

## JOURNAL OF THE SENATE

## Sixtieth Legislative Assembly

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Bismarck, April 9, 2007

The Senate convened at 8:45 a.m., with President Dalrymple presiding.

The prayer was offered by Campus Crusade Director Troy Shirley, Campus Crusade for Christ, Bismarck.

The roll was called and all members were present except Senators Andrist, Erbele, and Flakoll.

A quorum was declared by the President.

**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)**  
**MR. SPEAKER:** The Senate has amended and subsequently failed: HB 1051.

**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)**  
**MR. SPEAKER:** The President has signed: SCR 4016, SCR 4022, SCR 4030, SCR 4032.

**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)**  
**MR. SPEAKER:** The President has signed: SB 2062, SB 2070, SB 2129, SB 2268, SB 2310, SB 2336, SB 2338, SB 2397.

**DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following bills were delivered to the Governor for approval on April 9, 2007: SB 2062, SB 2070, SB 2129, SB 2268, SB 2310, SB 2336, SB 2338, SB 2397.

**MOTION**

**SEN. CHRISTMANN MOVED** that the Senate stand in recess until 12:30 p.m., which motion prevailed.

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

**CONSIDERATION OF AMENDMENTS**

**HB 1015, as reengrossed: SEN. KRAUTER (Appropriations Committee) MOVED** that the amendments on SJ pages 1291-1295 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

**SECOND READING OF HOUSE BILL**

**HB 1015:** A BILL for an Act to provide an appropriation for defraying the expenses of the department of corrections and rehabilitation; to amend and reenact subsection 1 of section 12-65-08, subsection 2 of section 12.1-32-07, and section 19-03.1-45 of the North Dakota Century Code, relating to fees for the interstate transfer or travel of probationers, supervision fees, and drug treatment; to provide an exemption; to provide legislative intent; to provide for budget section approval; to provide for a transfer; and to provide for a legislative council study.

**MOTION**

**SEN. KRAUTER MOVED** that Reengrossed HB 1015, as amended, be further amended as follows, which motion prevailed on a voice vote.

That the proposed amendments to Reengrossed House Bill No. 1015 as printed on pages 1291-1295 of the Senate Journal be amended as follows:

Page 1292 of the Senate Journal, line 5, after the second semicolon remove "and"

Page 1292 of the Senate Journal, line 6, after "study" insert "; and to declare an emergency"

Renumber accordingly

**HB 1015:** A BILL for an Act to provide an appropriation for defraying the expenses of the department of corrections and rehabilitation; to amend and reenact subsection 1 of section 12-65-08, subsection 2 of section 12.1-32-07, and section 19-03.1-45 of the North Dakota Century Code, relating to fees for the interstate transfer or travel of probationers, supervision fees, and drug treatment; to provide an exemption; to provide

legislative intent; to provide for budget section approval; to provide for a transfer; to provide for a legislative council study; and to declare an emergency.

#### ROLL CALL

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

**YEAS:** Anderson; Bakke; Behm; Bowman; Christmann; Cook; Dever; Erbele; Fiebiger; Fischer; Freborg; Grindberg; Hacker; Heckaman; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjerm; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Andrist; Flakoll

Reengrossed HB 1015, as further amended, passed, the title was agreed to, and the emergency clause was declared carried.

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#### CONSIDERATION OF AMENDMENTS

**HB 1017, as engrossed and amended: SEN. WARDNER (Appropriations Committee)**  
**MOVED** that the amendments on SJ pages 1295-1304 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

#### SECOND READING OF HOUSE BILL

**HB 1017:** A BILL for an Act to provide an appropriation for defraying the expenses of the office of administrative hearings; to amend and reenact sections 39-01-16, 39-02-03.1, 39-06-34, 39-06.1-11, 39-06.2-10.6, 39-06.2-10.7, and 39-06.2-10.8, subsection 1 of section 39-20-03.1, section 39-20-03.2, subsection 1 of section 39-20-04, sections 39-20-05 and 39-20-06, and subsection 1 of section 54-57-03 of the North Dakota Century Code, relating to the transfer of administrative hearings from the department of transportation to the office of administrative hearings; to provide for transition; and to provide an effective date.

