota Century Code is amended and reenacted as follows:

#### **15.1-27-37. Compensation of teachers - Claim for reimbursement - Rules.**

1. On or before October first of each year or within thirty days after the conclusion of the negotiation process provided for in chapter 15.1-16, the board of a school district may file a claim with the superintendent of public instruction for the reimbursement of moneys to be expended by the district during the school year to at least maintain the level of compensation provided to teachers employed by the district during the ~~2002-03~~ preceding school year.

2. The claim must include:
  - a. The number of full-time equivalent teachers employed by the district as of September fifteenth of the current school year;
  - b. The number of full-time equivalent teachers whose level of compensation will be at least equal to that provided during the ~~2002-03~~ preceding school year; and
  - c. The total amount of any compensation increases provided to full-time equivalent teachers over the level of compensation provided during the ~~2002-03~~ preceding school year.
3. ~~For the 2003-04 school year, the~~ The reimbursement provided for in this section may not exceed three thousand dollars multiplied by the number of full-time equivalent teachers employed by the district as of September 15, 2003.
  - ~~b. For the 2004-05 school year, the reimbursement provided for in this section may not exceed three thousand dollars multiplied by the number of full-time equivalent teachers employed by the district as of September 15, 2004.~~
  - e. ~~For the 2003-04 school year, the~~ fifteenth of the current school year.
  - b. The reimbursement under this section for each individual employed as of September 15, 2003 fifteenth of the current school year, as a full-time equivalent teacher for the first school year since becoming licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board, may not exceed one thousand dollars.
  - ~~d. For the 2004-05 school year, the reimbursement under this section for each individual employed as of September 15, 2004, as a full-time equivalent teacher for the first school year since becoming licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board, may not exceed one thousand dollars.~~
4. For purposes of this section, the claim of a district may include proportionate expenditures made by the district to compensate individuals employed as teachers by the special education unit or the area career and technology center to which the district belongs.
5. The superintendent of public instruction may adopt rules regarding claims for and the payment of reimbursements under this section."

Page 10, line 23, after "**LEARNERS**" insert "**- JOINT POWERS ASSOCIATIONS**"

Page 11, line 9, replace "\$600,000" with "\$300,000"

Page 11, after line 11, insert:

- "3. The superintendent of public instruction shall use the next \$2,000,000 or so much of that amount as is necessary, for the purpose of providing payments under 2005 Senate Bill No. 2168, as approved by the fifty-ninth legislative assembly, to educational associations governed by joint powers agreements that the superintendent of public instruction has verified as meeting the requirements of section 15.1-07-28."

Page 11, line 12, replace "3." with "4."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1259, as engrossed: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (19 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1259 was placed on the Sixth order on the calendar.

Page 2, line 11, overstrike "- Continuing"

Page 2, line 12, overstrike "appropriation"

Page 2, line 13, overstrike "are appropriated to the department on a continuing basis" and insert immediately thereafter "may be spent by the department pursuant to legislative appropriations"

Page 9, line 31, after "disbursements" insert "- Report"

Page 10, line 3, replace "All" with "Except for moneys in the lottery operating fund appropriated by the legislative assembly for administrative and operating costs of the lottery under section 53-12.1-10, all other"

Page 10, line 4, after the underscored period insert "During each regular session, the attorney general shall present a report to the appropriations committee of each house of the legislative assembly on the actual and estimated expenditures for the current biennium and projected expenditures for the subsequent biennium authorized by this section."

Page 10, line 10, remove "an expense, including" and replace ", supplies," with "expense"

Page 10, remove lines 11 and 12

Page 10, line 13, remove "agency"

Page 10, after line 21, insert:

"53-12.1-10. Administrative and other operating costs of the lottery - Lottery operating fund. Money in the lottery operating fund may be spent pursuant to legislative appropriation for costs of administering and operating the lottery, including costs relating to employees, supplies, surveys, advertising and marketing, printing, promotion, premium incentive items, a facility, and services provided by another state agency."

Page 10, line 22, replace "53-12.1-10" with "53-12.1-11"

Page 11, line 15, replace "53-12.1-11" with "53-12.1-12"

Page 12, line 30, replace "53-12.1-12" with "53-12.1-13"

Renumber accordingly

#### **STATEMENT OF PURPOSE OF AMENDMENT:**

This amendment authorizes:

- The Department of Human Services to spend money from the compulsive gambling prevention and treatment fund pursuant to legislative appropriations rather than a continuing appropriation.
- The Attorney General to spend moneys from the lottery operating fund for prizes and for expenses of the gaming system and related services of the lottery pursuant to a continuing appropriation, the same as under current law.
- The Attorney General to spend moneys from the lottery operating fund for administrative and other operating costs of the lottery pursuant to legislative appropriations rather than a continuing appropriation.

