

## JOURNAL OF THE HOUSE

## Fifty-eighth Legislative Assembly

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Bismarck, April 7, 2003

The House convened at 9:00 a.m., with Speaker Wentz presiding.

The prayer was offered by Jim Nistler, Deacon, Sacred Heart Catholic Church, Wilton.

The roll was called and all members were present except Representatives Boe, DeKrey, Froelich, S. Kelsh, Kempenich, Norland, and Warner.

A quorum was declared by the Speaker.

**CORRECTION AND REVISION OF THE JOURNAL**

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

Page 1276, line 9, remove "SB 2002"

Page 1276, line 10, remove "SB 2003"

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

**POINT OF PERSONAL PRIVILEGE**

**REP. KINGSBURY:** Madam Speaker: I rise on a point of personal privilege and request that my remarks be printed in the Journal.

**REQUEST**

**REP. KINGSBURY REQUESTED** that her remarks be printed in the Journal, which request was granted.

Rep. Herbel and I have as our guests, Karla Nelson, a senior of Grafton High School and her mother, Colleen Lykken. We would like to honor Karla with a resolution.

**WHEREAS,** Karla Nelson, an esteemed resident of Grafton and a student at Grafton Public School, has achieved national recognition for exemplary volunteer service by receiving a 2003 Prudential Spirit of Community Award; and

**WHEREAS,** this prestigious award, presented by Prudential Financial in partnership with the National Association of Secondary Principals, honors young volunteers across America who have demonstrated an extraordinary commitment to serving their communities; and

**WHEREAS,** Ms. Nelson earned this award by giving generously of her time and energy to speak regularly to middle school children about the dangers of eating disorders, offering advice and the benefit of her personal experience in overcoming an eating disorder; and

**WHEREAS,** the success of the State of North Dakota, the strength of our communities, and the overall vitality of American society depend, in great measure, upon the dedication of young people like Ms. Nelson who use their considerable talents and resources to serve others;

Now therefore, pursuant to a motion of Rep. Herbel and Rep. Kingsbury.

Be It Resolved by the House of Representatives of the State of North Dakota that this legislative body hereby congratulates and honors Ms. Nelson as a recipient of a Prudential Spirit of Community Award, recognizes her outstanding record of volunteer service, peer leadership and community spirit, and expends best wishes for her continued success and happiness.

**POINT OF PERSONAL PRIVILEGE**

**REP. GRANDE:** Madam Speaker: I rise on a point of personal privilege and request that my remarks be printed in the Journal.

**REQUEST**

**REP. GRANDE REQUESTED** that her remarks be printed in the Journal, which request was granted.

Over the past week my son, Ian Grande and 17 of his teammates from across North Dakota; representing Minot, Grafton, Grand Forks, Bismarck, West Fargo, attended the USA Hockey National Tournament for (140 Teir II).

The North Dakota 88's team played against teams from twelve districts from across the country, progressing to the championship round, taking 2nd place.

Mario Lamoureux of Grand Forks placed first in the skills competition for the fastest skater competition.

Congratuations to these young men.

**POINT OF PERSONAL PRIVILEGE**

**REP. IVERSON:** Madam Speaker: I rise on a point of personal privilege and request that my remarks be printed in the Journal.

**REQUEST**

**REP. IVERSON REQUESTED** that his remarks be printed in the Journal, which request was granted.

Ladies and Gentlemen of the Assembly, this is my girlfriend, Kim, we have been going out for five years and I really love her a lot. I don't think that I would be the person I am today if it weren't for her. I would like to ask Kim today, I already asked her dad's permission, to marry me? She said YES!

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

**MR. PRESIDENT:** The House has amended, subsequently passed, and the emergency clause carried: SB 2002, SB 2003.

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

**MR. SPEAKER:** The Senate has passed and your favorable consideration is requested on: SCR 4039.

**COMMUNICATION FROM GOVERNOR JOHN HOEVEN**

This is to inform you that on April 4, 2003, I have signed the following: HB 1024, HB 1243, HB 1246, HB 1251, HB 1260, HB 1296, HB 1350, and HB 1360.

**SIXTH ORDER OF BUSINESS**

**REP. BERG MOVED** that the amendments on the Sixth order of business to SB 2019, SB 2025, SB 2083, SB 2194 and SB 2232 be adopted, which motion prevailed.

SB 2019, SB 2025, SB 2083, SB 2194 and SB 2232, as amended, were placed on the Fourteenth order of business on the calendar.

**SECOND READING OF SENATE CONCURRENT RESOLUTIONS ON CONSENT  
CALENDAR**

**SCR 4038:** A concurrent resolution congratulating Bucky Maughan on election to the National Wrestling Hall of Fame.

**SCR 4039:** A concurrent resolution honoring former Senator Evan Lips for his countless contributions and unselfish dedication to a better North Dakota and nation and congratulating him on the naming of an auditorium at the University of North Dakota School of Medicine and Health Sciences in his honor.

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

SCR 4038 and SCR 4039 passed on a voice vote, and the titles were agreed to.

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**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. WEISZ MOVED** that the House do not concur in the Senate amendments to HB 1047 as printed on HJ pages 1188-1189 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 HB 1047: Reps. Ruby, Headland, Delmore.

**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. PRICE MOVED** that the House do not concur in the Senate amendments to HB 1425 as printed on HJ page 1171 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 HB 1425: Reps. Price, Grande, Niemeier.

**APPOINTMENT OF CONFERENCE COMMITTEE**

**THE SPEAKER ANNOUNCED** the following appointments to a Conference Committee on SB 2150: Reps. Bernstein, Galvin, Thorpe.

**APPOINTMENT OF CONFERENCE COMMITTEE**

**THE SPEAKER ANNOUNCED** the following appointments to a Conference Committee on SB 2248: Reps. Klemin, Sitte, Potter.

**APPOINTMENT OF CONFERENCE COMMITTEE**

**THE SPEAKER ANNOUNCED** the following appointments to a Conference Committee on SB 2249: Reps. N. Johnson, Herbel, Niemeier.

**SECOND READING OF SENATE BILL**

**SB 2019:** A BILL for an Act to provide an appropriation for defraying the expenses of the game and fish department; 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 87 YEAS, 0 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleon; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

**ABSENT AND NOT VOTING:** Boe; DeKrey; Froelich; Kelsh, S.; Kempenich; Norland; Warner

Engrossed SB 2019, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

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**SECOND READING OF SENATE BILL**

**SB 2025:** A BILL for an Act to provide an appropriation for defraying certain medical assistance expenses of the department of human services; 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 83 YEAS, 3 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boehning; Boucher; Carlisle; Clark; Delmore; Delzer; Devlin; Dosch; Eckre; Ekstrom; Froseth; Galvin; Glassheim; Grosz; Gulleon; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warnke;

Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser;  
Speaker Wentz

**NAYS:** Carlson; Drovdal; Grande

**ABSENT AND NOT VOTING:** Boe; Brusegaard; DeKrey; Froelich; Kelsh, S.; Kempenich;  
Norland; Warner

Engrossed SB 2025, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

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### SECOND READING OF SENATE BILL

**SB 2083:** A BILL for an Act to create and enact a new section to chapter 50-06.2 of the North Dakota Century Code, relating to disqualifying transfers for determining eligibility for service payments for elderly and disables; to amend and reenact section 50-06.2-03 of the North Dakota Century Code, relating to the eligibility resource limits of the service payments for elderly and disabled; and to provide statements of 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 83 YEAS, 4 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Bellew; Belter; Berg; Bernstein; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Hunsakor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Tieman; Timm; Uglem; Wald; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Wrangham; Zaiser; Speaker Wentz

**NAYS:** Amerman; Ekstrom; Thorpe; Winrich

**ABSENT AND NOT VOTING:** Boe; DeKrey; Froelich; Kelsh, S.; Kempenich; Norland; Warner

Engrossed SB 2083, as amended, passed and the title was agreed to.

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### SECOND READING OF SENATE BILL

**SB 2194:** A BILL for an Act to provide for the establishment of a medical assistance buy-in program for individuals with disabilities and to provide for personal care services for eligible medical assistance recipients; and to provide an expiration date.

### ROLL CALL

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

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Hunsakor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

**ABSENT AND NOT VOTING:** Froelich; Kelsh, S.; Kempenich; Norland; Warner

Reengrossed SB 2194, as amended, passed and the title was agreed to.

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**SECOND READING OF SENATE BILL**

**SB 2232:** A BILL for an Act to amend and reenact section 54-17-25 of the North Dakota Century Code, relating to bonds of the student loan trust.

