

JOURNAL OF THE HOUSE

Sixtieth Legislative Assembly

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Bismarck, April 2, 2007

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

The prayer was offered by Reverend Michael Bommarito with the Salvation Army, Bismarck.

The roll was called and all members were present except Representatives Froelich, Nelson, and Wall.

A quorum was declared by the Speaker.

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

MR. SPEAKER: The Senate does not concur in the House amendments to SB 2323 and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2323: Sens. Erbele; Wanzek; Heckaman

CORRECTION AND REVISION OF THE JOURNAL

MR. SPEAKER: Your **Committee on Correction and Revision of the Journal (Rep. Kretschmar, Chairman)** has carefully examined the Journal of the Fifty-ninth Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 1279, line 3, replace "29" with "28"

Page 1309, line 40, insert:

FIRST READING OF SENATE BILL

SB 2419: A BILL for an Act to create and enact chapter 57-51.2 of the North Dakota Century Code, relating to agreements with Indian tribes to share revenue from state taxes on mineral production from Indian reservations; to amend and reenact subsection 8 of section 57-51.1-03 of the North Dakota Century Code, relating to an oil extraction tax exemption on production from wells on Indian reservations, Indian trust land, and land owned by an Indian tribe; to provide a continuing appropriation; to provide an effective date; to provide an expiration date; and to declare an emergency.

Was read the first time and referred to the **Natural Resources Committee**.

REP. KRETSCHMAR MOVED that the report be adopted, which motion prevailed.

COMMUNICATION FROM GOVERNOR JOHN HOEVEN

This is to inform you that on March 30, 2007, I have signed the following: HB 1073, HB 1091, HB 1365, and HB 1477.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. PRICE MOVED that the House do not concur in the Senate amendments to Engrossed HB 1154 as printed on HJ pages 982 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on Engrossed HB 1154: Reps. Pietsch, Porter, Schneider.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. PRICE MOVED that the House do not concur in the Senate amendments to Engrossed HB 1390 as printed on HJ pages 982-983 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on Engrossed HB 1390: Reps. Porter, Weisz, Conrad.

MOTION

REP. BERG MOVED that HB 1216 and HB 1217 be moved to the top of the Twelfth order, which motion prevailed.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DEKREY MOVED that the House do concur in the Senate amendments to HB 1216 as printed on HJ pages 1045-1046, which motion prevailed on a voice vote.

HB 1216, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1216: A BILL for an Act to amend and reenact subsection 3 of section 12.1-20-01, section 12.1-20-03, subsection 1 of section 12.1-20-03.1, and sections 12.1-32-06.1 and 12.1-32-07.1 of the North Dakota Century Code, relating to sentencing and probation supervision of sexual offenders; and to provide a penalty.

ROLL CALL

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

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleston; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

NAYS: Carlson; Ruby

ABSENT AND NOT VOTING: Froelich; Nelson; Wall

Engrossed HB 1216 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. DEKREY MOVED that the House do concur in the Senate amendments to HB 1217 as printed on HJ page 892, which motion prevailed on a voice vote.

HB 1217, as amended, was placed on the Eleventh order of business.

SECOND READING OF HOUSE BILL

HB 1217: A BILL for an Act to amend and reenact subsection 2 of section 25-03.3-05 and section 25-03.3-13 of the North Dakota Century Code, relating to the civil commitment of sexually dangerous individuals; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleston; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

ABSENT AND NOT VOTING: Froelich; Wall

Engrossed HB 1217 passed and the title was agreed to.

SIXTH ORDER OF BUSINESS

SB 2046, as amended: REP. KLEIN (Appropriations Committee) MOVED that the amendments on HJ pages 1188-1190 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2046: A BILL for an Act to amend and reenact subsection 9 of section 15-39.1-04, subsection 4 section 15-39.1-10, section 15-39.1-10.6, subsection 1 of section 15-39.1-19.1, and sections 15-39.1-19.2 and 15-39.1-20 of the North Dakota Century Code, relating to the incorporation of federal law changes, returning to teaching, and accepting a refund from the fund under the teachers' fund for retirement; and to provide for a legislative council study.

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 78 YEAS, 14 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Dahl; Damschen; DeKrey; Dosch; Drovdal; Ekstrom; Froseth; Grande; Gruchalla; Gulleon; Haas; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Martinson; Meier, L.; Metcalf; Monson; Mueller; Myxter; Nelson; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Price; Ruby; Schmidt; Schneider; Skarphol; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vigesaa; Wald; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Delzer

NAYS: Conrad; Delmore; Dietrich; Glassheim; Griffin; Hanson; Keiser; Kroeber; Meyer, S.; Nottestad; Potter; Solberg; Vig; Wolf

ABSENT AND NOT VOTING: Froelich; Wall

SB 2046, as further amended, passed and the title was agreed to.

SIXTH ORDER OF BUSINESS

SB 2057, as engrossed and amended: REP. HAWKEN (Appropriations Committee) MOVED that the amendments on HJ page 1190 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2057: A BILL for an Act to amend and reenact subsection 3 of section 15.1-13-01 and section 15.1-18.1-02 of the North Dakota Century Code, relating to the definition of the profession of teaching and national board for professional teaching standards certification; to provide a statement of legislative intent; and to provide for a report to the legislative council.

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

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleon; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

ABSENT AND NOT VOTING: Froelich; Wall

Engrossed SB 2057, as further amended, passed and the title was agreed to.

SIXTH ORDER OF BUSINESS

SB 2313, as engrossed and amended: REP. HAWKEN (Appropriations Committee) MOVED that the amendments on HJ page 1229 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2313: A BILL for an Act to provide for a statement of legislative intent.

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

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleon; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

ABSENT AND NOT VOTING: Froelich; Wall

Engrossed SB 2313, as further amended, passed and the title was agreed to.

SIXTH ORDER OF BUSINESS

SB 2011: REP. WILLIAMS (Appropriations Committee) MOVED that the amendments on HJ pages 1175-1176 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2011: A BILL for an Act to provide an appropriation for defraying the expenses of the securities commissioner; 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 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleon; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser; Speaker Delzer

ABSENT AND NOT VOTING: Froelich; Wall

SB 2011, as amended, passed and the title was agreed to.

SIXTH ORDER OF BUSINESS

SB 2014: REP. BELLEW (Appropriations Committee) MOVED that the amendments on HJ pages 1176-1177 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2014: A BILL for an Act to provide an appropriation for defraying the expenses of the committee on protection and advocacy; and to provide legislative intent.

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, 19 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Amerman; Bellew; Belter; Berg; Boehning; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Froseth; Grande; Gulleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kempenich; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Meyer, S.; Monson; Myxter; Nelson; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Ruby; Skarphol; Sukut; Svedjan; Thoreson; Uglem; Vigesaa; Wald; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Speaker Delzer

NAYS: Aarsvold; Boe; Boucher; Drovdal; Ekstrom; Glassheim; Griffin; Gruchalla; Kelsh, S.; Kerzman; Metcalf; Mueller; Pinkerton; Schmidt; Schneider; Solberg; Thorpe; Vig; Zaiser

ABSENT AND NOT VOTING: Froelich; Wall

SB 2014, as amended, passed and the title was agreed to.

SIXTH ORDER OF BUSINESS

SB 2017, as engrossed: REP. KLEIN (Appropriations Committee) MOVED that the amendments on HJ pages 1180-1181 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2017: A BILL for an Act to provide an appropriation for defraying the expenses of the game and fish department; to provide for a statement of legislative intent; to provide for a report to the legislative council; to provide for a study; 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 82 YEAS, 9 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Boehning; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Ekstrom; Froseth; Grande; Griffin; Gruchalla; Gulleson; Haas; Hanson; Hatlestad; Hawken; Headland; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Monson; Mueller; Myxter; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser

NAYS: Boe; Drovdal; Glassheim; Heller; Kerzman; Metcalf; Meyer, S.; Nelson; Speaker Delzer

ABSENT AND NOT VOTING: Boucher; Froelich; Wall

Engrossed SB 2017, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

SIXTH ORDER OF BUSINESS

SB 2020, as reengrossed: REP. WALD (Appropriations Committee) MOVED that the amendments on HJ pages 1186-1187 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2020: A BILL for an Act to provide an appropriation for defraying the expenses of the state water commission; to create and enact a new section to chapter 61-02.1 of the North Dakota Century Code, relating to funding for Grand Forks flood control; to provide a line of credit; to provide an appropriation for repayment of the line of credit; to provide legislative intent; to provide for a study; 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, 1 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovda; Ekstrom; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Wald; Weiler; Weisz; Wieland; Wolf; Wrangham; Zaiser; Speaker Delzer

NAYS: Vigesaa

ABSENT AND NOT VOTING: Froelich; Wall; Williams

Reengrossed SB 2020, as amended, passed and the title was agreed to.

SIXTH ORDER OF BUSINESS

SB 2022: REP. KROEBER (Appropriations Committee) MOVED that the amendments on HJ pages 1187-1188 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2022: A BILL for an Act to provide an appropriation for defraying the expenses of various state retirement and investment agencies; and to provide additional spending authority subject to emergency commission approval.