#### ROLL CALL

The question being on the final passage of the further amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 43 YEAS, 2 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Bakke; Behm; Bowman; Christmann; Cook; Dever; Erbele; Fiebiger; Fischer; Freborg; Grindberg; Hacker; Heckaman; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjerm; Taylor; Tollefson; Urlacher; Wanzek; Wardner; Warner

**NAYS:** Tallackson; Triplett

**ABSENT AND NOT VOTING:** Andrist; Flakoll

Engrossed HB 1017, as further amended, passed and the title was agreed to.

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#### SECOND READING OF HOUSE BILL

**HB 1320:** A BILL for an Act to create and enact four new sections to chapter 15.1-37 of the North Dakota Century Code, relating to the establishment of a prekindergarten program; to amend and reenact section 15.1-37-01 of the North Dakota Century Code, relating to the approval of early childhood education programs; and to provide an appropriation.

#### REQUEST

**SEN. HOLMBERG REQUESTED** that the Senate divide Reengrossed HB 1320, as amended, which request was granted on a voice vote.

**DIVISION A:** Sections 1 through 5 of the amended bill.

**DIVISION B:** Section 6 of the amended bill.

**ROLL CALL**

The question being on the final adoption of Division A of Reengrossed HB 1320, as amended, the roll was called and there were 26 YEAS, 19 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Bakke; Behm; Bowman; Fiebiger; Hacker; Heckaman; Heitkamp; Horne; Krauter; Lindaas; Marcellais; Mathern; Nelson; Nething; O'Connell; Pomeroy; Potter; Robinson; Seymour; Tallackson; Taylor; Tollefson; Triplett; Wardner; Warner

**NAYS:** Christmann; Cook; Dever; Erbele; Fischer; Freborg; Grindberg; Holmberg; Kilzer; Klein; Krebsbach; Lee, G.; Lee, J.; Lyson; Oehlke; Olafson; Stenehjerm; Urlacher; Wanzek

**ABSENT AND NOT VOTING:** Andrist; Flakoll

Division A of Reengrossed HB 1320, as amended, was adopted.

**ROLL CALL**

The question being on the final adoption of Division B of Reengrossed HB 1320, as amended, the roll was called and there were 21 YEAS, 24 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Bakke; Behm; Fiebiger; Heckaman; Heitkamp; Horne; Krauter; Lindaas; Marcellais; Mathern; Nelson; O'Connell; Pomeroy; Potter; Robinson; Seymour; Tallackson; Taylor; Triplett; Warner

**NAYS:** Bowman; Christmann; Cook; Dever; Erbele; Fischer; Freborg; Grindberg; Hacker; Holmberg; Kilzer; Klein; Krebsbach; Lee, G.; Lee, J.; Lyson; Nething; Oehlke; Olafson; Stenehjerm; Tollefson; Urlacher; Wanzek; Wardner

**ABSENT AND NOT VOTING:** Andrist; Flakoll

Division B of Reengrossed HB 1320, as amended, lost.

**HB 1320:** A BILL for an Act to create and enact four new sections to chapter 15.1-37 of the North Dakota Century Code, relating to the establishment of a prekindergarten program; and to amend and reenact section 15.1-37-01 of the North Dakota Century Code, relating to the approval of early childhood education programs.

**ROLL CALL**

The question being on the final passage of the amended bill, which includes Division A and excludes Division B, and which has been read, the roll was called and there were 23 YEAS, 22 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Bakke; Behm; Fiebiger; Hacker; Heckaman; Heitkamp; Horne; Krauter; Lindaas; Marcellais; Mathern; Nelson; O'Connell; Pomeroy; Potter; Robinson; Seymour; Tallackson; Taylor; Triplett; Wardner; Warner

**NAYS:** Bowman; Christmann; Cook; Dever; Erbele; Fischer; Freborg; Grindberg; Holmberg; Kilzer; Klein; Krebsbach; Lee, G.; Lee, J.; Lyson; Nething; Oehlke; Olafson; Stenehjerm; Tollefson; Urlacher; Wanzek

**ABSENT AND NOT VOTING:** Andrist; Flakoll

Reengrossed HB 1320, as amended, lost.