**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 65 YEAS, 24 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Berg; Bernstein; Boehning; Boucher; Brusegaard; Carlisle; Delmore; Dosch; Eckre; Ekstrom; Glassheim; Grosz; Gulleeson; Hanson; Hawken; Headland; Herbel; Hunsakor; Johnson, D.; Johnson, N.; Keiser; Kelsch, R.; Kerzman; Kingsbury; Klein, M.; Klemin; Koppelman; Kretschmar; Kroeber; Maragos; Martinson; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pollert; Porter; Potter; Price; Rennerfeldt; Sandvig; Schmidt; Severson; Sitte; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Uglem; Wald; Warnke; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

**NAYS:** Bellew; Belter; Boe; Carlson; Clark; DeKrey; Delzer; Devlin; Drovdal; Froseth; Galvin; Grande; Haas; Iverson; Kasper; Klein, F.; Kreidt; Meier; Pietsch; Ruby; Skarphol; Timm; Weiler; Weisz

**ABSENT AND NOT VOTING:** Froelich; Kelsh, S.; Kempenich; Norland; Warner

SB 2232 passed and the title was agreed to.

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**SECOND READING OF SENATE CONCURRENT RESOLUTION ON CONSENT CALENDAR**

**SCR 4040:** A concurrent resolution supporting and honoring the personnel of the Armed Forces of the United States as they enter harm's way around the world and the families of these men and women for their support and sacrifice.

The question being on the final adoption of the resolution, which has been read.

SCR 4040 passed on a voice vote, and the title was agreed to.

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**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. SVEDJAN MOVED** that the House do not concur in the Senate amendments to HB 1018 as printed on HJ page 1280 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 HB 1018: Reps. Wald, Rennerfeldt, Aarsvold.

**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. SVEDJAN MOVED** that the House do not concur in the Senate amendments to HB 1020 as printed on HJ pages 1281-1283 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 HB 1020: Reps. Monson, Rennerfeldt, Gulleeson.

**MOTION**

**REP. BERG MOVED** that SB 2030 be laid over one legislative day, which motion prevailed.

**APPOINTMENT OF CONFERENCE COMMITTEE**

**THE SPEAKER ANNOUNCED** the following appointments to a Conference Committee on SB 2033: Reps. Grande, Devlin, Williams.

**APPOINTMENT OF CONFERENCE COMMITTEE**

**THE SPEAKER ANNOUNCED** the following appointments to a Conference Committee on SB 2065: Reps. R. Kelsch, Haas, Mueller.

**APPOINTMENT OF CONFERENCE COMMITTEE**

**THE SPEAKER ANNOUNCED** the following appointments to a Conference Committee on SB 2403: Reps. Kasper, Tieman, Amerman.

**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. R. KELSCH MOVED** that the House do concur in the Senate amendments to HB 1068 as printed on HJ pages 1170-1171, which motion prevailed on a voice vote.

HB 1068, as amended, was placed on the Eleventh order of business.

**SECOND READING OF HOUSE BILL**

**HB 1068:** A BILL for an Act to create and enact three new sections to chapter 15-20.4 of the North Dakota Century Code, relating to the issuance, manufacture, and use of false academic degrees or certificates; and to provide a penalty.

**ROLL CALL**

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

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovda; Eckre; Ekstrom; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Hunsakor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

**ABSENT AND NOT VOTING:** Froelich; Kelsh, S.; Kempenich; Norland

HB 1068 passed and the title was agreed to.

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**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. R. KELSCH MOVED** that the House do concur in the Senate amendments to HB 1166 as printed on HJ page 1104, which motion prevailed on a voice vote.

HB 1166, as amended, was placed on the Eleventh order of business.

**SECOND READING OF HOUSE BILL**

**HB 1166:** A BILL for an Act to amend and reenact sections 15.1-07-16, 15.1-09-46, 15.1-27-20, and 15.1-27-29 of the North Dakota Century Code, relating to reports made to the county superintendent of schools and the superintendent of public instruction.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 89 YEAS, 1 NAY, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovda; Eckre; Ekstrom; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Hunsakor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

**NAYS:** Thorpe

**ABSENT AND NOT VOTING:** Froelich; Kelsh, S.; Kempenich; Norland

HB 1166, as amended, passed and the title was agreed to.

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**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. M. KLEIN MOVED** that the House do concur in the Senate amendments to HB 1180 as printed on HJ pages 1283-1291, which motion prevailed on a voice vote.

HB 1180, as amended, was placed on the Eleventh order of business.

**SECOND READING OF HOUSE BILL**

**HB 1180:** A BILL for an Act to create and enact four new sections to chapter 54-44.4 of the North Dakota Century Code, relating to procurement of services, competitive sealed bid proposals, small purchases, and protested solicitations and awards; to amend and reenact sections 44-08-05.1, 54-44.4-01, 54-44.4-02, and 54-44.4-04, subsections 1 and 2 of section 54-44.4-05, section 54-44.4-06, and subsections 1, 2, and 4 of section 54-44.4-09 of the North Dakota Century Code, relating to purchasing policy, purchasing by the office of management and budget, solicitation criteria, exempt records, limited competitive and noncompetitive purchases, multistep sealed bids, and vendor registration; to require the director of the office of management and budget to study the state procurement process; to provide an effective date; and to provide an expiration date.

**ROLL CALL**

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

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froseth; Galvin; Glassheim; Grande; Grosz; Guleson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

**ABSENT AND NOT VOTING:** Froelich; Kelsh, S.; Kempenich; Norland

Engrossed HB 1180, as amended, passed and the title was agreed to.

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**CONSIDERATION OF MESSAGE FROM THE SENATE**

**REP. KEISER MOVED** that the House do concur in the Senate amendments to HB 1212 as printed on HJ pages 1223-1224, which motion prevailed on a voice vote.

HB 1212, as amended, was placed on the Eleventh order of business.

**SECOND READING OF HOUSE BILL**

**HB 1212:** A BILL for an Act to create and enact a new section to chapter 28-32 of the North Dakota Century Code, relating to requirement of consideration the effect of proposed administrative rules on small businesses, organizations, and political subdivisions; to provide for a legislative council study; and to provide an effective date.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 88 YEAS, 1 NAY, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froseth; Galvin; Glassheim; Grande; Grosz; Guleson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Speaker Wentz

**NAYS:** Zaiser

**ABSENT AND NOT VOTING:** Clark; Froelich; Kelsh, S.; Kempenich; Norland

HB 1212, as amended, passed and the title was agreed to.

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

**REP. KEISER MOVED** that the House do concur in the Senate amendments to HB 1298 as printed on HJ page 1169, which motion prevailed on a voice vote.

HB 1298, as amended, was placed on the Eleventh order of business.

#### **SECOND READING OF HOUSE BILL**

**HB 1298:** A BILL for an Act to amend and reenact section 5-01-17 of the North Dakota Century Code, relating to domestic winery licenses; and to declare an emergency.

#### **ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 80 YEAS, 10 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Devlin; Dosch; Eckre; Ekstrom; Froseth; Galvin; Glassheim; Grande; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Hunsakor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pollert; Porter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

**NAYS:** Bellew; Belter; Delmore; Delzer; Drovdal; Grosz; Pietsch; Potter; Skarphol; Warnke

**ABSENT AND NOT VOTING:** Froelich; Kelsh, S.; Kempenich; Norland

HB 1298, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

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

**REP. M. KLEIN MOVED** that the House do concur in the Senate amendments to HB 1363 as printed on HJ page 1226, which motion prevailed on a voice vote.

HB 1363, as amended, was placed on the Eleventh order of business.

#### **SECOND READING OF HOUSE BILL**

**HB 1363:** A BILL for an Act to amend and reenact section 49-05-06 of the North Dakota Century Code, relating to public service commission rates change hearings.

#### **ROLL CALL**

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

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Ekstrom; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Hunsakor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

**ABSENT AND NOT VOTING:** Froelich; Kelsh, S.; Kempenich; Norland



HB 1363, as amended, passed and the title was agreed to.

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#### CONSIDERATION OF MESSAGE FROM THE SENATE

**REP. PRICE MOVED** that the House do concur in the Senate amendments to HB 1430 as printed on HJ pages 1166-1169, which motion prevailed on a voice vote.

HB 1430, as amended, was placed on the Eleventh order of business.