#### **REPORT OF STANDING COMMITTEE**

**HB 1308, as engrossed: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (19 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1308 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "three" with "two"

Page 1, line 4, replace "establishment" with "assignment", remove the first "the", and replace "and conservation office within" with "responsibilities to"

Page 3, line 6, replace "Three" with "Two"

Page 3, remove lines 16 through 18

Page 3, line 19, replace "**Duties of renewable energy and conservation office**" with "**Renewable energy responsibilities**" and remove "The renewable energy and"

Page 3, remove lines 20 and 21

Page 3, line 22, remove "energy improvement program under section 54-44.5-08." and replace "office also" with "division"

Page 3, remove lines 26 through 30

Page 4, remove lines 1 and 2

Page 4, line 5, after "fund" insert "to be matched by one dollar of grants, gifts, or other funds for each two dollars of renewable energy trust fund money,"

Re-number accordingly

#### **STATEMENT OF PURPOSE OF AMENDMENT:**

This amendment removes the creation of the renewable energy and conservation office and places the renewable energy responsibilities with the Division of Community Services within the Department of Commerce, removes the general fund appropriation, and requires a 2-to-1 match for the ethanol production incentive fund money appropriated to the renewable energy trust fund.

#### **REPORT OF STANDING COMMITTEE**

**HB 1332: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1332 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "; and"

Page 1, line 3, remove "to provide for application"

Page 2, after line 2, insert:

- "3. "De-identified information" means information from which the name, address, telephone number, and other variables have been removed in accordance with requirements of title 45, Code of Federal Regulations, part 164, section 512, subsections (a) or (b)."

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

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

Page 2, line 9, replace "5." with "6."

Page 2, line 17, after the semicolon insert "or"

Page 2, line 18, replace the semicolon with a period

Page 2, remove lines 19 through 21

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

Page 2, line 27, after the period insert "The term does not include a health carrier licensed under title 26.1 if the health carrier is providing pharmacy benefits management to its insureds and does not include a public self-funded pool or a private single-employer self-funded plan that provides pharmacy benefits management directly to its beneficiaries.

8. "Rebate" includes the nature, type, and amount of all other revenue received by the pharmacy benefits manager from each pharmaceutical manufacturer or labeler for any other product or service provided, including any formulary management and drug-switch program, educational support,

claims processing, and pharmacy network fees that are changed from retail pharmacies and data sales fees, with respect to programs that the covered entity offers or provides to the covered entity's enrollees.

9. "Utilization information" means de-identified information regarding the quantity of drug prescriptions dispensed to members of a health plan during a specified time period."

Page 2, remove lines 28 through 30

Page 3, remove lines 1 through 8

Page 3, remove lines 12 through 17

Page 3, line 18, replace "**26.1-27.1-04**" with "**26.1-27.1-03**"

Page 3, line 20, remove "or affiliation"

Page 3, remove line 30

Page 4, remove lines 1 through 31

Page 5, remove lines 1 through 3

Page 5, replace "**26.1-27.1-06**" with "**26.1-27.1-04**"

Page 5, line 7, replace "and" with "or"

Page 5, line 12, remove ", after disclosing to the covered individual and covered entity the"

Page 5, remove line 13

Page 5, line 14, remove "the pharmacy benefits manager as a result of the substitution"

Page 5, replace lines 25 through 31 with:

- "4. This section does not permit the substitution of an equivalent drug product contrary to section 19-02.1-02.

**26.1-27.1-05. Contents of pharmacy benefits management agreement - Requirements.**

1. A pharmacy benefits manager shall offer to a covered entity options for the covered entity to contract for services that must include:
  - a. A transaction fee without a sharing of rebates and other retrospective utilization discounts;
  - b. A combination of a transaction fee and a sharing of rebates and other retrospective utilization discounts; or
  - c. A transaction fee based on the covered entity receiving all the benefits of rebates and other retrospective utilization discounts.
2. The agreement between the pharmacy benefits manager and the covered entity must include a provision allowing the covered entity to audit the pharmacy benefits manager's books, accounts, and records, including de-identified utilization information, as necessary to confirm that the benefit of rebates and other retrospective utilization discounts are being shared as required by the contract.

**26.1-27.1-06. Examination of insurer-covered entity.**

1. During an examination of a company as provided for in chapter 26.1-03, 26.1-17, or 26.1-18.1, the commissioner shall examine any contract between the company and a pharmacy benefits manager and any related record to determine if the rebates and other retrospective utilization discount benefits that the company received from the pharmacy benefits manager have been applied toward reducing the company's rates or have been distributed to covered individuals.



2. To facilitate the examination of the company, the company shall disclose annually to the commissioner the benefits of rebates and other retrospective utilization discounts received under any contract with a pharmacy benefits manager and shall describe the manner in which the rebates and other retrospective utilization discounts are applied toward reducing rates.
3. Any information disclosed to the commissioner under this section is considered a trade secret under chapter 47-25.1.

**26.1-27.1-07. Rulemaking authority.** The commissioner shall adopt rules as necessary before implementation of this chapter."

Page 6, remove lines 1 through 31

Page 7, remove lines 1 through 7

Re-number accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1334: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 10 NAYS, 0 ABSENT AND NOT VOTING). HB 1334 was placed on the Sixth order on the calendar.

Page 1, line 7, remove ", special funds, and federal"

Page 1, line 8, remove "funds"

Page 1, line 15, replace "funding" with "general fund"

Re-number accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

This amendment removes reference to pooling federal or special funds. The compensation pool will consist of only funding from the general fund.