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**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**SEN. FISCHER MOVED** that the conference committee report on SB 2004 as printed on SJ pages 1305-1306 be adopted, which motion prevailed on a voice vote.

SB 2004, as amended, was placed on the Eleventh order.

**SECOND READING OF SENATE BILL**

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

**ROLL CALL**

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

**YEAS:** Anderson; Bakke; Behm; Bowman; Christmann; Cook; Dever; Erbele; Fiebiger; Fischer; Freborg; Grindberg; Hacker; Heckaman; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjerm; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Andrist; Flakoll

Engrossed SB 2004 passed and the title was agreed to.

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**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**SEN. KREBSBACH MOVED** that the conference committee report on SB 2002 as printed on SJ page 1305 be adopted, which motion prevailed on a voice vote.

SB 2002, as amended, was placed on the Eleventh order.

**SECOND READING OF SENATE BILL**

**SB 2002:** A BILL for an Act to provide an appropriation for defraying the expenses of the office of the secretary of state and public printing; to amend and reenact section 54-09-05 of the North Dakota Century Code, relating to the salary of the secretary of state; 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, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Bakke; Behm; Bowman; Christmann; Cook; Dever; Erbele; Fiebiger; Fischer; Freborg; Grindberg; Hacker; Heckaman; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjerm; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Andrist; Flakoll

Engrossed SB 2002 passed and the title was agreed to.

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**CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

**SEN. HOLMBERG MOVED** that the conference committee report on Engrossed SB 2010 as printed on SJ page 1306 be adopted, which motion prevailed on a voice vote.

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

**SECOND READING OF SENATE BILL**

**SB 2010:** A BILL for an Act to provide an appropriation for defraying the expenses of the insurance commissioner; to provide an appropriation to the legislative council; to provide for fund transfers; to provide for making payments of insurance premiums tax collections to fire departments; and to amend and reenact sections 26.1-01-09 and 26.1-22-10 of the North Dakota Century Code, relating to the commissioner's salary and insurance of personal property by the state fire and tornado fund.

**ROLL CALL**

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

**YEAS:** Anderson; Bakke; Behm; Bowman; Christmann; Cook; Dever; Erbele; Fiebiger; Fischer; Freborg; Grindberg; Hacker; Heckaman; Heitkamp; Holmberg; Horne; Kilzer; Klein; Krauter; Krebsbach; Lee, G.; Lee, J.; Lindaas; Lyson; Marcellais; Mathern; Nelson; Nething; O'Connell; Oehlke; Olafson; Pomeroy; Potter; Robinson; Seymour; Stenehjerm; Tallackson; Taylor; Tollefson; Triplett; Urlacher; Wanzek; Wardner; Warner

**ABSENT AND NOT VOTING:** Andrist; Flakoll

Reengrossed SB 2010 passed and the title was agreed to.

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**MOTION**

**SEN. CHRISTMANN MOVED** that Sen. Flakoll replace Sen. G. Lee on the Senate Conference Committee on SB 2200, effective Tuesday, April 10, which motion prevailed.

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

**MR. SPEAKER:** The Senate has amended, subsequently passed, and the emergency clause carried: HB 1015.

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

**MR. SPEAKER:** The Senate has amended and subsequently passed: HB 1017.

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

**MR. SPEAKER:** The Senate has adopted the conference committee report and subsequently passed: SB 2002, SB 2004, SB 2010.

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

**MR. SPEAKER:** The President has appointed Sen. Flakoll to replace Sen. G. Lee on the Conference Committee on SB 2200.

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

**MR. PRESIDENT:** The House has adopted the conference committee report and subsequently passed: HB 1256.

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

**MR. PRESIDENT:** The House has adopted the conference committee reports and subsequently passed: SB 2125, SB 2154, SB 2204, SB 2236, and SB 2411.