#### SECOND READING OF HOUSE BILL

**HB 1430:** A BILL for an Act to establish a medical assistance drug use review program and drug prior authorization program within the department of human services; to provide for a legislative council study of medical assistance pharmacy benefit management; to provide an expiration date; and to declare an emergency.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 83 YEAS, 7 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovdal; Eckre; Froseth; Galvin; Glassheim; Grande; Grosz; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Speaker Wentz

**NAYS:** Amerman; Boucher; Ekstrom; Gulleson; Kerzman; Niemeier; Thorpe

**ABSENT AND NOT VOTING:** Froelich; Kelsh, S.; Kempenich; Norland

Engrossed HB 1430, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

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#### CONSIDERATION OF MESSAGE FROM THE SENATE

**REP. M. KLEIN MOVED** that the House do concur in the Senate amendments to HB 1451 as printed on HJ page 1226, which motion prevailed on a voice vote.

HB 1451, as amended, was placed on the Eleventh order of business.

#### SECOND READING OF HOUSE BILL

**HB 1451:** A BILL for an Act to provide for a state capitol entrance competition.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 44 YEAS, 46 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Amerman; Bellew; Berg; Bernstein; Boucher; Clark; DeKrey; Delzer; Drovdal; Ekstrom; Froseth; Galvin; Grande; Haas; Herbel; Hunskor; Iverson; Johnson, D.; Kasper; Kelsch, R.; Kingsbury; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Meier; Metcalf; Nelson; Nicholas; Niemeier; Onstad; Potter; Price; Rennerfeldt; Skarphol; Svedjan; Thoreson; Tieman; Uglem; Wieland; Wikenheiser; Wrangham

**NAYS:** Aarsvold; Belter; Boe; Boehning; Brusegaard; Carlisle; Carlson; Delmore; Devlin; Dosch; Eckre; Glassheim; Grosz; Gulleson; Hanson; Hawken; Headland; Johnson, N.; Keiser; Kerzman; Klein, F.; Maragos; Martinson; Monson; Mueller; Nottestad; Pietsch; Pollert; Porter; Ruby; Sandvig; Schmidt; Severson; Sitte; Solberg; Thorpe; Timm; Wald; Warner; Warnke; Weiler; Weisz; Williams; Winrich; Zaiser; Speaker Wentz

**ABSENT AND NOT VOTING:** Froelich; Kelsh, S.; Kempenich; Norland

Engrossed HB 1451, as amended, lost.

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#### CONSIDERATION OF MESSAGE FROM THE SENATE

**REP. BELTER MOVED** that the House do concur in the Senate amendments to HB 1471 as printed on HJ page 1226, which motion prevailed on a voice vote.

HB 1471, as amended, was placed on the Eleventh order of business.

#### SECOND READING OF HOUSE BILL

**HB 1471:** A BILL for an Act to create and enact a new subsection to section 57-38.4-02 of the North Dakota Century Code, relating to the tax on the water's edge filing method; to amend and reenact subsections 1 and 2 of section 57-35.3-02, subsections 1 and 3 of section 57-38-01.3, section 57-38-30, and subsection 3 of section 57-38-40 of the North Dakota Century Code, relating to financial institutions taxes, the corporate income tax deduction for federal income taxes paid, net operating losses, and corporate income tax rates; and to provide an effective date.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 79 YEAS, 11 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Delzer; Devlin; Dosch; Drovda; Eckre; Froseth; Galvin; Grande; Grosz; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Iverson; Johnson, D.; Johnson, N.; Kasper; Kelsch, R.; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Price; Rennerfeldt; Severson; Sitte; Skarphol; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Wrangham; Speaker Wentz

**NAYS:** Ekstrom; Glassheim; Hunskor; Keiser; Potter; Ruby; Sandvig; Schmidt; Solberg; Winrich; Zaiser

**ABSENT AND NOT VOTING:** Froelich; Kelsh, S.; Kempenich; Norland

Engrossed HB 1471, as amended, passed and the title was agreed to.

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#### CONSIDERATION OF MESSAGE FROM THE SENATE

**REP. FROSETH MOVED** that the House do concur in the Senate amendments to HB 1492 as printed on HJ page 1146, which motion prevailed on a voice vote.

HB 1492, as amended, was placed on the Eleventh order of business.

#### SECOND READING OF HOUSE BILL

**HB 1492:** A BILL for an Act to create and enact a new section to chapter 57-28 of the North Dakota Century Code, relating to filing of tax delinquencies in the central notice system; and to amend and reenact subsection 1 of section 54-09-09 and section 57-28-15 of the North Dakota Century Code, relating to bidders at annual sales of land acquired by tax deeds and tax delinquency filings in the central notice system.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 86 YEAS, 4 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Clark; DeKrey; Delmore; Dosch; Drovda; Eckre; Ekstrom; Froseth; Galvin; Glassheim; Grande; Grosz; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsch, R.; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Nottestad; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson;

Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Zaiser; Speaker Wentz

**NAYS:** Delzer; Devlin; Severson; Wrangham

**ABSENT AND NOT VOTING:** Froelich; Kelsh, S.; Kempenich; Norland

Engrossed HB 1492, as amended, passed and the title was agreed to.

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

**REP. R. KELSCH MOVED** that the House do concur in the Senate amendments to HCR 3024 as printed on HJ page 1108, which motion prevailed on a voice vote.

HCR 3024, as amended, was placed on the Eleventh order of business.

#### **SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 3024:** A concurrent resolution directing the Legislative Council to study the feasibility and desirability of establishing a regional school of veterinary medicine and providing preference for North Dakota resident students who specialize in food animal clinical studies at the out-of-state veterinary schools participating in the professional student exchange program within the North Dakota University System budget.

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

Engrossed HCR 3024, as amended, passed and the title was agreed to on a voice vote.

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

**REP. R. KELSCH MOVED** that the House do concur in the Senate amendments to HCR 3027 as printed on HJ page 1055, which motion prevailed on a voice vote.

HCR 3027, as amended, was placed on the Eleventh order of business.

#### **SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 3027:** A concurrent resolution urging the Superintendent of Public Instruction, all North Dakota school district superintendents, and the boards of all North Dakota school districts to work with local, state, and federal military and veterans' organizations to observe and promote Veterans Day by developing and disseminating to students in the elementary and secondary schools of this state educational materials that strengthen students' awareness of the contributions and sacrifices made by veterans, proper flag etiquette, and the continued necessity of participation in the armed services so that freedom can be enjoyed by everyone.

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

Engrossed HCR 3027, as amended, passed and the title was agreed to on a voice vote.

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

**REP. NICHOLAS MOVED** that the House do concur in the Senate amendments to HCR 3040 as printed on HJ page 1055, which motion prevailed on a voice vote.

HCR 3040, as amended, was placed on the Eleventh order of business.

#### **SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 3040:** A concurrent resolution urging the President of the United States, the Secretary of the Army, and the United States Army Corps of Engineers to adopt and implement an updated Missouri River Master Water Control Manual that gives fair consideration to the substantial recreation values present on Lake Sakakawea, Lake Oahe, and the Missouri River in North Dakota.

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

HCR 3040, as amended, passed and the title was agreed to on a voice vote.

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

**REP. NICHOLAS MOVED** that the House do concur in the Senate amendments to HCR 3041 as printed on HJ page 1055, which motion prevailed on a voice vote.

HCR 3041, as amended, was placed on the Eleventh order of business.

#### **SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 3041:** A concurrent resolution urging the President of the United States, Secretary of the Army, and the United States Army Corps of Engineers to improve, rehabilitate, and repair visitor facilities, event sites, and other areas within their jurisdiction in North Dakota expected to experience significant increases in visitation as a result of the bicentennial commemoration of the Lewis and Clark Expedition.

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

Engrossed HCR 3041, as amended, passed and the title was agreed to on a voice vote.

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

**REP. M. KLEIN MOVED** that the House do concur in the Senate amendments to HCR 3053 as printed on HJ pages 1055-1056, which motion prevailed on a voice vote.

HCR 3053, as amended, was placed on the Eleventh order of business.

#### **SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 3053:** A concurrent resolution directing the Legislative Council to study the state's emergency management system, the impact of federal emergency reorganization on the state's emergency operations plan, and the emergency management preparedness of state agencies and local governments.

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

Engrossed HCR 3053, as amended, passed and the title was agreed to on a voice vote.

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

**REP. BELTER MOVED** that the House do concur in the Senate amendments to HCR 3061 as printed on HJ page 984, which motion prevailed on a verification vote.

HCR 3061, as amended, was placed on the Eleventh order of business.

#### **SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 3061:** A concurrent resolution directing the Legislative Council to study the feasibility and desirability of enacting legislation to tax electric utility providers with a fair and uniform tax system.

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

HCR 3061 passed and the title was agreed to on a voice vote.