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; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Drovda; Ekstrom; Froseth; Glassheim; Grande; Griffin; Gruchalla; Gulleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Skarphol; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wald; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser

NAYS: Kasper; Speaker Delzer

ABSENT AND NOT VOTING: Froelich; Wall

SB 2022, as amended, passed and the title was agreed to.

SIXTH ORDER OF BUSINESS

SB 2243: REP. WIELAND (Appropriations Committee) MOVED that the amendments on HJ pages 1225-1226 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2243: A BILL for an Act to amend and reenact section 29-26-22 of the North Dakota Century Code, relating to community service supervision fees; and to provide an appropriation to the department of corrections and rehabilitation to provide funding for community service supervision grants.

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 77 YEAS, 14 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Bellew; Belter; Berg; Boehning; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; DeKrey; Delmore; Dietrich; Dosch; Froseth; Grande; Gullerson; Haas; Hanson; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kempenich; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Monson; Mueller; Myxter; Nelson; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Skarphol; Sukut; Svedjan; Thoreson; Thorpe; Uglen; Vig; Vigesaa; Wald; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Speaker Delzer

NAYS: Amerman; Boe; Boucher; Ekstrom; Glassheim; Griffin; Gruchalla; Hatlestad; Kelsh, S.; Kerzman; Meyer, S.; Schneider; Solberg; Zaiser

ABSENT AND NOT VOTING: Drovdal; Froelich; Wall

SB 2243, as amended, passed and the title was agreed to.

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

MR. PRESIDENT: The Speaker has signed: SB 2066, SB 2077, SB 2195, SB 2196, SB 2214, SB 2217, SB 2234, SB 2241, SB 2252, SB 2255, SB 2266, SB 2299, SB 2319, SB 2349.

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

MR. PRESIDENT: The Speaker has signed: SB 2081, SB 2134, SB 2156, SB 2187, SB 2210, SB 2298, SB 2326, SB 2329, SB 2363, SCR 4026, SCR 4034, SCR 4035.

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

MR. PRESIDENT: Your signature is respectfully requested on: HB 1332, HB 1375, HCR 3065.

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

MR. PRESIDENT: Your signature is respectfully requested on: HCR 3045.

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

MR. SPEAKER: The Senate does not concur in the House amendments to SB 2012, SB 2023, SB 2103, SB 2161, SB 2178, SB 2225, and SB 2260 and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2012: Sens. Fischer; Kilzer; Mathern
SB 2023: Sens. Fischer; Grindberg; Robinson
SB 2103: Sens. Nething; Lyson; Nelson
SB 2161: Sens. Lyson; Olafson; Marcellais
SB 2178: Sens. Oehlke; Urlacher; Triplett
SB 2225: Sens. Tollefson; Oehlke; Anderson
SB 2260: Sens. Lyson; Olafson; Fiebiger

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

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

HB 1011: Sens. Wardner; Krebsbach; Tallackson
HB 1219: Sens. Nething; Lyson; Nelson
HB 1456: Sens. Lyson; Tollefson; Triplett

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

MR. PRESIDENT: The Speaker has signed: HB 1072, HB 1169.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bills were delivered to the Governor for approval on April 2, 2007: HB 1072, HB 1169.

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 1154 and HB 1390 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1154: Reps. Pietsch; Porter; Schneider

HB 1390: Reps. Porter; Weisz; Conrad

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

MR. PRESIDENT: The House has concurred in the Senate amendments and subsequently passed: HB 1216 and HB 1217.

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

MR. PRESIDENT: The House has amended and subsequently passed: SB 2011, SB 2014, SB 2020, SB 2022, SB 2046, SB 2057, SB 2243, SB 2313.

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

MR. PRESIDENT: The House has amended, subsequently passed, and the emergency clause carried: SB 2017.

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

MR. SPEAKER: The Senate has concurred in the House amendments and subsequently passed: SB 2001, SB 2006, SB 2007, SB 2135, SB 2163, SB 2183, SB 2205, SB 2224, SB 2232, and SB 2238.

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

MR. SPEAKER: The Senate has passed unchanged: HCR 3016, HCR 3049, HCR 3059.

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

MR. SPEAKER: The Senate has amended and subsequently failed: HB 1273, HB 1326.

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1125, HB 1127, HB 1218, HB 1309, HB 1321, HB 1322, HCR 3034, HCR 3046.

SENATE AMENDMENTS TO REENGROSSED HOUSE BILL NO. 1125

In lieu of the amendments adopted by the Senate as printed on pages 745 and 746 of the Senate Journal, Reengrossed House Bill No. 1125 is amended as follows:

Page 1, line 8, replace "veterinarian" with "board of animal health"

Page 2, line 13, remove "include consideration of"

Page 2, line 14, replace "The" with "Consider the"

Page 2, line 17, replace "The" with "Consider the"

Page 2, line 19, replace "The" with "Consider the"

Page 2, line 20, replace "The" with "Consider the"

Page 2, line 22, replace "The" with "Consider the"

Page 2, after line 22, insert:

"f. Give priority to a veterinarian on whose behalf state-funded student support fees have not been paid."

Page 2, remove lines 24 and 25

Page 2, line 26, replace "b." with "a."

Page 2, remove line 27

Page 2, line 28, remove "the date of the application"

Page 2, line 29, replace "c." with "b."

Page 4, line 4, replace "one" with "six months of the first"

Page 4, line 5, replace "equaling twenty" with "up to fifteen thousand dollars"

Page 4, line 6, remove "percent of the applicant's original student loan"

Page 4, line 8, replace "equaling twenty percent of the applicant's original student loan" with "up to fifteen thousand dollars"

Page 4, line 10, replace "equaling thirty percent of the applicant's original student loan" with "up to twenty-five thousand dollars"

Page 4, line 12, replace "equaling thirty percent of the applicant's original student loan" with "up to twenty-five thousand dollars"

Page 4, line 24, after the underscored period insert "During the 2007-09 biennium, the state health department may receive no more than seven percent of the appropriated moneys and the state veterinarian may receive no more than three percent of the appropriated moneys for administration of the loan repayment program."

Re-number accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1127

Page 2, line 5, after the underscored period insert "A request to have material designated as confidential is exempt as defined in section 44-04-17.1."

Page 2, line 25, overstrike "borrow money", remove "in an amount not to exceed six million dollars", and overstrike "and"

Page 2, line 26, replace "provided that the" with "and to"

Page 2, line 27, remove "industrial commission may"

Page 2, line 29, after the first "the" insert "Bank of North Dakota and the"

Page 3, line 12, after the period insert "A request to have material designated as confidential is exempt as defined in section 44-04-17.1."

Re-number accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1218

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

Page 2, remove lines 4 and 5

Page 2, line 6, remove the overstrike over "3", after "Class" insert "For licensure as a class", and remove the overstrike over "B electrician, eighteen months' experience in farmstead or residential wiring."

Page 2, after line 6, insert:

"SECTION 2. LEGISLATIVE COUNCIL STUDY - LICENSURE OF ELECTRICIANS. The legislative council shall consider studying, during the 2007-08 interim, the licensure, training, and classroom education requirements for electricians in this state; reciprocity agreements with other states and the effect of those agreements on standards in this state; and the effect of the licensure, training, classroom education requirements, and reciprocity agreements on the availability of qualified electricians in North Dakota. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-first legislative assembly."

Re-number accordingly

SENATE AMENDMENTS TO HOUSE BILL NO. 1309

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 54-24.2 of the North Dakota Century Code, relating to reimbursement for certain public libraries; and to provide an expiration date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 54-24.2 of the North Dakota Century Code is created and enacted as follows:

State aid to libraries - Reimbursement.

1. The state library shall withhold from the amount of state aid to which a public library is entitled during the 2007-09 biennium any amount the public library received in excess of that to which it was entitled during the 2005-07 biennium, as a result of a statutory dispute regarding the meaning of a mill levy.
2. From the amounts withheld under subsection 1, the state library shall provide to each public library that received less than the amount to which it was entitled during the 2005-07 biennium, the difference between the amount the library received during the 2005-07 biennium and the amount that it would have received, but for the statutory dispute regarding the meaning of a mill levy.

SECTION 2. EXPIRATION DATE. This Act is effective through June 30, 2009, and after that date is ineffective."

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1321

Page 1, line 16, remove the overstrike over "~~twenty five~~" and remove "ten"

Page 1, line 19, remove the overstrike over "~~twenty five~~" and remove "ten"

Page 1, line 20, after "2." insert "Subject to subsections 5 and 6, a city, by ordinance, may extend the application of the city's zoning regulations to two times the distance allowed under subdivisions a, b, and c of subsection 1 if the extension is approved by at least five of six members of a committee established to review the proposed extension. The committee must consist of three members appointed by the governing body of the city and three members appointed, jointly, by the governing bodies of any political subdivision that is exercising zoning authority within the territory to be extraterritorially zoned.

3."

Page 2, line 1, overstrike "3." and insert immediately thereafter "4."

Page 2, line 10, overstrike "4." and insert immediately thereafter "5."

Page 2, line 26, overstrike "5." and insert immediately thereafter "6."

Page 3, line 28, overstrike "6." and insert immediately thereafter "7."