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

**MR. PRESIDENT:** The House has adopted the conference committee reports: SB 2111, SB 2247, SB 2274, and SB 2277.

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

**MR. PRESIDENT:** The House has adopted the conference committee report and subsequently passed: SCR 4001.

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

**MR. PRESIDENT:** The House does not concur in the Senate amendments to HB 1001, HB 1009, HB 1012, HB 1019, HB 1243, HB 1395, HB 1435, HB 1469, HB 1488, and HB 1515 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

**HB 1001:** Reps. Carlson; Carlisle; Kroeber

**HB 1009:** Reps. Monson; Wald; Aarsvold

**HB 1012:** Reps. Carlson; Weisz; Williams

**HB 1019:** Reps. Monson; Carlson; Gullerson

**HB 1243:** Reps. Klemin; Dahl; Onstad

**HB 1395:** Reps. R. Kelsch; Monson; Hanson

**HB 1435:** Reps. Pollert; Price; Kaldor

**HB 1469:** Reps. DeKrey; Porter; Solberg

**HB 1488:** Reps. Kreidt; Damschen; Schneider

**HB 1515:** Reps. Porter; Monson; S. Kelsh

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

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

**SB 2020:** Reps. Wald; Klein; Aarsvold

**SB 2023:** Reps. Skarphol; Svedjan; Williams

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

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

**SB 2103:** Reps. DeKrey; Klemin; Delmore

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

**MR. PRESIDENT:** The Speaker has appointed Rep. Hanson to replace Rep. Hunskor on the Conference Committee on HB 1149.

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

**MR. PRESIDENT:** The Speaker has appointed Rep. Belter to replace Rep. Carlisle on the Conference Committee on SB 2178.

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

**MR. SPEAKER:** The President has signed: SB 2228.

**DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following bill was delivered to the Governor for approval on April 9, 2007: SB 2228.

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

**MR. SPEAKER:** Your signature is respectfully requested on: SB 2037, SB 2246.

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

**MR. PRESIDENT:** Your signature is respectfully requested on: HB 1092, HB 1219, HB 1505.

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

**MR. PRESIDENT:** The Speaker has signed: HB 1128.

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

**MR. PRESIDENT:** The Speaker has signed: HB 1171, HB 1279, HB 1332, HB 1375.

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

**MR. PRESIDENT:** The Speaker has signed: HB 1129, HB 1134, HB 1155, HB 1195, HB 1227, HB 1229, HB 1241, HB 1258, HB 1282, HB 1293, HB 1295, HB 1304, HB 1312, HB 1360, HB 1362, HB 1421, HB 1432, HB 1434, HB 1482, HB 1483, HB 1503.

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

**MR. PRESIDENT:** The Speaker has signed: SB 2037, SB 2222, SB 2246, SB 2251, SB 2389, SB 2406.

**MOTION**

**SEN. CHRISTMANN MOVED** that the absent members be excused, which motion prevailed.

**MOTION**

**SEN. CHRISTMANN MOVED** that the Senate be on the Fourth, Fifth, Seventh, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 8:30 a.m., Tuesday, April 10, 2007, which motion prevailed.

**REPORT OF CONFERENCE COMMITTEE**

**SB 2011:** Your conference committee (Sens. Bowman, Holmberg, Lindaas and Reps. Thoreson, Kempenich, Williams) recommends that the **SENATE ACCEDE** to the House amendments on SJ pages 1192-1193 and place SB 2011 on the Seventh order.

SB 2011 was placed on the Seventh order of business on the calendar.

**REPORT OF CONFERENCE COMMITTEE**

**SB 2021, as reengrossed:** Your conference committee (Sens. Krebsbach, Wardner, Tallackson and Reps. Wald, Klein, Aarsvold) recommends that the **HOUSE RECEDE** from the House amendments on SJ pages 1241-1242, adopt amendments as follows, and place SB 2021 on the Seventh order:

That the House recede from its amendments as printed on pages 1241 and 1242 of the Senate Journal and pages 1300-1302 of the House Journal and that Reengrossed Senate Bill No. 2021 be amended as follows:

Page 1, line 2, remove "to provide an appropriation for the labor commissioner;"

Page 1, line 3, remove "and" and after "report" insert "; to provide a continuing appropriation; and to create and enact a new section to chapter 65-02 of the North Dakota Century Code, relating to implementation of occupational health and preventive medicine programs"

Page 1, remove lines 19 through 23

Page 2, remove lines 1 through 3

Page 2, after line 12, insert:

"SECTION 6. A new section to chapter 65-02 of the North Dakota Century Code is created and enacted as follows:

**Occupational health and preventive medicine programs - Continuing appropriation.** Upon approval of the board, the organization may establish and implement programs to advance occupational health and preventive medicine in this state and to protect the integrity of the fund. These programs may include the provision of education or training, consultation, grants, scholarships, or other incentives that promote superior care and treatment of the workforce in this state. Funds in the workforce and insurance fund are appropriated to the organization on a continuing basis for the purpose of funding the programs implemented under this section."