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#### **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 1086:** Sens. Cook; G. Lee; Christenson

**HB 1123:** Sens. Erbele; Fischer; Fairfield

**HB 1295:** Sens. Flakoll; G. Lee; Taylor

**HB 1461:** Sens. Trenbeath; Dever; Nelson

**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)**  
**MR. SPEAKER:** The Senate has amended and subsequently passed: HB 1002, HB 1004, HB 1009, HB 1421.

**SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1002**

Page 1, line 10, replace "5,852,238" with "5,847,592"

Page 1, line 11, replace "1,681,580" with "1,658,562"

Page 1, line 13, replace "7,666,106" with "7,638,442"

Page 1, line 16, replace "33,943,108" with "33,913,180"

Page 1, line 17, replace "10,992,308" with "14,026,258"

Page 1, line 22, replace "45,936,860" with "48,940,882"

Page 1, line 24, replace "44,174,125" with "47,178,147"

Page 2, line 3, replace "539,445" with "538,722"

Page 2, line 4, replace "539,445" with "538,722"

Page 2, line 5, replace "281,014" with "280,801"

Page 2, line 6, replace "258,431" with "257,921"

Page 2, line 7, replace "52,098,662" with "55,074,510"

Page 2, line 8, replace "2,043,749" with "2,043,536"

Page 2, line 9, replace "54,142,411" with "57,118,046"

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	\$7,794,858	\$7,666,106	(\$27,664)	\$7,638,442
Less estimated income				
General fund	<u>\$7,794,858</u>	<u>\$7,666,106</u>	<u>(\$27,664)</u>	<u>\$7,638,442</u>
District courts				
Total all funds	\$50,034,808	\$45,936,860	\$3,004,022	\$48,940,882
Less estimated income	<u>1,762,735</u>	<u>1,762,735</u>		<u>1,762,735</u>
General fund	<u>\$48,272,073</u>	<u>\$44,174,125</u>	<u>\$3,004,022</u>	<u>\$47,178,147</u>
Judicial Conduct Commission				
Total all funds	\$544,227	\$539,445	(\$723)	\$538,722
Less estimated income	<u>283,500</u>	<u>281,014</u>	<u>(213)</u>	<u>280,801</u>
General fund	<u>\$260,727</u>	<u>\$258,431</u>	<u>(\$510)</u>	<u>\$257,921</u>
Bill Total				
Total all funds	\$58,373,893	\$54,142,411	\$2,975,635	\$57,118,046
Less estimated income	<u>2,046,235</u>	<u>2,043,749</u>	<u>(213)</u>	<u>2,043,536</u>
General fund	<u>\$56,327,658</u>	<u>\$52,098,662</u>	<u>\$2,975,848</u>	<u>\$55,074,510</u>

**House Bill No. 1002 - Supreme Court - Senate Action**

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$5,955,990	\$5,852,238	(\$4,646)	\$5,847,592
Operating expenses	1,706,580	1,681,580	(23,018)	1,658,562
Judges' retirement	<u>132,288</u>	<u>132,288</u>		<u>132,288</u>
Total all funds	\$7,794,858	\$7,666,106	(\$27,664)	\$7,638,442
Less estimated income				
General fund	<u>\$7,794,858</u>	<u>\$7,666,106</u>	<u>(\$27,664)</u>	<u>\$7,638,442</u>
FTE	44.50	44.50	0.00	44.50

**Dept. 181 - Supreme Court - Detail of Senate Changes**

	REDUCES RECOMMENDED FUNDING FOR HEALTH INSURANCE <sup>1</sup>	REDUCES FUNDING FOR INFORMATION TECHNOLOGY COSTS <sup>2</sup>	TOTAL SENATE CHANGES
Salaries and wages	(\$4,646)		(\$4,646)
Operating expenses		(\$23,018)	(23,018)
Judges' retirement			
Total all funds	(\$4,646)	(\$23,018)	(\$27,664)
Less estimated income			
General fund	(\$4,646)	(\$23,018)	(\$27,664)
FTE	0.00	0.00	0.00

<sup>1</sup> This amendment reduces the funding for state employee health insurance premiums from \$493 per month to \$488.70 per month.

<sup>2</sup> This amendment reduces funding for information technology by \$23,018 from the general fund, which represents a reduction in information technology funding from the general fund of approximately 4 percent.

### House Bill No. 1002 - District Courts - Senate Action

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$34,662,877	\$33,943,108	(\$29,928)	\$33,913,180
Operating expenses	14,223,487	10,992,308	3,033,950	14,026,258
Capital assets	109,500	74,500		74,500
Judges' retirement	918,944	826,944		826,944
UND-Central legal research	80,000	80,000		80,000
Alternative dispute resolution	40,000	20,000		20,000
Total all funds	\$50,034,808	\$45,936,860	\$3,004,022	\$48,940,882
Less estimated income	<u>1,762,735</u>	<u>1,762,735</u>		<u>1,762,735</u>
General fund	\$48,272,073	\$44,174,125	\$3,004,022	\$47,178,147
FTE	287.50	287.50	0.00	287.50

### Dept. 182 - District Courts - Detail of Senate Changes

	REDUCES RECOMMENDED FUNDING FOR HEALTH INSURANCE <sup>1</sup>	REDUCES FUNDING FOR INFORMATION TECHNOLOGY COSTS <sup>2</sup>	RESTORES FUNDING FOR OPERATING EXPENSES <sup>3</sup>	RESTORES FUNDING FOR INDIGENT DEFENSE FEES <sup>4</sup>	TOTAL SENATE CHANGES
Salaries and wages	(\$29,928)				(\$29,928)
Operating expenses		(\$109,229)	\$152,632	\$2,990,547	3,033,950
Capital assets					
Judges' retirement					
UND-Central legal research					
Alternative dispute resolution					
Total all funds	(\$29,928)	(\$109,229)	\$152,632	\$2,990,547	\$3,004,022
Less estimated income					
General fund	(\$29,928)	(\$109,229)	\$152,632	\$2,990,547	\$3,004,022
FTE	0.00	0.00	0.00	0.00	0.00

<sup>1</sup> This amendment reduces the funding for state employee health insurance premiums from \$493 per month to \$488.70 per month.

<sup>2</sup> This amendment reduces funding for information technology by \$109,229 from the general fund, which represents a reduction in information technology funding from the general fund of approximately 4 percent.

<sup>3</sup> This amendment restores \$152,632 in the operating expenses line for the administration of indigent defense services that the House removed as part of the transfer of indigent defense services to the Office of Administrative Hearings in House Bill No. 1044.

<sup>4</sup> This amendment restores funding of \$2,990,547 to the operating expenses line for indigent defense fees that the House had removed as part of the transfer of indigent defense services to the Office of Administrative Hearings in House Bill No. 1044.

### House Bill No. 1002 - Judicial Conduct Commission - Senate Action

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
Operating expenses				
Judicial Conduct Commission and Disciplinary Board	\$544,227	\$539,445	(\$723)	\$538,722
Total all funds	\$544,227	\$539,445	(\$723)	\$538,722
Less estimated income	<u>283,500</u>	<u>281,014</u>	<u>(213)</u>	<u>280,801</u>
General fund	\$260,727	\$258,431	(\$510)	\$257,921
FTE	4.00	4.00	0.00	4.00

## Dept. 183 - Judicial Conduct Commission - Detail of Senate Changes

	REDUCES RECOMMENDED FUNDING FOR HEALTH INSURANCE 1	REDUCES FUNDING FOR INFORMATION TECHNOLOGY COSTS 2	TOTAL SENATE CHANGES
Operating expenses Judicial Conduct Commission and Disciplinary Board	(\$411)	(\$312)	(\$723)
Total all funds	(\$411)	(\$312)	(\$723)
Less estimated income	(213)		(213)
General fund	(\$198)	(\$312)	(\$510)
FTE	0.00	0.00	0.00

1 This amendment reduces the funding for state employee health insurance premiums from \$493 per month to \$488.70 per month.

2 This amendment reduces funding for information technology by \$312 from the general fund which represents a reduction in information technology funding from the general fund of approximately 4 percent.

**SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1004**

Page 1, line 2, after "23-01" insert "and a new section to chapter 23-09.3"

Page 1, line 4, after "units" insert "and to basic care facility license fees; to amend and reenact section 23-16-03 of the North Dakota Century Code, relating to health facilities licensing fees" and remove "a statement"

Page 1, line 5, remove "of"

Page 1, line 13, replace "29,787,430" with "29,972,929"

Page 1, line 14, replace "24,199,459" with "24,113,564"

Page 1, line 16, replace "36,156,628" with "36,190,628"

Page 1, line 17, replace "7,452,097" with "7,782,097"

Page 1, line 19, replace "116,905,586" with "117,369,190"

Page 1, line 20, replace "103,758,195" with "104,261,058"

Page 1, line 21, replace "13,147,391" with "13,108,132"

Page 2, line 22, replace "\$5,830,000" with "\$5,760,000"

Page 3, underscore lines 6 through 11

Page 3, after line 11, insert:

**"SECTION 11.** A new section to chapter 23-09.3 of the North Dakota Century Code is created and enacted as follows:

Application for license - License fee. Applicants for a license shall file applications under oath with the state department of health upon forms prescribed. An application for a license for facilities not owned by the state or its political subdivisions must be accompanied by a fee of twelve dollars per bed. License fees collected pursuant to this section must be deposited in the state department of health services operating fund in the state treasury and any expenditure from the fund is subject to appropriation by the legislative assembly.

**SECTION 12. AMENDMENT.** Section 23-16-03 of the North Dakota Century Code is amended and reenacted as follows:

**23-16-03. Application for license - License fee.** Applicants for license shall file applications under oath with the state department of health upon forms prescribed. Applications must be signed by the owner, or in the case of a corporation by two of its officers, or in the case of a county or municipal unit by the head of the governmental department having jurisdiction over it. Applications must set forth the full name and address of the owner of the institution for which license is sought, the names of the persons in control thereof, and such additional information as the state department of health may require, including affirmative evidence of ability to comply with such

minimum standards, rules, and regulations as may be lawfully prescribed pursuant to this section. An application for a license for facilities not owned by the state or its political subdivisions must be accompanied by the following fees:

1. For each licensed acute care bed, ~~ten~~ fifteen dollars.
2. For each licensed skill care bed, ~~seven~~ fifteen dollars.
3. ~~For each licensed intermediate care bed, five dollars.~~

License fees collected pursuant to this section must be deposited in the state department of health services operating fund in the state treasury and any expenditure from the fund is subject to appropriation by the legislative assembly."

Page 3, line 18, after "procedures" insert "of the departments of health and human services and federal agencies"

Page 3, line 19, replace "and the potential for waivers from" with ". The study must also explore the potential for mitigating the impact of new mandated federal rules through additional collaboration between the departments of health and human services and the submission of waiver requests"

Page 3, line 20, remove "these procedures" and after the comma insert "including the potential for federal waivers and collaboration between agencies that may result in efficiencies,"

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### House Bill No. 1004 - State Department of Health - Senate Action

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$30,219,050	\$29,787,430	\$185,499	\$29,972,929
Operating expenses	25,295,911	24,199,459	(85,895)	24,113,564
Capital assets	1,629,972	1,629,972		1,629,972
Grants	36,176,628	36,156,628	34,000	36,190,628
Tobacco program	7,478,097	7,452,097	330,000	7,782,097
WIC food payments	<u>17,680,000</u>	<u>17,680,000</u>		<u>17,680,000</u>
Total all funds	\$118,479,658	\$116,905,586	\$463,604	\$117,369,190
Less estimated income	<u>104,818,294</u>	<u>103,758,195</u>	<u>502,863</u>	<u>104,261,058</u>
General fund	\$13,661,364	\$13,147,391	(\$39,259)	\$13,108,132
FTE	312.00	311.00	2.00	313.00

#### Dept. 301 - State Department of Health - Detail of Senate Changes

	INCREASES FUNDING FOR TOBACCO QUIT LINE 1	PROVIDES FUNDING FOR DONATED DENTAL SERVICES PROGRAM 2	PROVIDES FUNDING FOR HEALTHY NORTH DAKOTA 3	PROVIDES FUNDING FOR SCHOOL HEALTH PROGRAM 4	REMOVES FUNDING FOR COMMUNITY HEALTH GRANT PROGRAMS 5	INCREASES FUNDING FOR BASIC CARE LICENSING ACTIVITIES 6
Salaries and wages			\$104,801	\$113,000		
Operating expenses	\$280,000		77,215	87,000		\$178,050
Capital assets						
Grants		\$14,000	20,000			
Tobacco program					(\$350,000)	
WIC food payments						
Total all funds	\$280,000	\$14,000	\$202,016	\$200,000	(\$350,000)	\$178,050
Less estimated income	<u>280,000</u>	<u>14,000</u>	<u>202,016</u>	<u>200,000</u>	<u>(350,000)</u>	<u>178,050</u>
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	1.00	1.00	0.00	0.00
	MOVES FUNDING FOR QUIT LINE TO TOBACCO LINE ITEM 7	REDUCES RECOMMENDED FUNDING FOR HEALTH INSURANCE 8	REDUCES FUNDING FOR INFORMATION TECHNOLOGY COSTS 9	TOTAL SENATE CHANGES		
Salaries and wages		(\$32,302)		\$185,499		
Operating expenses	(\$680,000)		(\$28,160)	(85,895)		
Capital assets						
Grants				34,000		
Tobacco program	680,000			330,000		
WIC food payments						
Total all funds	\$0	(\$32,302)	(\$28,160)	\$463,604		



Less estimated income		(21,203)		502,863
General fund	\$0	(\$11,099)	(\$28,160)	(\$39,259)
FTE	0.00	0.00	0.00	2.00

<sup>1</sup> This amendment increases funding from \$400,000 to \$680,000 from the community health trust fund for the tobacco quit line. The House had reduced the tobacco quit line funding from \$800,000 to \$400,000.

<sup>2</sup> This amendment provides an additional \$14,000 of federal funds authority, for a total of \$35,000 of federal funds authority for the donated dental services program.

<sup>3</sup> This amendment provides federal or special funds spending authority for the Healthy North Dakota program and one associated FTE human service program administrator position. The House removed general fund authority and one FTE position for the Healthy North Dakota program.

<sup>4</sup> This amendment provides federal funds to be transferred from the Department of Public Instruction to coordinate school health programs and improve the health, education, and well-being of young people and adds one FTE human service program administrator position.

<sup>5</sup> This amendment removes funding from the community health trust fund for the Community Health Grant Program Advisory Committee (\$100,000) and for city and county employee tobacco cessation programs (\$250,000). Funding for these programs are to be included in Senate Bill No. 2297.

<sup>6</sup> This amendment provides additional funding for basic care licensing activities from increases in hospital and nursing facility licensing fees and from the establishment of basic care facility licensing fees.

<sup>7</sup> This amendment moves the funding for the tobacco quit line from the operating line item to the tobacco program line item.

<sup>8</sup> Funding for state employee health insurance premiums is reduced from \$493 per month to \$488.70 per month.

<sup>9</sup> This amendment reduces funding for information technology by \$28,160 from the general fund, which represents a reduction in information technology funding from the general fund of approximately 4 percent.

The Senate increased the per bed licensing fees as follows:

	CURRENT RATE	AMENDED RATE
Hospitals	\$10	\$15
Nursing facilities	\$7	\$15
Basic care facilities	\$0	\$12

The Senate amended the section for the Legislative Council study of the nursing home survey process to include studying ways the State Department of Health and the Department of Human Services can collaborate to realize efficiencies.

#### SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1009

Page 1, line 2, after "association" insert "; and to amend and reenact section 4-02.1-05 of the North Dakota Century Code, relating to the compensation of state fair board members"

Page 1, after line 13, insert:

**"SECTION 2. AMENDMENT.** Section 4-02.1-05 of the North Dakota Century Code is amended and reenacted as follows:

**4-02.1-05. Compensation of members.** ~~Members may not receive any fixed salary for their services, but, by resolution~~ Each member of the board of directors, per diem payments not exceeding ten dollars per day, or expense money not to exceed in amount the mileage and travel expenses allowed employees and officials of the state by law, may be allowed for attendance at each regular or special meeting is entitled to receive compensation in the amount of seventy-five dollars per day plus reimbursement of expenses as provided by law for state officers while attending meetings or performing duties directed by the board. The board of directors ~~has the power, in its discretion, to contract for and~~ may pay to members rendering unusual or special services to the association, special compensation appropriate to the value of ~~such the~~ services."