Page 4, line 1, overstrike "7." and insert immediately thereafter "8."

Page 4, line 5, overstrike "8." and insert immediately thereafter "9."

Page 4, line 19, remove the overstrike over "~~twenty five~~" and remove "ten"

Page 4, line 20, remove the overstrike over "~~twenty five~~" and remove "ten"

Page 5, line 13, remove the overstrike over "~~twenty five~~" and remove "ten"

Page 5, line 14, remove the overstrike over "~~twenty five~~" and remove "ten"

Page 5, line 27, replace "study" with "consider studying"

Page 6, line 1, replace "the" with "May 1, 2007,"

Page 6, line 2, remove "effective date of this Act"

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1322

Page 2, line 4, after "failure" insert "of the state"

Renumber accordingly

SENATE AMENDMENTS TO HOUSE CONCURRENT RESOLUTION NO. 3034

Page 1, line 2, after "of" insert "addressing the current imbalance in the funding and governance of the North Dakota State Potato Council and of"

Page 1, after line 2, insert:

"**WHEREAS**, the North Dakota Potato Industry Promotion Act was enacted in 1967 with the specific intent of dividing the state into five districts containing "as nearly equal potato acreage as practicable" with one participating potato grower elected from each district; and

WHEREAS, the potato districts have remained geographically unchanged since 1976, with potato districts 1 through 4 consisting of six counties and district 5 consisting of the remaining 47 counties; and

WHEREAS, currently the majority of North Dakota potato production occurs within the 47 counties of district 5; and"

Page 1, after line 21, insert:

"**BE IT FURTHER RESOLVED**, that the Legislative Council study the feasibility and desirability of addressing the current imbalance of representation in and funding of the North Dakota State Potato Council and the expenditure of checkoff funds by the council and the associations supported by potato checkoff funds; and"

Renumber accordingly

SENATE AMENDMENTS TO HOUSE CONCURRENT RESOLUTION NO. 3046

Page 1, line 2, after "cooperate" insert "with families"

Page 1, line 16, after "cooperate" insert "with families"

Renumber accordingly

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

MR. PRESIDENT: Your signature is respectfully requested on: HB 1216, HB 1217.

MOTION

REP. MONSON MOVED that the House stand in recess until 4:15 p.m., which motion prevailed.

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

SIXTH ORDER OF BUSINESS

SB 2276, as reengrossed and amended: REP. WALD (Appropriations Committee)

MOVED that the amendments on HJ page 1229 be adopted and then be placed on the Fourteenth order with **DO NOT PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2276: A BILL for an Act to provide duties of the governor's prevention and advisory council; and to provide an appropriation.

ROLL CALL

The question being on the final passage of the further amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 52 YEAS, 40 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Boe; Boucher; Charging; Clark; Conrad; Dahl; Damschen; Delmore; Dietrich; Ekstrom; Glassheim; Griffin; Gruchalla; Guleson; Hanson; Hatlestad;

Hunskor; Johnson, N.; Kaldor; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kingsbury; Klemin; Koppelman; Kretschmar; Kroeber; Metcalf; Mueller; Myxter; Nelson; Nottestad; Onstad; Owens; Pinkerton; Porter; Potter; Price; Schmidt; Schneider; Solberg; Sukut; Thorpe; Uglem; Vig; Vigesaa; Williams; Wolf; Zaiser

NAYS: Bellew; Belter; Berg; Boehning; Brandenburg; Carlisle; Carlson; Dosch; Drovdal; Froseth; Grande; Haas; Hawken; Headland; Heller; Herbel; Hofstad; Johnson, D.; Karls; Kasper; Kempenich; Klein; Kreidt; Martinson; Meier, L.; Meyer, S.; Monson; Pietsch; Pollert; Ruby; Skarphol; Svedjan; Thoreson; Wald; Wall; Weiler; Weisz; Wieland; Wrangham; Speaker Delzer

ABSENT AND NOT VOTING: DeKrey; Froelich

Reengrossed SB 2276, as further amended, passed and the title was agreed to.

SIXTH ORDER OF BUSINESS

SB 2030, as engrossed and amended: REP. L. MEIER (Education Committee) MOVED that the amendments on HJ pages 1247-1250 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2030: A BILL for an Act to create and enact chapter 15.1-09.1 and a new section to chapter 15.1-13 of the North Dakota Century Code, relating to regional education associations and teacher licensure requirements; to amend and reenact sections 15.1-02-08, 15.1-07-23, 15.1-09-33, 15.1-32-08, and 15.1-33-02 of the North Dakota Century Code, relating to accounting procedures and school district business managers; to repeal sections 15.1-07-28, 15.1-07-30, and 15.1-27-40 of the North Dakota Century Code, relating to criteria for and expenditures by regional education associations governed by joint powers agreements; to provide for legislative council studies; to provide for a report to the legislative council; and to declare an emergency.

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 88 YEAS, 2 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Bellew; Belter; Berg; Boe; Boehning; Boucher; Brandenburg; Carlisle; Carlson; Charging; Clark; Conrad; Dahl; Damschen; Delmore; Dietrich; Dosch; Drovdal; Ekstrom; Froseth; Glassheim; Grande; Griffin; Gruchalla; Guleson; Haas; Hanson; Hatlestad; Hawken; Headland; Heller; Herbel; Hofstad; Hunskor; Johnson, D.; Johnson, N.; Kaldor; Karls; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Kretschmar; Martinson; Meier, L.; Metcalf; Meyer, S.; Monson; Mueller; Myxter; Nelson; Nottestad; Onstad; Owens; Pietsch; Pinkerton; Pollert; Porter; Potter; Price; Ruby; Schmidt; Schneider; Solberg; Sukut; Svedjan; Thoreson; Thorpe; Uglem; Vig; Vigesaa; Wall; Weiler; Weisz; Wieland; Williams; Wolf; Wrangham; Zaiser

NAYS: Skarphol; Speaker Delzer

ABSENT AND NOT VOTING: DeKrey; Froelich; Kroeber; Wald

Engrossed SB 2030, as further amended, passed and the title was agreed to.

SIXTH ORDER OF BUSINESS

SB 2302: REP. KREIDT (Appropriations Committee) MOVED that the amendments on HJ page 1250 be adopted and then be placed on the Fourteenth order with **DO NOT PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2302: A BILL for an Act to provide an appropriation to the state department of health for providing grants to domestic violence sexual assault organizations.

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 42 YEAS, 49 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Amerman; Boe; Boucher; Carlisle; Charging; Conrad; Dahl; Delmore; Ekstrom; Glassheim; Griffin; Gruchalla; Gulleson; Hanson; Hawken; Hunskor; Johnson, N.; Kaldor; Kelsh, S.; Kerzman; Kretschmar; Martinson; Meier, L.; Metcalf; Meyer, S.; Mueller; Myxter; Nottestad; Onstad; Owens; Pinkerton; Potter; Schmidt; Schneider; Solberg; Thorpe; Vig; Weiler; Williams; Wolf; Zaiser

NAYS: Bellew; Belter; Berg; Boehning; Brandenburg; Carlson; Clark; Damschen; Dietrich; Dosch; Drovdal; Froseth; Grande; Haas; Hatlestad; Headland; Heller; Herbel; Hofstad; Johnson, D.; Karls; Kasper; Keiser; Kelsch, R.; Kempenich; Kingsbury; Klein; Klemin; Koppelman; Kreidt; Monson; Nelson; Pietsch; Pollert; Porter; Price; Ruby; Skarphol; Sukut; Svedjan; Thoreson; Uglem; Vigesaa; Wald; Wall; Weisz; Wieland; Wrangham; Speaker Delzer

ABSENT AND NOT VOTING: DeKrey; Froelich; Kroeber

SB 2302, as amended, lost.

SIXTH ORDER OF BUSINESS

SB 2206, as engrossed and amended: REP. HELLER (Agriculture Committee) MOVED that the amendments on HJ page 1272 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2206: A BILL for an Act to provide for a legislative council study of branding laws, penalties, registration, and certificates of ownership.

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 42 YEAS, 49 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Amerman; Berg; Boe; Boucher; Conrad; Delmore; Ekstrom; Glassheim; Griffin; Gulleson; Hanson; Hawken; Heller; Herbel; Hunskor; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kelsh, S.; Kerzman; Kingsbury; Klemin; Kretschmar; Meier, L.; Metcalf; Meyer, S.; Mueller; Nelson; Onstad; Owens; Potter; Price; Schmidt; Schneider; Solberg; Uglem; Vig; Wall; Williams; Wolf; Zaiser

NAYS: Aarsvold; Bellew; Belter; Boehning; Brandenburg; Carlisle; Carlson; Charging; Clark; Dahl; Damschen; Dietrich; Dosch; Drovdal; Froseth; Grande; Gruchalla; Haas; Hatlestad; Headland; Hofstad; Kaldor; Karls; Kasper; Kempenich; Klein; Koppelman; Kreidt; Martinson; Monson; Myxter; Nottestad; Pietsch; Pinkerton; Pollert; Porter; Ruby; Skarphol; Sukut; Svedjan; Thoreson; Thorpe; Vigesaa; Wald; Weiler; Weisz; Wieland; Wrangham; Speaker Delzer

ABSENT AND NOT VOTING: DeKrey; Froelich; Kroeber

Engrossed SB 2206, as further amended, lost.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. KEISER MOVED that the House do not concur in the Senate amendments to Engrossed HB 1417 as printed on HJ pages 1326-1327 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on Engrossed HB 1417: Reps. Clark, Dietrich, Boe.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. HAAS MOVED that the House do not concur in the Senate amendments to Engrossed HB 1504 as printed on HJ page 1327 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on Engrossed HB 1504: Reps. Kasper, Weiler, Potter.