#### REPORT OF STANDING COMMITTEE

**HB 1354, as engrossed: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (19 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1354 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact subsection 18 of section 57-15-06.7 of the North Dakota Century Code, relating to the county levy for a county veterans' service officer; and to provide an effective date.

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

**SECTION 1. AMENDMENT.** Subsection 18 of section 57-15-06.7 of the North Dakota Century Code is amended and reenacted as follows:

18. A county levying a tax for a county veterans' service officer's salary, traveling, and office expenses in accordance with section 57-15-06.4 may levy a tax not exceeding ~~one and one-fourth~~ two mills.

**SECTION 2. EFFECTIVE DATE.** This Act is effective for taxable years beginning after December 31, 2004."

Re-number accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1394: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 9 NAYS, 0 ABSENT AND NOT VOTING). HB 1394 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide a general fund appropriations guideline.

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

**SECTION 1. General fund appropriations guideline.** It is the intent of the legislative assembly that total biennial general fund appropriations when compared to the previous biennium's general fund appropriations approved by the legislative assembly may not increase by a percentage greater than the percentage increase in projected baseline ongoing general fund revenues when compared to the previous biennium. If the governor recommends general fund appropriations that exceed the general fund appropriations guideline in this section, the governor shall present information as part of other budget data presented pursuant to section 54-44.1-07 on the justification and sustainability of the recommended general fund appropriations level."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1423: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (16 YEAS, 3 NAYS, 4 ABSENT AND NOT VOTING). HB 1423 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "subsection to section 15-02-05, a new"

Page 1, line 2, after the second comma insert "a new subsection to section 20.1-02-04,"

Page 1, line 3, remove "duties of the commissioner of university and school"

Page 1, line 4, remove the first "lands,", after the second comma insert "duties of the director of the game and fish department,", and remove the third "and"

Page 1, line 6, after "leases" insert "; and to provide an appropriation"

Page 1, remove lines 8 through 11

Page 2, after line 17, insert:

**"SECTION 4.** A new subsection to section 20.1-02-04 of the North Dakota Century Code is created and enacted as follows:

Identify by signage and publication all grant and nongrant lands under the control of the board of university and school lands which are open to hunting. The director shall implement the signage provisions of this subsection as leases are issued or renewed by the board of university and school lands."

Page 2, after line 21, insert:

**"SECTION 6. APPROPRIATION.** There is appropriated out of any moneys in the game and fish fund in the state treasury, not otherwise appropriated, the sum of \$100,000, or so much of the sum as may be necessary, to the game and fish department for the purpose of defraying the expenses of identifying by signage and publication all grant and nongrant lands that are open to hunting, for the biennium beginning July 1, 2005, and ending June 30, 2007."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1437: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1437 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new section to chapter 43-07 of the North Dakota Century Code, relating to notice and time for contractors to repair defects in residential buildings.

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

**SECTION 1.** A new section to chapter 43-07 of the North Dakota Century Code is created and enacted as follows:

**Warranty repairs - Required notice.** Before undertaking any repair, other than emergency repair, or instituting any action for breach of warranty in the construction of a one-family or two-family dwelling, the purchaser or owner shall give the contractor written notice by mail, within six months after knowledge of the defect, advising the contractor of any defect and giving the contractor a reasonable time to comply with this section. Within a reasonable time after receiving the notice, the contractor shall inspect the defect and provide a response to the purchaser or owner, and, if appropriate, remedy the defect within a reasonable time thereafter. For the purposes of this section, "reasonable time" means within thirty days after the notice is mailed or any shorter period of time as may be appropriate under the circumstances."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1473, as engrossed: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (17 YEAS, 2 NAYS, 4 ABSENT AND NOT VOTING). Engrossed HB 1473 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "to provide an"

Page 1, line 2, remove "appropriation;"

Page 2, remove lines 24 through 28

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

This amendment removes the \$5,000 general fund appropriation to the Legislative Council for funding the Commission on Alternatives to Incarceration.

**REPORT OF STANDING COMMITTEE**

**HB 1501: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). HB 1501 was placed on the Sixth order on the calendar.

Page 1, line 15, remove "to existing members"

Page 1, line 23, replace "dwelling properties" with "rental units"

Page 2, line 3, after "~~ever~~" insert "with a population over ten thousand"

Page 2, line 5, replace "dwelling properties" with "rental units"

Page 2, line 7, after the period insert "A company may not exceed twenty-five percent of the company's gross written premiums of the previous year for the gross written premiums in cities with a population over ten thousand."

Page 2, line 15, remove the overstrike over "~~except with respect~~"

Page 2, line 16, remove the overstrike over "~~to policies issued pursuant to~~", remove the overstrike over "~~section 26.1-13-15~~" and insert immediately thereafter "in any incorporated city with a population over ten thousand", and remove the overstrike over the overstruck comma

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1507, as engrossed: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 7 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1507 was placed on the Sixth order on the calendar.

Page 2, line 9, replace "fifty" with "one hundred"

Renumber accordingly

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

**Bradley C. Fay, Chief Clerk**