Renumber accordingly

#### SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1421

Page 1, line 3, after "sections" insert "54-16-01,"

Page 1, line 5, after "to" insert "emergency commission members," and after "commission" insert a comma

Page 1, after line 13, insert:

**"SECTION 2. AMENDMENT.** Section 54-16-01 of the North Dakota Century Code is amended and reenacted as follows:

**54-16-01. Emergency commission - Members - Organization - Quorum - Meetings.** The emergency commission consists of the governor, the chairman of the legislative council, majority leaders of the senate and house of representatives, the secretary of state, and the chairmen of the senate and house of representatives appropriations committees. If the chairman of an appropriations committee ceases to be a member of the legislative assembly, the vice chairman of that committee succeeds to that position on the commission. An appropriations committee vice chairman may serve in the place of the appropriations committee chairman as a member of the commission at the request of the appropriate appropriations committee chairman, if the appropriations committee chairman is unable to attend a commission meeting. ~~The vice chairman of the legislative council~~ An assistant majority leader may serve as a member of the commission in the place of ~~the chairman of the legislative council~~ a majority leader at the request of the chairman of the legislative council majority leader if that individual is ~~serving on the commission in another capacity or is unable to attend a~~ commission meeting. Four members of the commission constitute a quorum. The governor is the chairman and the secretary of state is the secretary of the commission. The commission shall meet at the call of the chairman."

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

This amendment changes the membership of the Emergency Commission to include the Senate majority leader and the House majority leader instead of the chairman of the Legislative Council.

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

**MR. SPEAKER:** The President has appointed Sen. Taylor to replace Sen. Christenson on the Conference Committee on HB 1086.

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

**MR. SPEAKER:** The President has appointed Sen. Christenson to replace Sen. Taylor on the Conference Committee on HB 1295.

#### 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 1047:** Sens. Trenbeath; Espegard; Taylor

**HB 1179:** Sens. Klein; Espegard; Every

**HB 1264:** Sens. Klein; Mutch; Heitkamp

#### 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 2041, SB 2394, SB 2407, SB 2410, SCR 4001, SCR 4010, SCR 4022, and SCR 4029.

#### 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 2261.

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

**MR. SPEAKER:** The President has signed and your signature is respectfully requested on: SB 2099, SB 2222, SB 2253, SB 2259, SB 2302, SB 2319, SB 2320, SB 2323, SB 2330, SB 2339, SB 2340, SB 2346, SB 2348, SB 2350, SB 2360, SB 2385, SB 2405, SB 2420.

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

**MR. SPEAKER:** The President has signed: HB 1058, HB 1138, HB 1204, HB 1207, HB 1221, HB 1231, HB 1256, HB 1275, HB 1278, HB 1320, HB 1321, HB 1351, HB 1388, HB 1394, HB 1415, HB 1416, HB 1426.

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

**MR. PRESIDENT:** The House does not concur in the Senate amendments to HB 1047 and HB 1425. Speaker has appointed as a conference committee to act with a like committee from the Senate on:

**HB 1047:** Reps. Ruby; Headland; Delmore

**HB 1425:** Reps. Price; Grande; Niemeier

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

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

**SB 2150:** Reps. Bernstein; Galvin; Thorpe

**SB 2248:** Reps. Klemin; Sitte; Potter

**SB 2249:** Reps. N. Johnson; Herbel; Niemeier

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

**MR. PRESIDENT:** The House has passed unchanged: SCR 4038, SCR 4039.

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

**MR. PRESIDENT:** The House has amended, subsequently passed, and the emergency clause carried: SB 2019, SB 2025.

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

**MR. PRESIDENT:** The House has amended and subsequently passed: SB 2083.

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

**MR. PRESIDENT:** The Speaker has appointed Rep. Hunsakor to replace Rep. S. Kelsh on the Conference Committee on HB 1340.

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

**MR. PRESIDENT:** The House does not concur in the Senate amendments to HB 1018 and HB 1020 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

**HB 1018:** Reps. Wald; Rennerfeldt; Aarsvold

**HB 1020:** Reps. Monson; Rennerfeldt; Gulleon

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

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

**SB 2033:** Reps. Grande; Devlin; Williams

**SB 2065:** Reps. R. Kelsch; Haas; Mueller

**SB 2403:** Reps. Kasper; Tieman; Amerman

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

**MR. PRESIDENT:** The House has amended and subsequently passed: SB 2194, SB 2232.

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

**MR. PRESIDENT:** The House has passed unchanged: SCR 4040.

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

**MR. PRESIDENT:** The Speaker has signed and your signature is respectfully requested on: HB 1103.

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

**MR. PRESIDENT:** The Speaker has signed: SB 2032, SB 2118, SB 2242, SB 2245, SB 2246, SB 2251, SB 2254, SB 2262, SB 2275, SB 2296, SB 2297, SB 2322.

**REPORT OF CONFERENCE COMMITTEE**

**HB 1116, as engrossed:** Your conference committee (Sens. Nething, Espgaard, Heitkamp and Reps. Dosch, M. Klein, Boe) recommends that the **HOUSE ACCEDE** to the Senate amendments on HJ pages 1078-1079 and place HB 1116 on the Seventh order.

Engrossed HB 1116 was placed on the Seventh order of business on the calendar.

**REPORT OF STANDING COMMITTEE (MAJORITY)**

**SB 2012, as engrossed: Appropriations Committee (Rep. Svedjan, Chairman) A MAJORITY** of your committee (Reps. Svedjan, Timm, Martinson, Brusegaard, Monson, Rennerfeldt, Wald, Carlisle, Carlson, Koppelman, Skarphol, Thoreson, Delzer, Warnke, Kempenich) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS**.

Page 1, line 3, after "institutions" insert "; to provide an exception; to provide for legislative council studies"

Page 1, line 13, replace "11,027,431" with "11,016,285"

Page 1, line 14, replace "34,066,362" with "32,285,839"

Page 1, line 16, replace "2,261,556" with "3,261,556"

Page 1, line 17, replace "47,358,043" with "46,566,374"

Page 1, line 18, replace "33,134,565" with "34,130,107"

Page 1, line 19, replace "14,223,478" with "12,436,267"

Page 1, line 22, replace "22,077,620" with "22,053,781"

Page 1, line 23, replace "38,456,409" with "37,331,409"

Page 2, line 1, replace "288,492,803" with "287,987,203"

Page 2, line 2, replace "890,942,979" with "914,924,664"

Page 2, line 3, replace "1,240,009,483" with "1,262,336,729"

Page 2, line 4, replace "978,141,758" with "955,486,496"

Page 2, line 5, replace "261,867,725" with "306,850,233"

Page 2, replace lines 7 through 21 with:

"MENTAL HEALTH COMMUNITY SERVICES CONTINGENCY"

Total general fund appropriation	\$250,000
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NORTHWEST HUMAN SERVICE CENTER

Total all funds	\$7,275,679
Less estimated income	<u>3,645,640</u>
Total general fund appropriation	\$3,630,039

NORTH CENTRAL HUMAN SERVICE CENTER

Total all funds	\$14,564,870
Less estimated income	<u>6,723,674</u>
Total general fund appropriation	\$7,841,196

LAKE REGION HUMAN SERVICE CENTER

Total all funds	\$8,420,933
Less estimated income	<u>3,782,973</u>
Total general fund appropriation	\$4,637,960

NORTHEAST HUMAN SERVICE CENTER

Total all funds	\$19,441,183
Less estimated income	<u>11,444,820</u>
Total general fund appropriation	\$7,996,363

SOUTHEAST HUMAN SERVICE CENTER

Total all funds	\$20,724,542
Less estimated income	<u>11,215,222</u>
Total general fund appropriation	\$9,509,320

SOUTH CENTRAL HUMAN SERVICE CENTER

Total all funds	\$11,358,975
Less estimated income	<u>5,731,868</u>
Total general fund appropriation	\$5,627,107

WEST CENTRAL HUMAN SERVICE CENTER

Total all funds	\$17,584,844
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Less estimated income	9,121,635
Total general fund appropriation	\$8,463,209

## BADLANDS HUMAN SERVICE CENTER

Total all funds	\$8,924,627
Less estimated income	<u>4,558,723</u>
Total general fund appropriation	\$4,365,904

## STATE HOSPITAL

Total all funds	\$41,889,561
Less estimated income	<u>16,405,360</u>
Total general fund appropriation	\$25,484,201

## DEVELOPMENTAL CENTER

Total all funds	\$40,761,057
Less estimated income	<u>31,949,828</u>
Total general fund appropriation	\$8,811,229
Total all funds - Subdivision 3	\$191,196,271
Total estimated income - Subdivision 3	\$104,579,743
Total general fund appropriation - Subdivision 3	\$86,616,528"

Page 2, line 22, replace "362,336,976" with "405,953,028"

Page 2, line 23, replace "1,114,504,351" with "1,094,196,346"

Page 2, line 24, replace "1,476,841,327" with "1,500,149,374"

Page 2, line 28, replace "health centers" with "entities"

Page 2, line 29, after "services" insert "for the purpose of health center grant application submission"

Page 3, line 6, replace "\$2,261,556" with "\$3,261,556"

Page 3, replace lines 13 through 23 with:

**"SECTION 5. HEALTH CARE TRUST FUND - TRANSFER TO GENERAL FUND.** The office of management and budget shall transfer \$35,911,035 from the health care trust fund to the general fund during the biennium beginning July 1, 2003, and ending June 30, 2005.