APPOINTMENT OF CONFERENCE COMMITTEE

REP. HAAS MOVED that the Speaker appoint a committee of three to act with a like committee from the Senate as a Conference Committee on SB 2090, which motion prevailed.

THE SPEAKER APPOINTED as a Conference Committee on:

SB 2090: Reps. Haas, Grande, Schneider

APPOINTMENT OF CONFERENCE COMMITTEE

REP. KEISER MOVED that the Speaker appoint a committee of three to act with a like committee from the Senate as a Conference Committee on SB 2094, which motion prevailed.

THE SPEAKER APPOINTED as a Conference Committee on:

SB 2094: Reps. Dosch, Ruby, Zaiser

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

MR. PRESIDENT: The House has amended, subsequently passed, and the emergency clause carried: SB 2030.

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

MR. PRESIDENT: The House has amended and subsequently failed to pass: SB 2206, SB 2302.

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 1417 and HB 1504 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1417: Reps. Clark; Dietrich; Boe

HB 1504: Reps. Kasper; Weiler; Potter

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 2090: Reps. Haas; Grande; Schneider

SB 2094: Reps. Dosch; Ruby; Zaiser

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

MR. SPEAKER: The Senate has concurred in the House amendments and subsequently passed: SB 2248.

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1002.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1002

Page 2, line 18, replace "544,244" with "556,341"

Page 2, line 22, replace "843,968" with "856,065"

Page 2, line 23, replace "843,968" with "856,065"

Page 2, line 26, replace "4,432,566" with "5,196,049"

Page 2, line 27, replace "4,074,644" with "3,412,776"

Page 2, line 29, replace "(2,952)" with "(101,022)"

Page 3, line 2, replace "9,854,165" with "9,857,710"

Page 3, line 4, replace "9,172,444" with "9,175,989"

Page 3, line 11, replace "10,115,001" with "10,130,643"

Page 3, line 13, replace "10,808,557" with "10,824,199"

Page 3, line 21, replace "7,067,155" with "7,079,252"

Page 3, line 25, replace "9,434,571" with "9,446,668"

Page 3, line 26, replace "9,434,571" with "9,446,668"

Page 3, line 29, replace "41,384,854" with "42,148,337"

Page 3, line 30, replace "15,297,299" with "14,635,431"

Page 4, line 1, replace "703,819" with "605,749"

Page 4, line 5, replace "59,021,379" with "59,024,924"

Page 4, line 7, replace "57,119,701" with "57,123,246"

Page 4, line 14, replace "66,972,870" with "66,988,512"

Page 4, line 16, replace "69,173,904" with "69,189,546"

ReNUMBER accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1002 - Summary of Senate Action

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
Supreme Court				
Total all funds	\$9,470,328	\$9,434,571	\$12,097	\$9,446,668
Less estimated income				
General fund	<u>\$9,470,328</u>	<u>\$9,434,571</u>	<u>\$12,097</u>	<u>\$9,446,668</u>
District Courts				
Total all funds	\$59,280,090	\$59,021,379	\$3,545	\$59,024,924
Less estimated income	1,901,678	1,901,678		1,901,678
General fund	<u>\$57,378,412</u>	<u>\$57,119,701</u>	<u>\$3,545</u>	<u>\$57,123,246</u>
Judicial Conduct Commission				
Total all funds	\$717,954	\$717,954	\$0	\$717,954
Less estimated income	299,356	299,356		299,356
General fund	<u>\$418,598</u>	<u>\$418,598</u>	<u>\$0</u>	<u>\$418,598</u>
Bill Total				
Total all funds	\$69,468,372	\$69,173,904	\$15,642	\$69,189,546
Less estimated income	2,201,034	2,201,034		2,201,034
General fund	<u>\$67,267,338</u>	<u>\$66,972,870</u>	<u>\$15,642</u>	<u>\$66,988,512</u>

House Bill No. 1002 - Supreme Court - Senate Action

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	HOUSE VERSION
Salaries and wages	\$7,102,912	\$7,067,155	\$12,097	\$7,079,252
Operating expenses	2,149,185	2,149,185		2,149,185
Capital assets	96,000	96,000		96,000
Judges' retirement	<u>122,231</u>	<u>122,231</u>		<u>122,231</u>
Total all funds	\$9,470,328	\$9,434,571	\$12,097	\$9,446,668
Less estimated income				
General fund	<u>9,470,328</u>	<u>\$9,434,571</u>	<u>\$12,097</u>	<u>\$9,446,668</u>
FTE	45.00	45.00	0.00	45.00

Dept. 181 - Supreme Court - Detail of Senate Changes

	CHANGES SALARIES FOR SUPREME COURT JUSTICES ¹	TOTAL SENATE CHANGES
Salaries and wages	\$12,097	\$12,097
Operating expenses		
Capital assets		
Judges' retirement		
Total all funds	<u>\$12,097</u>	<u>\$12,097</u>
Less estimated income		
General fund	<u>\$12,097</u>	<u>\$12,097</u>
FTE	0.00	0.00

¹ Changes the salary increases for Supreme Court justices to reflect the cost of funding the second year of the \$2,000 salary increase provided effective July 1, 2007.

The table below provides salary information for the Supreme Court justices:

	2005-07 BIENNIUM SALARY	SALARY INCLUDED IN HB 1002	SALARY INCLUDED IN HOUSE VERSION	SALARY INCLUDED IN SENATE VERSION
Supreme Court justices				
First year of biennium	\$103,087	\$113,642	\$113,578	\$113,578
Second year of biennium	\$107,210	\$121,597	\$118,121	118,121
Chief Justice (amount in addition to justice salary)				
First year of biennium	\$3,015	\$3,324	\$3,262	\$3,262
Second year of biennium	\$3,136	\$3,557	\$3,392	\$3,392

House Bill No. 1002 - District Courts - Senate Action

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$42,305,433	\$41,384,854	\$763,483	\$42,148,337
Operating expenses	14,635,431	15,297,299	(661,868)	14,635,431
Capital assets	458,583	458,583		458,583
Judges' retirement	703,819	703,819	(98,070)	605,749
UND Central Legal Research	80,000	80,000		80,000
Alternative dispute resolution	20,000	20,000		20,000
Mediation	<u>1,076,824</u>	<u>1,076,824</u>		<u>1,076,824</u>
Total all funds	\$59,280,090	\$59,021,379	\$3,545	\$59,024,924
Less estimated income	<u>1,901,678</u>	<u>1,901,678</u>		<u>1,901,678</u>
General fund	\$57,378,412	\$57,119,701	\$3,545	\$57,123,246
FTE	294.00	289.00	0.00	289.00

Dept. 182 - District Courts - Detail of Senate Changes

	CHANGES THE SALARIES FOR DISTRICT COURT JUDGES 1	ADJUSTS FUNDING FOR MEDIATION PILOT PROJECT 2	DECREASES FUNDING FOR JUDGES' RETIREMENT 3	TOTAL SENATE CHANGES
Salaries and wages	\$101,615	\$661,868		\$763,483
Operating expenses		(661,868)		(661,868)
Capital assets				
Judges' retirement			(98,070)	(98,070)
UND Central Legal Research				
Alternative dispute resolution				
Mediation				
Total all funds	\$101,615	\$0	(\$98,070)	\$3,545
Less estimated income				
General fund	\$101,615	\$0	(\$98,070)	\$3,545
FTE	0.00	0.00	0.00	0.00

¹ Changes the salary increases for district court judges to reflect the cost of funding the second year of the \$2,000 salary increase provided effective July 1, 2007.

² This amendment adjusts funding for the mediation pilot project. The total funding for the mediation pilot project, including salaries and wages and operations, are included in a separate line item. This amendment continues the House change to provide for contract mediators rather than FTE positions.

³ The Senate adjusted the funding needed for judges' retirement due to a qualifying judge recently passing away.

The table below provides salary information for the district court judges:

	2005-07 BIENNIUM SALARY	SALARY INCLUDED IN HB 1002	SALARY INCLUDED IN HOUSE VERSION	SALARY INCLUDED IN SENATE VERSION
District court judges				
First year of biennium	\$94,298	\$103,954	\$104,073	\$104,073
Second year of biennium	\$98,070	\$111,230	\$108,236	\$108,236
Presiding judges (amount in addition to judges' salary)				
First year of biennium	\$2,779	\$3,063	\$3,005	\$3,005
Second year of biennium	\$2,890	\$3,278	\$3,126	\$3,126

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 1003.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1003

Page 1, line 6, replace "sections 1 and 2 of House Bill No. 1031, as" with "section 15-12-27 of the North Dakota Century Code, relating to North Dakota state university's eighteenth street development fund"

Page 1, line 7, remove "approved by the sixtieth legislative assembly, relating to the budgeting process"

Page 5, replace lines 5 through 31 with:

"SECTION 2. FUNDING ADJUSTMENTS OR ENHANCEMENTS INFORMATION. The amounts identified in this section represent the funding adjustments or enhancements to the base funding level for the North Dakota university system office and to the various entities and institutions under the supervision of the state board of higher education which are included in the appropriation in section 3 of this Act as follows:

Subdivision 1.