ReNUMBER accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2021 - Summary of Conference Committee Action**

	EXECUTIVE BUDGET	SENATE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	HOUSE VERSION	COMPARISON TO HOUSE
<b>Labor Commissioner</b>						
Total all funds	\$0	\$1,072,319	(\$1,072,319)	\$0	\$0	\$0
Less estimated income		1,072,319	(1,072,319)			
General fund	\$0	\$0	\$0	\$0	\$0	\$0
<b>Workforce Safety and Insurance</b>						
Total all funds	\$50,020,989	\$53,273,732	\$0	\$53,273,732	\$53,273,732	\$0
Less estimated income	50,020,989	53,273,732		53,273,732	53,273,732	
General fund	\$0	\$0	\$0	\$0	\$0	\$0
<b>Bill Total</b>						
Total all funds	\$50,020,989	\$54,346,051	(\$1,072,319)	\$53,273,732	\$53,273,732	\$0
Less estimated income	50,020,989	54,346,051	(1,072,319)	53,273,732	53,273,732	
General fund	\$0	\$0	\$0	\$0	\$0	\$0

**Senate Bill No. 2021 - Labor Commissioner - Conference Committee Action**

	EXECUTIVE BUDGET	SENATE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	HOUSE VERSION	COMPARISON TO HOUSE
Salaries and wages		\$966,399	(\$966,399)			
Operating expenses		105,920	(105,920)			
Total all funds	\$0	\$1,072,319	(\$1,072,319)	\$0	\$0	\$0
Less estimated income		1,072,319	(1,072,319)			
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	5.00	(5.00)	0.00	0.00	0.00

**Dept. 406 - Labor Commissioner - Detail of Conference Committee Changes**

	REMOVES FUNDING AND FTE POSITIONS FOR OFFICE OF INDEPENDENT REVIEW <sup>1</sup>	TOTAL CONFERENCE COMMITTEE CHANGES
Salaries and wages	(\$966,399)	(\$966,399)
Operating expenses	(105,920)	(105,920)
Total all funds	(\$1,072,319)	(\$1,072,319)
Less estimated income	(1,072,319)	(1,072,319)
General fund	\$0	\$0
FTE	(5.00)	(5.00)

<sup>1</sup> This amendment removes the appropriation to the Labor Commissioner of \$1,072,319 from the Workforce Safety and Insurance fund for implementing the provisions of Senate Bill No. 2292 relating to the administration of the Office of Independent Review due to the defeat of the bill. This amendment also removes the authorization of 5 new FTE positions for the Labor Commissioner, 4 FTE positions transferred from Workforce Safety and Insurance, and 1 new FTE position. The appropriation and FTE position were also removed by the House.

**Senate Bill No. 2021 - Workforce Safety and Insurance - Conference Committee Action**

	EXECUTIVE BUDGET	SENATE VERSION	COMMITTEE CHANGES	COMMITTEE VERSION	HOUSE VERSION	COMPARISON TO HOUSE
Workforce Safety and Insurance	\$50,020,989	\$53,273,732		\$53,273,732	\$53,273,732	
Total all funds	\$50,020,989	\$53,273,732	\$0	\$53,273,732	\$53,273,732	\$0
Less estimated income	<u>50,020,989</u>	<u>53,273,732</u>		<u>53,273,732</u>	<u>53,273,732</u>	
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	223.14	233.14	4.00	237.14	237.14	0.00

**Dept. 485 - Workforce Safety and Insurance - Detail of Conference Committee Changes**

	RESTORES THE FTE POSITIONS	TOTAL CONFERENCE COMMITTEE CHANGES
Workforce Safety and Insurance		
Total all funds	\$0	\$0
Less estimated income		
General fund	\$0	\$0
FTE	4.00	4.00

This amendment:

- Creates a new section to North Dakota Century Code (NDCC) Chapter 65-02 relating to occupational health and preventive medicine programs. This section was also added by the House.
- Retains quarterly reports to the Budget Section on the agency's status of implementing the performance audit recommendations of the State Auditor as provided for in the Senate version of the bill. The House had changed the reporting requirements to semiannual reports to the Budget Section.
- Does not include a new section to NDCC Chapter 65-02 relating to employee awards and incentives as added by the House.