**SECTION 6. FUNDING TRANSFERS - EXCEPTION - AUTHORIZATION.** Notwithstanding section 54-16-04, the department of human services may transfer appropriation authority between line items within each subdivision of section 1 of this Act, and between subdivisions within section 1 of this Act for the biennium beginning July 1, 2003, and ending June 30, 2005. The department shall notify the office of management and budget of any transfer made pursuant to this section. The department shall report to the budget section after June 30, 2004, any transfers made in excess of \$50,000 and to the appropriations committees of the fifty-ninth legislative assembly regarding any transfers made pursuant to this section.

**SECTION 7. FEDERAL TANF BLOCK GRANT PROGRAMS - EXPENDITURE LIMIT.** The department of human services shall make the changes necessary to programs utilizing funding from the temporary assistance for needy families (TANF) block grant to provide that by the end of the 2003-05 biennium, the cumulative funding anticipated to be spent for these programs for each fiscal year does not exceed North Dakota's annual federal TANF block grant allocation, including any incentive or bonus grants awarded to North Dakota.

**SECTION 8. MEDICAL SERVICES - COPAYMENTS AND SERVICE LIMITS.** The department of human services shall establish a six dollar copayment for medical assistance recipients for each emergency room visit that is not designated an emergency service by the medical services provider. The department of human services shall establish other service copayments or limits and make other programmatic changes within the medical services program to operate the program within the funding levels approved by the fifty-eighth legislative assembly for the biennium beginning July 1, 2003, and ending June 30, 2005.

**SECTION 9. NURSING HOME RATES - EXCEPTION - DIRECT CARE LIMIT.**

Notwithstanding subsection 4 of section 50-24.4-10, the department of human services shall establish an eighty-five dollar per diem limit, adjusted for inflation under subsection 5 of section 50-24.4-10, on allowable operating costs for direct care services of nursing facilities for purposes of determining nursing facility payment rates for the biennium beginning July 1, 2003, and ending June 30, 2005.

**SECTION 10. SUPPORTED LIVING ARRANGEMENTS FOR INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES - LOCAL MATCHING FUNDS - FUNDING ALLOCATION.**

The grants - medical assistance line item in subdivision 2 of section 1 of this Act includes \$200,000 from the general fund for supported living arrangement services for individuals with developmental disabilities. This funding may be spent only if local or private funding of two dollars is provided for these services for each one dollar of general fund moneys provided for these services. The department shall allocate the funding appropriated for this purpose proportionately to each human service region of the state based on the number of individuals with developmental disabilities seeking supported living arrangement services in each region for the biennium beginning July 1, 2003, and ending June 30, 2005.

**SECTION 11. LEGISLATIVE INTENT - VOCATIONAL REHABILITATION - SURVEY TIME PERIOD.** It is the intent of the legislative assembly that the department of human services only survey vocational rehabilitation clients who become employed regarding job retention and job satisfaction after three months of employment if allowed under federal regulations for the biennium beginning July 1, 2003, and ending June 30, 2005.

**SECTION 12. LEGISLATIVE COUNCIL STUDY - HUMAN SERVICES**

**ADMINISTRATIVE COSTS.** The legislative council shall consider studying, during the 2003-04 interim, administrative costs of human service programs, including costs incurred by the central office of the department of human services, human service centers, and county social services. If studied, the legislative council shall review the effects of the 1997 "swap" legislation on state and county human service program costs. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the fifty-ninth legislative assembly.

**SECTION 13. LEGISLATIVE COUNCIL STUDY - CHILDREN WITH SPECIAL**

**HEALTH NEEDS.** The legislative council shall consider studying, during the 2003-04 interim, programs providing services to children with special health care needs in North Dakota and service needs of these children which are not available under current programs. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the fifty-ninth legislative assembly.

**SECTION 14. LEGISLATIVE COUNCIL STUDY - MEDICAID ADVISORY**

**COUNCIL.** The legislative council shall consider studying, during the 2003-04 interim, the feasibility and desirability of establishing an advisory council for the medical assistance program of the department of human services. If studied, the legislative council shall consider including representatives of private health care providers on the advisory council. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the fifty-ninth legislative assembly.

**SECTION 15. LEGISLATIVE COUNCIL STUDY - LONG-TERM CARE**

**CONTINUUM.** The legislative council shall consider studying, during the 2003-04 interim, North Dakota's long-term care continuum of services, including service delivery methods and payment systems. If studied, the legislative council shall consider the cost-effectiveness of the programs and the appropriateness of rate structures and the nursing home equalized rate policy. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the fifty-ninth legislative assembly."

Page 3, line 24, replace "state hospital" with "total all funds" and after "item" insert "for the state hospital"

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

## Senate Bill No. 2012 - Summary of House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
DHS - Management				
Total all funds	\$47,962,467	\$47,358,043	(\$791,669)	\$46,566,374
Less estimated income	31,912,324	33,134,565	995,542	34,130,107
General fund	\$16,050,143	\$14,223,478	(\$1,787,211)	\$12,436,267
DHS - Program/Policy				
Total all funds	\$1,247,161,224	\$1,240,059,483	\$22,327,246	\$1,262,386,729
Less estimated income	974,986,069	978,141,758	22,655,262	955,486,496
General fund	\$272,175,155	\$261,917,725	\$44,982,508	\$306,900,233
DHS - State Hospital				
Total all funds	\$44,312,699	\$41,931,048	(\$41,487)	\$41,889,561
Less estimated income	16,405,360	16,405,360		16,405,360
General fund	\$27,907,339	\$25,525,688	(\$41,487)	\$25,484,201
DHS - Developmental Center				
Total all funds	\$42,148,253	\$40,808,116	(\$47,059)	\$40,761,057
Less estimated income	32,234,480	31,984,652	(34,824)	31,949,828
General fund	\$9,913,773	\$8,823,464	(\$12,235)	\$8,811,229
DHS - Mental health contingency				
Total all funds	\$250,000	\$250,000	\$0	\$250,000
Less estimated income				
General fund	\$250,000	\$250,000	\$0	\$250,000
DHS - Northwest HSC				
Total all funds	\$7,331,947	\$7,280,942	(\$5,263)	\$7,275,679
Less estimated income	3,647,636	3,645,798	(158)	3,645,640
General fund	\$3,684,311	\$3,635,144	(\$5,105)	\$3,630,039
DHS - North Central HSC				
Total all funds	\$14,684,062	\$14,576,944	(\$12,074)	\$14,564,870
Less estimated income	6,735,850	6,725,002	(1,328)	6,723,674
General fund	\$7,948,212	\$7,851,942	(\$10,746)	\$7,841,196
DHS - Lake Region HSC				
Total all funds	\$8,490,227	\$8,427,435	(\$6,502)	\$8,420,933
Less estimated income	3,790,662	3,783,753	(780)	3,782,973
General fund	\$4,699,565	\$4,643,682	(\$5,722)	\$4,637,960
DHS - Northeast HSC				
Total all funds	\$17,628,299	\$17,508,856	\$1,932,327	\$19,441,183
Less estimated income	10,099,083	10,050,301	1,394,519	11,444,820
General fund	\$7,529,216	\$7,458,555	\$537,808	\$7,996,363
DHS - Southeast HSC				
Total all funds	\$20,924,037	\$20,743,221	(\$18,679)	\$20,724,542
Less estimated income	11,233,890	11,217,090	(1,868)	11,215,222
General fund	\$9,690,147	\$9,526,131	(\$16,811)	\$9,509,320
DHS - South Central HSC				
Total all funds	\$11,454,381	\$11,367,850	(\$8,875)	\$11,358,975
Less estimated income	5,741,308	5,732,844	(976)	5,731,868
General fund	\$5,713,073	\$5,635,006	(\$7,899)	\$5,627,107
DHS - West Central HSC				
Total all funds	\$17,713,897	\$17,596,609	(\$11,765)	\$17,584,844
Less estimated income	9,137,950	9,123,282	(1,647)	9,121,635
General fund	\$8,575,947	\$8,473,327	(\$10,118)	\$8,463,209
DHS - Badlands HSC				
Total all funds	\$9,004,972	\$8,932,780	(\$8,153)	\$8,924,627
Less estimated income	4,569,807	4,559,946	(1,223)	4,558,723
General fund	\$4,435,165	\$4,372,834	(\$6,930)	\$4,365,904
Bill Total				
Total all funds	\$1,489,066,465	\$1,476,841,327	\$23,308,047	\$1,500,149,374
Less estimated income	1,110,494,419	1,114,504,351	(20,308,005)	1,094,196,346
General fund	\$378,572,046	\$362,336,976	\$43,616,052	\$405,953,028