NORTH DAKOTA UNIVERSITY SYSTEM OFFICE AND INSTITUTIONS

Capital assets	\$2,475,971
Competitive research program	460,000
Board initiatives	(1,486,500)
System governance	514,972
Common information services	10,914,000
Operations pool	(388,559)
Equity pool	(2,000,000)
Contingency and capital emergency	(436,923)
Student financial assistance grants	2,483,095
Professional student exchange program	595,666
Scholars program	616,489
Native American scholarships	128,638
Education incentive programs	<u>512,412</u>
Total all funds - Adjustments/enhancements	\$14,389,261
Less estimated income - Adjustments/enhancements	<u>43,954</u>
Total general fund - Adjustments/enhancements	\$14,345,307

Subdivision 2.

BISMARCK STATE COLLEGE

Operations	\$2,917,590
Capital assets	<u>2,707,161</u>
Total all funds - Adjustments/enhancements	\$5,624,751
Less estimated income - Adjustments/enhancements	<u>1,962,255</u>
Total general fund - Adjustments/enhancements	\$3,662,496

Subdivision 3.

LAKE REGION STATE COLLEGE

Operations	\$1,137,678
Capital assets	<u>2,745,667</u>
Total all funds - Adjustments/enhancements	\$3,883,345
Less estimated income - Adjustments/enhancements	<u>3,007,600</u>
Total general fund - Adjustments/enhancements	\$875,745

Subdivision 4.

WILLISTON STATE COLLEGE

Operations	\$886,105
Capital assets	<u>(5,879,277)</u>
Total all funds - Adjustments/enhancements	(\$4,993,172)
Less estimated income - Adjustments/enhancements	<u>(5,660,000)</u>
Total general fund - Adjustments/enhancements	\$666,828

Subdivision 5.

UNIVERSITY OF NORTH DAKOTA

Operations	\$14,728,428
Capital assets	<u>(18,303,224)</u>
Total all funds - Adjustments/enhancements	(\$3,574,796)
Less estimated income - Adjustments/enhancements	<u>(24,131,554)</u>
Total general fund - Adjustments/enhancements	\$20,556,758

Subdivision 6.

NORTH DAKOTA STATE UNIVERSITY

Operations	\$14,013,525
Capital assets	<u>4,016,935</u>
Total all funds - Adjustments/enhancements	\$18,030,460

Less estimated income - Adjustments/enhancements	(3,500,000)
Total general fund - Adjustments/enhancements	\$21,530,460

Subdivision 7.

NORTH DAKOTA STATE COLLEGE OF SCIENCE

Operations	\$2,823,065
Capital assets	<u>1,198,613</u>
Total all funds - Adjustments/enhancements	\$4,021,678
Less estimated income - Adjustments/enhancements	<u>(1,104,920)</u>
Total general fund - Adjustments/enhancements	\$5,126,598

Subdivision 8.

DICKINSON STATE UNIVERSITY

Operations	\$2,186,729
Capital assets	<u>(465,484)</u>
Total all funds - Adjustments/enhancements	\$1,721,245
Less estimated income - Adjustments/enhancements	<u>(1,100,557)</u>
Total general fund - Adjustments/enhancements	\$2,821,802

Subdivision 9.

MAYVILLE STATE UNIVERSITY

Operations	\$886,159
Capital assets	<u>130,969</u>
Total all funds - Adjustments/enhancements	\$1,017,128
Less estimated income - Adjustments/enhancements	<u>(600,000)</u>
Total general fund - Adjustments/enhancements	\$1,617,128

Subdivision 10.

MINOT STATE UNIVERSITY

Operations	\$2,954,699
Capital assets	<u>367,024</u>
Total all funds - Adjustments/enhancements	\$3,321,723
Less estimated income - Adjustments/enhancements	<u>(7,295,850)</u>
Total general fund - Adjustments/enhancements	\$10,617,573

Subdivision 11.

VALLEY CITY STATE UNIVERSITY

Operations	\$1,577,070
Capital assets	<u>2,487,819</u>
Total general fund - Adjustments/enhancements	\$4,064,889

Subdivision 12.

MINOT STATE UNIVERSITY - BOTTINEAU

Operations	\$437,017
Capital assets	<u>(5,699,023)</u>
Total all funds - Adjustments/enhancements	(\$5,262,006)
Less estimated income - Adjustments/enhancements	<u>(5,987,095)</u>
Total general fund - Adjustments/enhancements	\$725,089

Subdivision 13.

UNIVERSITY OF NORTH DAKOTA SCHOOL OF MEDICINE
AND HEALTH SCIENCES

Operations	\$3,213,936
Total general fund - Adjustments/enhancements	\$3,213,936

Subdivision 14.

NORTH DAKOTA FOREST SERVICE

Operations	\$433,085
Capital assets	<u>78,566</u>
Total all funds - Adjustments/enhancements	\$511,651
Less estimated income - Adjustments/enhancements	<u>22,485</u>
Total general fund - Adjustments/enhancements	\$489,166
Total general fund - Section 2	\$90,313,775
Total estimated income - Section 2	(\$44,343,682)
Total all funds - Section 2	\$45,970,093

SECTION 3. APPROPRIATION. The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the North Dakota university system

office and the various entities and institutions under the supervision of the state board of higher education for the purpose of defraying the expenses of those entities and institutions, for the biennium beginning July 1, 2007, and ending June 30, 2009, as follows:

Subdivision 1.
NORTH DAKOTA UNIVERSITY SYSTEM OFFICE AND INSTITUTIONS

Capital assets	\$16,754,112
Competitive research program	5,650,000
Board initiatives	398,500
System governance	6,083,394
Title II	695,600
Common information services	31,477,093
Professional liability insurance	1,350,000
Student financial assistance grants	5,987,497
Professional student exchange program	2,722,946
Scholars program	1,478,566
Native American scholarships	380,626
Education incentive programs	1,740,314
Total all funds	\$74,718,648
Less estimated income	<u>2,643,730</u>
Total general fund appropriation	\$72,074,918

Subdivision 2.
BISMARCK STATE COLLEGE

Operations	\$19,783,138
Capital assets	<u>6,695,942</u>
Total all funds	\$26,479,080
Less estimated income	<u>5,707,555</u>
Total general fund appropriation	\$20,771,525

Subdivision 3.
LAKE REGION STATE COLLEGE

Operations	\$6,527,667
Capital assets	<u>3,133,204</u>
Total all funds	\$9,660,871
Less estimated income	<u>3,007,600</u>
Total general fund appropriation	\$6,653,271

Subdivision 4.
WILLISTON STATE COLLEGE

Operations	\$6,639,102
Capital assets	<u>2,257,198</u>
Total all funds	\$8,896,300
Less estimated income	<u>2,300,000</u>
Total general fund appropriation	\$6,596,300

Subdivision 5.
UNIVERSITY OF NORTH DAKOTA

Operations	\$107,280,030
Capital assets	<u>81,828,875</u>
Total all funds	\$189,108,905
Less estimated income	<u>73,700,000</u>
Total general fund appropriation	\$115,408,905

Subdivision 6.
NORTH DAKOTA STATE UNIVERSITY

Operations	\$89,818,175
Capital assets	<u>43,209,161</u>
Total all funds	\$133,027,336
Less estimated income	<u>34,000,000</u>
Total general fund appropriation	\$99,027,336

Subdivision 7.
NORTH DAKOTA STATE COLLEGE OF SCIENCE

Operations	\$27,809,893
Capital assets	<u>4,756,865</u>
Total all funds	\$32,566,758
Less estimated income	<u>1,700,000</u>
Total general fund appropriation	\$30,866,758