Reengrossed SB 2021 was placed on the Seventh order of business on the calendar.

**REPORT OF CONFERENCE COMMITTEE**

**SB 2100, as engrossed:** Your conference committee (Sens. Lyson, Olafson, Marcellais and Reps. Hatlestad, Porter, Schneider) recommends that the **SENATE ACCEDE** to the House amendments on SJ pages 907-908 and place SB 2100 on the Seventh order.

Engrossed SB 2100 was placed on the Seventh order of business on the calendar.

**REPORT OF CONFERENCE COMMITTEE**

**SB 2161, as engrossed:** Your conference committee (Sens. Lyson, Olafson, Marcellais and Reps. Carlisle, Carlson, Williams) recommends that the **SENATE ACCEDE** to the House amendments on SJ page 1076 and place SB 2161 on the Seventh order.

Engrossed SB 2161 was placed on the Seventh order of business on the calendar.

**REPORT OF CONFERENCE COMMITTEE**

**SB 2293:** Your conference committee (Sens. Tollefson, Freborg, Heitkamp and Reps. Porter, Charging, Hanson) recommends that the **HOUSE RECEDE** from the House amendments on SJ pages 755-756, adopt amendments as follows, and place SB 2293 on the Seventh order:

That the House recede from its amendments as printed on pages 755 and 756 of the Senate Journal and page 859 of the House Journal and that Senate Bill No. 2293 be amended as follows:

Page 1, line 1, after "new" insert "section to chapter 20.1-03 and a new"

Page 1, line 2, after "to" insert "hunter education requirements and to"

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

Page 1, after line 4, insert:



"**SECTION 1.** A new section to chapter 20.1-03 of the North Dakota Century Code is created and enacted as follows:

**One-time hunter education exemption.** An individual eighteen years of age or older may receive a one-time exemption from section 20.1-03-01.2 for up to one license year for any license not issued by lottery if the license is purchased directly from the department. A license issued under this section is valid only when that individual is accompanied afield and under the direct supervision of a licensed adult who is in compliance with section 20.1-03-01.2."

Page 1, after line 10, insert:

"**SECTION 3. EXPIRATION DATE.** Section 1 of this Act is effective through July 31, 2009, and after that date is ineffective."

Renumber accordingly

SB 2293 was placed on the Seventh order of business on the calendar.

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

**SB 2341, as reengrossed:** Your conference committee (Sens. Grindberg, Krebsbach, Seymour and Reps. Carlisle, Thoreson, Glassheim) recommends that the **SENATE ACCEDE** to the House amendments on SJ page 1119 and place SB 2341 on the Seventh order.

Reengrossed SB 2341 was placed on the Seventh order of business on the calendar.

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

**HB 1256, as engrossed:** Your conference committee (Sens. Erbele, J. Lee, Heckaman and Reps. Hatlestad, Weisz, Conrad) recommends that the **SENATE RECEDE** from the Senate amendments on HJ pages 1157-1158, adopt amendments as follows, and place HB 1256 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1157 and 1158 of the House Journal and pages 928 and 929 of the Senate Journal and that Engrossed House Bill No. 1256 be amended as follows:

Page 4, line 20, replace "board of pharmacy" with "department of health" and after the third "of" insert "providing a grant of \$22,000 to the state board of pharmacy for"

Page 4, line 22, after the period insert "The state department of health may not impose a fee for providing the grant nor impose any condition on the issuance of the grant other than that the state board of pharmacy is required to use the funds to establish and administer a legend prescription drug and device donation and repository program in accordance with section 1 of this Act."

Renumber accordingly

Engrossed HB 1256 was placed on the Seventh order of business on the calendar.

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

**William R. Horton, Secretary**