Subdivision 8.		
	DICKINSON STATE UNIVERSITY	
Operations		\$16,898,356
Capital assets		<u>9,018,763</u>
Total all funds		\$25,917,119
Less estimated income		<u>8,000,000</u>
Total general fund appropriation		\$17,917,119
Subdivision 9.		
	MAYVILLE STATE UNIVERSITY	
Operations		\$9,889,789
Capital assets		<u>1,989,963</u>
Total all funds		\$11,879,752
Less estimated income		<u>900,000</u>
Total general fund appropriation		\$10,979,752
Subdivision 10.		
	MINOT STATE UNIVERSITY	
Operations		\$30,170,548
Capital assets		<u>9,578,894</u>
Total all funds		\$39,749,442
Less estimated income		<u>1,239,150</u>
Total general fund appropriation		\$38,510,292
Subdivision 11.		
	VALLEY CITY STATE UNIVERSITY	
Operations		\$13,383,596
Capital assets		<u>2,996,235</u>
Total general fund appropriation		\$16,379,831
Subdivision 12.		
	MINOT STATE UNIVERSITY - BOTTINEAU	
Operations		\$4,771,477
Capital assets		<u>410,702</u>
Total all funds		\$5,182,179
Less estimated income		<u>12,905</u>
Total general fund appropriation		\$5,169,274
Subdivision 13.		
	UNIVERSITY OF NORTH DAKOTA SCHOOL OF MEDICINE AND HEALTH SCIENCES	
Operations		<u>\$34,574,938</u>
Total general fund appropriation		\$34,574,938
Subdivision 14.		
	NORTH DAKOTA FOREST SERVICE	
Operations		\$3,358,731
Capital assets		<u>180,204</u>
Total all funds		\$3,538,935
Less estimated income		<u>997,486</u>
Total general fund appropriation		\$2,541,449
Total general fund appropriation - Section 3		\$477,471,668
Total estimated income appropriation - Section 3		\$134,208,426
Total all funds appropriation - Section 3		\$611,680,094
Grand total general fund appropriation - H.B. 1003		\$477,471,668
Grand total estimated income appropriation - H.B. 1003		\$156,922,426
Grand total all funds appropriation - H.B. 1003		\$634,394,094"

Page 6, remove lines 1 through 31

Page 7, remove lines 1 through 30

Page 8, remove lines 1 through 30

Page 9, remove lines 1 through 30

Page 10, remove lines 1 through 31

Page 11, remove lines 1 through 30

Page 12, remove lines 1 through 23

Page 12, line 24, after "INITIATIVES" insert "- **REPORT TO THE SIXTY-FIRST LEGISLATIVE ASSEMBLY**", after "The" insert "board initiatives line item in subdivision 1 of section 3 of this Act includes the", and remove "of the funding included in"

Page 12, line 25, remove "the board initiatives line item in subdivision 1 of section 3 of this Act must be used"

Page 12, line 26, after "funds" insert "and the sum of \$98,500 for a recruiting initiative for Minot state university and Minot state university - Bottineau. Minot state university shall provide additional funding of \$98,500 from special funds for the initiative. The funding for the initiative is provided for a two-year pilot basis. Both Minot state university and Minot state university - Bottineau shall report on the effectiveness of the initiative to the appropriations committees of the sixty-first legislative assembly"

Page 13, remove lines 1 through 4

Page 13, line 5, replace "\$28,652,267" with "\$31,477,093"

Page 13, remove lines 14 through 18

Page 13, line 25, replace "\$317,460" with "\$523,380"

Page 16, remove lines 27 through 31

Page 17, line 1, after "**LIMIT**" insert "- **BUDGET SECTION APPROVAL**"

Page 17, line 4, after "year" insert "unless the board receives prior budget section approval"

Page 17, line 7, replace "\$42,322,010" with "\$39,979,343"

Page 17, line 12, replace "2,400,000" with "2,773,800"

Page 17, line 13, replace "3,700,000" with "6,000,000"

Page 17, line 15, replace "11,559,500" with "11,143,033"

Page 17, line 16, replace "23,431,710" with "18,831,710"

Page 17, line 18, replace "42,322,010" with "39,979,343"

Page 17, remove lines 19 through 31

Page 18, remove lines 1 through 15

Page 18, line 17, replace "make available" with "use"

Page 18, line 19, replace "the payment of any consulting services relating to the legislative" with "completing and furnishing the thatcher hall renovation and addition at Minot state university - Bottineau"

Page 18, line 20, remove "council study of higher education"

Page 18, after line 21, insert:

SECTION 20. LEGISLATIVE INTENT - NORTHERN TIER NETWORK. It is the intent of the sixtieth legislative assembly that higher education institutions utilizing the northern tier network be responsible for funding the related ongoing maintenance costs for the network.

SECTION 21. NORTH DAKOTA STATE UNIVERSITY - COLLEGE OF BUSINESS BUILDING. The state board of higher education may enter an agreement or agreements with the North Dakota state university foundation or other private entity and do all things necessary and proper to authorize construction by the foundation or other private entity of a college of business building off the North Dakota state university campus, using donations, gifts, or other private funds.

SECTION 22. LEGISLATIVE COUNCIL STUDY - HIGHER EDUCATION.

1. The legislative council shall consider appointing a higher education committee for the 2007-08 interim. If appointed, the committee shall spend a majority of time studying the means by which the North Dakota university system can further contribute to developing and attracting the human capital to meet North Dakota's economic and workforce needs, and if time allows, the committee may visit select higher education institutions.
2. The study must focus on ways to increase postsecondary access, improve the quality of education, contain costs and other means, including productivity, to maximize the usage of the North Dakota university system in meeting the human capital needs of the state.
3. The study must include a review of policy recommendations, as appropriate, which address the postsecondary delivery system, including the mix of institutions, educational attainment gaps, degree production gaps, recruitment and retention of students, and workforce training needs.
4. The study must include a review of the impact of the state's changing demographics on the university system long-term financing plan.
5. The study must recommend goals for each of the higher education cornerstones.
6. The study may include the use of a higher education roundtable format.
7. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-first legislative assembly.
8. The state board of higher education also shall take the recommendations into account and make appropriate changes to practices, board policy, and budget needs and allocation.

SECTION 23. LEGISLATIVE COUNCIL STUDY - PROFESSIONAL STUDENT EXCHANGE PROGRAMS. The legislative council shall consider studying, during the 2007-08 interim, higher education professional student exchange programs. The study should include review of:

1. The amount of annual tuition and fees paid by students for health care-related professional education programs.
2. The amount of annual support fees paid by the state for health care-related professional education programs.
3. The number of state-supported slots funded and demand for state-supported slots, including the consideration of basing the number of slots on the estimated workforce needs to fill positions due to retirements, geographic, and professional specific service needs.
4. The present repayment provisions and loan forgiveness programs to determine cost-effectiveness, equality issues, and development of program enhancements that would aid in the recruitment of professional students to return to the state to practice their chosen profession.
5. Discontinuation of the contracts with the western interstate commission on higher education for access to veterinary medicine programs and consideration of negotiating contracts for veterinary medicine with Kansas, Iowa, and Minnesota.

The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-first legislative assembly."

Page 20, line 9, replace "Sections 1 and 2 of House Bill No. 1031, as approved by the" with "Section 15-12-27 of the North Dakota Century Code is"

Page 20, line 10, remove "sixtieth legislative assembly, are"

Page 20, line 16, replace "9" with "7, 13,"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1003 - Summary of Senate Action

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
University System office				
Total all funds	\$73,348,533	\$72,080,990	\$2,637,658	\$74,718,648
Less estimated income	2,437,810	2,686,810	(43,080)	2,643,730
General fund	\$70,910,723	\$69,394,180	\$2,680,738	\$72,074,918
Bismarck State College				
Total all funds	\$20,799,330	\$20,587,433	\$5,891,647	\$26,479,080
Less estimated income	27,805	27,805	5,679,750	5,707,555
General fund	\$20,771,525	\$20,559,628	\$211,897	\$20,771,525
Lake Region State College				
Total all funds	\$9,660,871	\$9,607,299	\$53,572	\$9,660,871
Less estimated income	3,007,600	2,007,600	1,000,000	3,007,600
General fund	\$6,653,271	\$7,599,699	(\$946,428)	\$6,653,271
Williston State College				
Total all funds	\$7,996,300	\$8,830,366	\$65,934	\$8,896,300
Less estimated income	1,400,000	2,300,000		2,300,000
General fund	\$6,596,300	\$6,530,366	\$65,934	\$6,596,300
University of North Dakota				
Total all funds	\$193,608,905	\$191,861,920	\$1,246,985	\$193,108,905
Less estimated income	78,200,000	74,100,000	3,600,000	77,700,000
General fund	\$115,408,905	\$117,761,920	(\$2,353,015)	\$115,408,905
UND Medical Center				
Total all funds	\$33,874,938	\$34,238,963	\$335,975	\$34,574,938
Less estimated income				
General fund	\$33,874,938	\$34,238,963	\$335,975	\$34,574,938
North Dakota State University				
Total all funds	\$119,527,336	\$133,439,378	\$11,587,958	\$145,027,336
Less estimated income	20,500,000	35,500,000	10,500,000	46,000,000
General fund	\$99,027,336	\$97,939,378	\$1,087,958	\$99,027,336
State College of Science				
Total all funds	\$38,830,758	\$38,917,159	\$363,599	\$39,280,758
Less estimated income	8,414,000	8,414,000		8,414,000
General fund	\$30,416,758	\$30,503,159	\$363,599	\$30,866,758
Dickinson State University				
Total all funds	\$25,917,119	\$25,729,961	\$187,158	\$25,917,119
Less estimated income	8,000,000	8,000,000		8,000,000
General fund	\$17,917,119	\$17,729,961	\$187,158	\$17,917,119
Mayville State University				
Total all funds	\$11,736,719	\$12,208,021	(\$328,269)	\$11,879,752
Less estimated income	900,000	900,000		900,000
General fund	\$10,836,719	\$11,308,021	(\$328,269)	\$10,979,752
Minot State University				
Total all funds	\$39,698,842	\$39,445,085	\$304,357	\$39,749,442
Less estimated income	5,575,550	1,239,150		1,239,150
General fund	\$34,123,292	\$38,205,935	\$304,357	\$38,510,292
Valley City State University				
Total all funds	\$15,979,831	\$15,851,252	\$528,579	\$16,379,831
Less estimated income				
General fund	\$15,979,831	\$15,851,252	\$528,579	\$16,379,831
Minot State University - Bottineau				
Total all funds	\$5,182,179	\$5,138,046	\$44,133	\$5,182,179
Less estimated income	12,905	12,905		12,905
General fund	\$5,169,274	\$5,125,141	\$44,133	\$5,169,274
Forest Service				
Total all funds	\$3,538,935	\$3,513,993	\$24,942	\$3,538,935
Less estimated income	997,486	997,486		997,486
General fund	\$2,541,449	\$2,516,507	\$24,942	\$2,541,449
Bill Total				
Total all funds	\$599,700,596	\$611,449,866	\$22,944,228	\$634,394,094
Less estimated income	129,473,156	136,185,756	20,736,670	156,922,426
General fund	\$470,227,440	\$475,264,110	\$2,207,558	\$477,471,668

House Bill No. 1003 - General Fund Summary

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
University System office	\$70,910,723	\$69,394,180	\$2,680,738	\$72,074,918
Bismarck State College	20,771,525	20,559,628	211,897	20,771,525
Lake Region State College	6,653,271	7,599,699	(946,428)	6,653,271
Williston State College	6,596,300	6,530,366	65,934	6,596,300
University of North Dakota	115,408,905	117,761,920	(2,353,015)	115,408,905
UND Medical Center	33,874,938	34,238,963	335,975	34,574,938
North Dakota State University	99,027,336	97,939,378	1,087,958	99,027,336
State College of Science	30,416,758	30,503,159	363,599	30,866,758
Dickinson State University	17,917,119	17,729,961	187,158	17,917,119
Mayville State University	10,836,719	11,308,021	(328,269)	10,979,752

Minot State University	34,123,292	38,205,935	304,357	38,510,292
Valley City State University	15,979,831	15,851,252	528,579	16,379,831
Minot State University - Bottineau	5,169,274	5,125,141	44,133	5,169,274
Forest Service	<u>2,541,449</u>	<u>2,516,507</u>	<u>24,942</u>	<u>2,541,449</u>
Total general fund	\$470,227,440	\$475,264,110	\$2,207,558	\$477,471,668

Detail of Senate Changes to the General Fund

	RESTORES COMPENSATION PACKAGE TO 5/5 ¹	INCREASES FUNDING FOR THE COMPETITIVE RESEARCH PROGRAM ²	INCREASES FUNDING FOR BOARD INITIATIVES ³	INCREASES FUNDING FOR SUPPORT OF THE CONNECTND SYSTEM ⁴	INCREASES FUNDING FOR THE NORTHERN TIER NETWORK ⁵	REMOVES FUNDING FOR THE OPERATIONS POOL ⁶
University System office	\$199,479	\$150,000	\$98,500	\$2,300,000	\$373,800	(\$144,559)
Bismarck State College	211,897					
Lake Region State College	53,572					
Williston State College	65,934					
University of North Dakota	1,246,985					
UND Medical Center	335,975					
North Dakota State University	1,087,958					
State College of Science	263,599					
Dickinson State University	187,158					
Mayville State University	88,198					
Minot State University	304,357					
Valley City State University	128,579					
Minot State University - Bottineau	44,133					
Forest Service	<u>24,942</u>					
Total general fund	\$4,242,766	\$150,000	\$98,500	\$2,300,000	\$373,800	(\$144,559)

	REMOVES FUNDING FOR CONTINGENCY AND CAPITAL EMERGENCY ⁷	INCREASES FUNDING FOR THE KANSAS STATE UNIVERSITY VETERINARY MEDICINE PROGRAM ⁸	REMOVES FUNDING FOR EDUCATION INCENTIVE PROGRAMS ⁹	ADJUSTS FUNDING FOR OPERATIONS	ADJUSTS FUNDING FOR CAPITAL ASSETS ¹⁰	TOTAL GENERAL FUND CHANGES
University System office	(\$296,482)					\$2,680,738
Bismarck State College						211,897
Lake Region State College					(\$1,000,000)	(946,428)
Williston State College						65,934
University of North Dakota					(3,600,000)	(2,353,015)
UND Medical Center						335,975
North Dakota State University						1,087,958
State College of Science				\$100,000		363,599
Dickinson State University						187,158
Mayville State University					(416,467)	(328,269)
Minot State University						304,357
Valley City State University				400,000		528,579
Minot State University - Bottineau						44,133
Forest Service						<u>24,924</u>
Total general fund	(\$296,482)	\$0	\$0	\$500,000	(\$5,016,467)	\$2,207,558

House Bill No. 1003 - Other Funds Summary

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
University System office	\$2,437,810	\$2,686,810	(\$243,080)	\$2,643,730
Bismarck State College	27,805	27,805	5,679,750	5,707,555
Lake Region State College	3,007,600	2,007,600	1,000,000	3,007,600
Williston State College	1,400,000	2,300,000		2,300,000
University of North Dakota	78,200,000	74,100,000	3,600,000	77,700,000
UND Medical Center				
North Dakota State University	20,500,000	35,500,000	10,500,000	46,000,000
State College of Science	8,414,000	8,414,000		8,414,000
Dickinson State University	8,000,000	8,000,000		8,000,000
Mayville State University	900,000	900,000		900,000
Minot State University	5,575,550	1,239,150		1,239,150
Valley City State University				
Minot State University - Bottineau	12,905	12,905		12,905
Forest Service	<u>997,486</u>	<u>997,486</u>		<u>997,486</u>
Total other funds	\$129,473,156	\$136,185,756	\$20,736,670	\$156,922,426

Detail of Senate Changes to Other Funds

	RESTORES COMPENSATION PACKAGE TO 5/5 ¹	INCREASES FUNDING FOR THE COMPETITIVE RESEARCH PROGRAM ²	INCREASES FUNDING FOR BOARD INITIATIVES ³	INCREASES FUNDING FOR SUPPORT OF THE CONNECTND SYSTEM ⁴	INCREASES FUNDING FOR THE NORTHERN TIER NETWORK ⁵	REMOVES FUNDING FOR THE OPERATIONS POOL ⁶
University System office						
Bismarck State College						
Lake Region State College						
Williston State College						
University of North Dakota						
UND Medical Center						

North Dakota State University
 State College of Science
 Dickinson State University
 Mayville State University
 Minot State University
 Valley City State University
 Minot State University -
 Bottineau
 Forest Service

	\$0	\$0	\$0	\$0	\$0	\$0
Total other funds	\$0	\$0	\$0	\$0	\$0	\$0
		INCREASES FUNDING FOR THE KANSAS STATE UNIVERSITY VETERINARY MEDICINE PROGRAM ⁸	REMOVES FUNDING FOR EDUCATION INCENTIVE PROGRAMS ⁹	ADJUSTS FUNDING FOR OPERATIONS	ADJUSTS FUNDING FOR CAPITAL ASSETS ¹⁰	TOTAL OTHER FUNDS CHANGES
University System office		\$205,920	(\$249,000)			(\$43,080)
Bismarck State College					\$5,679,750	5,679,750
Lake Region State College					1,000,000	1,000,000
Williston State College						
University of North Dakota					3,600,000	3,600,000
UND Medical Center						
North Dakota State University					10,500,000	10,500,000
State College of Science						
Dickinson State University						
Mayville State University						
Minot State University						
Valley City State University						
Minot State University - Bottineau Forest Service						
Total other funds	\$0	\$205,920	(\$249,000)	\$0	\$20,779,750	\$20,736,670

House Bill No. 1003 - All Funds Summary

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
University System office	\$73,348,533	\$72,080,990	\$2,637,658	\$74,718,648
Bismarck State College	20,799,330	20,587,433	5,891,647	26,479,080
Lake Region State College	9,660,871	9,607,299	53,572	9,660,871
Williston State College	7,996,300	8,830,366	65,934	8,896,300
University of North Dakota	193,608,905	191,861,920	1,246,985	193,108,905
UND Medical Center	33,874,938	34,238,963	335,975	34,574,938
North Dakota State University	119,527,336	133,439,378	11,587,958	145,027,336
State College of Science	38,830,758	38,917,159	363,599	39,280,758
Dickinson State University	25,917,119	25,729,961	187,158	25,917,119
Mayville State University	11,736,719	12,208,021	(328,269)	11,879,752
Minot State University	39,698,842	39,445,085	304,357	39,749,442
Valley City State University	15,979,831	15,851,252	528,579	16,379,831
Minot State University - Bottineau Forest Service	5,182,179	5,138,046	44,133	5,182,179
	<u>3,538,935</u>	<u>3,513,993</u>	<u>24,942</u>	<u>3,538,935</u>
Total all funds	\$599,700,596	\$611,449,866	\$22,944,228	\$634,394,094
FTE	2134.59	2136.59	0.00	2136.59

Detail of Senate Changes to All Funds

	RESTORES COMPENSATION PACKAGE TO 5/5 ¹	INCREASES FUNDING FOR THE COMPETITIVE RESEARCH PROGRAM ²	INCREASES FUNDING FOR BOARD INITIATIVES ³	INCREASES FUNDING FOR SUPPORT OF THE CONNECTND SYSTEM ⁴	INCREASES FUNDING FOR THE NORTHERN TIER NETWORK ⁵	REMOVES FUNDING FOR THE OPERATIONS POOL ⁶
University System office	\$199,479	\$150,000	\$98,500	\$2,300,000	\$373,800	(\$144,559)
Bismarck State College	211,897					
Lake Region State College	53,572					
Williston State College	65,934					
University of North Dakota	1,246,985					
UND Medical Center	335,975					
North Dakota State University	1,087,958					
State College of Science	263,599					
Dickinson State University	187,158					
Mayville State University	88,198					
Minot State University	304,357					
Valley City State University	128,579					
Minot State University - Bottineau Forest Service	44,133					
	<u>24,942</u>					
Total all funds	\$4,242,766	\$150,000	\$98,500	\$2,300,000	\$373,800	(\$144,559)
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	REMOVES FUNDING FOR CONTINGENCY AND CAPITAL EMERGENCY ⁷	INCREASES FUNDING FOR THE KANSAS STATE UNIVERSITY VETERINARY MEDICINE PROGRAM ⁸	REMOVES FUNDING FOR EDUCATION INCENTIVE PROGRAMS ⁹	ADJUSTS FUNDING FOR OPERATIONS	ADJUSTS FUNDING FOR CAPITAL ASSETS ¹⁰	TOTAL ALL FUNDS CHANGES

University System office	(\$296,482)	\$205,920	(\$249,000)			\$2,637,658
Bismarck State College					\$5,679,750	5,891,647
Lake Region State College						53,572
Williston State College						65,934
University of North Dakota						1,246,985
UND Medical Center						335,975
North Dakota State University					10,500,000	11,587,958
State College of Science				\$100,000		363,599
Dickinson State University						187,158
Mayville State University					(416,467)	(328,269)
Minot State University						304,357
Valley City State University				400,000		528,579
Minot State University - Bottineau						44,133
Forest Service						<u>24,942</u>
Total all funds	(\$296,482)	\$205,920	(\$249,000)	\$500,000	\$15,763,283	\$22,944,228
FTE	0.00	0.00	0.00	0.00	0.00	0.00

1 This amendment restores funding for salary increases of 5 percent for each year of the 2007-09 biennium.

2 This amendment increases funding for competitive research by \$150,000 from the general fund, from \$5,550,000 as provided for in the executive budget recommendation to \$5,650,000.

3 This amendment increases funding for board initiatives by \$98,500 from the general fund, from \$300,000 to \$398,500. The funding of \$98,500 is to be used in conjunction with \$98,500 of special funds from Minot State University for a shared recruiting initiative for Minot State University and Minot State University - Bottineau. The initiative is a pilot project and both Minot State University and Minot State University - Bottineau are to report to the 61st Legislative Assembly on the effectiveness of the initiative.

4 This amendment increases one-time funding provided for support of the ConnectND system by \$2,300,000 from the general fund, from \$3,700,000 as provided for in the executive budget to \$6,000,000.

5 This amendment increases one-time funding for the Northern Tier Network project by \$373,800, from \$2,400,000 to \$2,773,800 from the general fund.

6 This amendment removes funding of \$144,559 from the general fund for the operations pool.

7 This amendment removes funding of \$296,482 from the general fund for contingency and capital emergency.

8 This amendment increases funding for the Kansas State University veterinary medicine program by \$205,920, from \$317,460 to \$523,380 from the student loan trust fund, to fund five new students per year in the 2007-09 biennium.

9 This amendment decreases funding for the education incentive programs by \$249,000, from \$1,989,314, as provided for by the House, to \$1,227,902. The additional funding of \$249,000 was related to increases in the teacher shortage loan forgiveness program as provided in House Bill No. 1249. House Bill No. 1249 was defeated by the Senate; therefore, the additional funding provided for in House Bill No. 1003 is removed.

10 Bismarck State College - This amendment appropriates funding of \$5,679,750 from special funds for reauthorization of the college's student housing project.

Lake Region State College - This amendment changes the funding source for the college's wind energy project as follows:

	EXECUTIVE BUDGET	HOUSE VERSION	PROPOSED SENATE VERSION
General fund		\$1,000,000	
Special funds	<u>\$3,007,600</u>	<u>2,007,600</u>	<u>\$3,007,600</u>
Total	\$3,007,600	\$3,007,600	\$3,007,600

University of North Dakota - This amendment changes the funding source of the UND School of Medicine and Health Sciences new Bismarck family medicine residency facility as follows:

	EXECUTIVE BUDGET	HOUSE VERSION	PROPOSED SENATE VERSION
General fund		\$3,600,000	
Special funds	<u>\$4,500,000</u>	<u>400,000</u>	<u>\$4,000,000</u>
Total	\$4,500,000	\$4,000,000	\$4,000,000

North Dakota State University - This amendment increases the special funds appropriation to the university to reauthorize the Bison Sports Arena renovation project by \$10,500,000, from \$15,000,000 to \$25,500,000.

Mayville State University - This amendment decreases funding added by the House for the payoff of special assessments and other deferred maintenance issues by \$416,467 from the general fund, from \$559,500 to \$143,033.

House Bill No. 1003 - Other Changes - Senate Action

This amendment also:

- Amends Section 17 of the engrossed bill to provide that the State Board of Higher Education shall limit any annual tuition increase for the 2007-08 and 2008-09 academic years to not more than 5 percent for each year unless the board receives prior Budget Section approval.

- Adds a section to provide that participating higher education institutions are responsible for funding maintenance costs associated with the Northern Tier Network.
- Adds a section to allow the State Board of Higher Education to authorize construction of a College of Business building off the North Dakota State University campus.
- Adds sections to provide for a study of higher education and professional student exchange programs and removes study language added by the House.
- Amends Section 23 of the engrossed bill relating to the use of unspent 2005-07 general fund appropriations to provide that the State Board of Higher Education shall use \$200,000 of the unspent 2005-07 general fund appropriation for completing and furnishing the Thatcher Hall renovation and addition at Minot State University - Bottineau.
- Amends Section 26 of the engrossed bill to remove the repeal of Sections 1 and 2 of House Bill No. 1031 and to repeal Section 15-12-27 of the North Dakota Century Code relating to North Dakota State University's 18th Street Development Fund.

MOTION

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

MOTION

REP. MONSON MOVED that the House be on the Fifth, Seventh, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 8:30 a.m., Tuesday, April 3, 2007, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

HB 1088, as engrossed: Your conference committee (Sens. Hacker, Andrist, Potter and Reps. Dosch, Dietrich, Amerman) recommends that the **HOUSE ACCEDE** to the Senate amendments on HJ page 858 and place HB 1088 on the Seventh order.

Engrossed HB 1088 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

HB 1157, as engrossed: Your conference committee (Sens. Olafson, Hacker, Warner and Reps. N. Johnson, Griffin, Hatlestad) recommends that the **HOUSE ACCEDE** to the Senate amendments on HJ pages 948-948 and place HB 1157 on the Seventh order.

Engrossed HB 1157 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

HB 1348, as engrossed: Your conference committee (Sens. Cook, Tollefson, Anderson and Reps. Headland, Froseth, Froelich) recommends that the **SENATE RECEDE** from the Senate amendments on HJ pages 1109-1112 and place HB 1348 on the Seventh order.

Engrossed HB 1348 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

HB 1402, as engrossed: Your conference committee (Sens. Freborg, Lyson, Triplett and Reps. Drovdal, Clark, Hanson) recommends that the **SENATE RECEDE** from the Senate amendments on HJ pages 845-845, adopt amendments as follows, and place HB 1402 on the Seventh order:

That the Senate recede from its amendments as printed on page 845 of the House Journal and page 613 of the Senate Journal and that Engrossed House Bill No. 1402 be amended as follows:

Page 1, line 16, replace "five" with "eight" and replace "two" with "four"

Re-number accordingly

Engrossed HB 1402 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

HB 1422: Your conference committee (Sens. J. Lee, Dever, Warner and Reps. Weisz, Hofstad, Potter) recommends that the **HOUSE ACCEDE** to the Senate amendments on HJ pages 1068-1070 and place HB 1422 on the Seventh order.

HB 1422 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

HB 1507, as engrossed: Your conference committee (Sens. Lyson, Olafson, Fiebiger and Reps. Koppelman, Charging, Griffin) recommends that the **SENATE RECEDE** from the Senate amendments on HJ pages 1048-1049, adopt amendments as follows, and place HB 1507 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1048 and 1049 of the House Journal and page 809 of the Senate Journal and that Engrossed House Bill No. 1507 be amended as follows:

Page 1, line 11, after the underscored period insert "This section may not be used to shield the identity of the individual communicating with the public entity."

Renumber accordingly

Engrossed HB 1507 was placed on the Seventh order of business on the calendar.

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

Buell J. Reich, Chief Clerk