## Senate Bill No. 2012 - Department of Human Services - Management - House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES <sup>1</sup>	HOUSE VERSION
Salaries and wages	\$11,147,734	\$11,027,431	(\$11,146)	\$11,016,285
Operating expenses	34,550,483	34,066,362	(1,780,523)	32,285,839
Capital assets	2,694	2,694		2,694
Developmentally disabled facility loan	2,261,556	2,261,556	1,000,000	3,261,556
Total all funds	\$47,962,467	\$47,358,043	(\$791,669)	\$46,566,374
Less estimated income	31,912,324	33,134,565	995,542	34,130,107
General fund	\$16,050,143	\$14,223,478	(\$1,787,211)	\$12,436,267
FTE	113.80	113.80	0.00	113.80

1

	FTE	GENERAL FUND	ESTIMATED INCOME	TOTAL
<b>Administration Support - House Changes</b>				
Reduces funding for salaries and wages to reflect a reduction in state employee health insurance		(\$6,688)	(\$4,458)	(\$11,146)

premiums from \$493 to \$488.70 per month

**Administration Support Program**

Increases funding from the lands and minerals trust fund to accommodate any loan prepayments by developmental disabilities services providers during the 2003-05 biennium

1,000,000 1,000,000

**Information Technology Division Program**

Reduces funding to reflect a reduction in information technology funding from the general fund of approximately 20 percent

(1,780,523)

(1,780,523)

**Total House Changes - Administration Support**

0.00

(\$1,787,211)

\$995,542

(\$791,669)

**Other Changes Affecting Administration Support Programs or Multiple Programs of the Department**

A section is added providing for a Legislative Council study of administrative costs of the Department of Human Services' central office, human service centers, and county social services.

A section is added authorizing the department to transfer funds between line items and between subdivisions without Emergency Commission or Budget Section approval. The department is to report any transfers to the Office of Management and Budget and to the Appropriations Committees of the 2005 Legislative Assembly and any transfers over \$50,000 to the Budget Section after June 30, 2004.

Section 5 of the bill is removed which would have authorized the department to transfer funds between the State Hospital, the Developmental Center, and the human service centers and to increase the number of FTE positions at these institutions and centers.

**Senate Bill No. 2012 - Department of Human Services - Program/Policy - House Action**

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES <sup>1</sup>	HOUSE VERSION	
Salaries and wages	\$22,311,231	\$22,077,620	(\$23,839)	\$22,053,781	
Operating expenses	38,397,710	38,456,409	(1,125,000)	37,331,409	
Capital assets	39,672	39,672		39,672	
Grants	288,491,078	288,492,803	(505,600)	287,987,203	
Grants - Medical assistance	897,921,533	890,942,979	23,981,685	914,924,664	
Health center grants		50,000		50,000	
Total all funds	\$1,247,161,224	\$1,240,059,483	\$22,327,246	\$1,262,386,729	
Less estimated income	974,986,069	978,141,758	(22,655,262)	955,486,496	
General fund	\$272,175,155	\$261,917,725	\$44,982,508	\$306,900,233	
FTE	234.80	234.80	0.00	234.80	
		FTE	GENERAL FUND	ESTIMATED INCOME	TOTAL

<sup>1</sup> Program/Policy Management - House Changes

Reduces operating expenses. The department may determine the specific areas to reduce. (\$1,000,000) (\$1,000,000)

Reduces funding for salaries and wages to reflect a reduction in state employee health insurance premiums from \$493, to \$488.70 per month (7,087) (\$16,752) (23,839)

**Economic Assistance Policy Program**

No changes

**Child Support Program**

No changes

**Medical Services Program**

Restores a portion of the funding removed by the Senate for optional medical services for adults, including durable medical equipment, optometric services, and psychological services

1,100,000

2,337,500

3,437,500

Increases funding for medical assistance grants with the priority for use of the funding designated for increasing hospital reimbursements for inpatient and outpatient services. The state matching funds of \$500,000 are from the health care trust fund. Note the funding source change to the general fund below.

1,562,500

1,562,500

Removes funding for rehabilitation services relating to the Ruth Meiers Adolescent Treatment Center because the center will continue to be operated by the Northeast Human Service Center rather than by a private organization as anticipated in the executive budget and Senate version. The funding removed is being added to the Northeast Human Service Center.

(493,277)

(1,046,556)

(1,539,833)

Adds funding to increase the allowable fringe benefit percentage for employees of developmental disabilities services providers from 30 to 33 percent of salary. The state matching funds of \$1,119,628 are from the health care

3,498,839

3,498,839



trust fund. Note the funding source change to the general fund below.

Increases funding to provide an additional 37-cent per hour salary increase to employees of developmental disabilities services providers. This amount is in addition to the funding added by the Senate to provide for a 50-cent per hour increase. The state matching funds of \$1,872,229 are from the health care trust fund. Note the funding source change to the general fund below.	5,850,715	5,850,715
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#### Long-Term Care Program

Changes the funding source for nursing facility care in the medical assistance program from the health care trust fund to the general fund. Funding recommended in the executive budget and Senate version for this purpose totaled \$29,137,300 from the health care trust fund. The House version appropriates \$19,545,393 from the health care trust fund. Note the additional funding source change to the general fund below.	9,591,907	(9,591,907)
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Provides for the nursing facility direct care limit to be set at \$85 rather than the 85th percentile as included in the executive budget and the Senate version. The state matching funds of \$2,925,207 are from the health care trust fund. Note the funding source change to the general fund below. A section is added authorizing the department to establish the limit at \$85 for the 2003-05 biennium.	9,129,859	9,129,859
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Restores \$1,750,000 of the \$4,382,049 general fund reduction made by the Senate to the service payments for elderly and disabled (SPED) program with funding from the health care trust fund. Note the funding source change to the general fund below. Funding from the counties is increased by \$92,105.	1,842,105	1,842,105
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#### Aging Services Program

Reduces funding from the health care trust fund for qualified service provider training grants from \$140,000 to \$40,000. Note the funding source change below.	(100,000)	(100,000)
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#### Children and Family Services Program

Changes the source of funding to reflect additional federal funds anticipated to be available from "refinancing" activities of the Children's Services Coordinating Committee during the 2003-05 biennium	(43,331)	43,331
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Removes funding for foster care room and board costs relating to the Ruth Meiers Adolescent Treatment Center because the center will continue to be operated by the Northeast Human Service Center rather than by a private organization as anticipated in the executive budget and Senate version. The funding removed is being added to the Northeast Human Service Center.	(51,739)	(353,861)	(405,600)
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#### Mental Health and Substance Abuse Program

Reduces funding for gambling addiction services from \$225,000 to \$100,000	(125,000)	(125,000)
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#### Developmental Disabilities Council

No changes

#### Disabilities Program

Changes the source of funding for independent living center grants from the health care trust fund to the general fund	100,000	(100,000)
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Adds funding from the health care trust fund for supported living arrangement services. Note the funding source change below. A section is added providing that these funds may be spent only if local or private matching funds of two to one are provided for the services. The section also directs the department to allocate the funds to each region based on each region's share of individuals with developmental disabilities who are seeking these services.	200,000	200,000
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#### All Programs

Changes the funding source from the health care trust fund to the general fund for all Department of Human Services programs that were to receive funding from the health care trust fund. A section is added transferring \$35,911,035 from the health care trust fund to the general fund during the 2003-05 biennium.	35,911,035	(35,911,035)
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<b>Total House Changes - Program/Policy Management</b>	0.00	\$44,982,508	(\$22,655,262)	\$22,327,246
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#### Other Changes Affecting Program/Policy Management Programs

Section 2, added by the Senate, which appropriates \$50,000 from the general fund for health center grants, is amended to allow any community entity to be eligible to receive a grant from the department to assist it in applying for federal health center grants.

A section is added requiring the department to make the program changes necessary to operate programs utilizing funding from the federal temporary assistance for needy families (TANF) block grant within North Dakota's funding allocation by the end of the 2003-05 biennium.

A section is added directing the department to establish a \$6 copayment for Medicaid recipients for each emergency room visit that is not considered an emergency by hospital personnel and directing the department to make other programmatic changes or establish other copayments or service limits within the medical services program to operate the program within the funding level approved by the Legislative Assembly for the 2003-05 biennium.

A section is added providing for a Legislative Council study of programs providing services to children with special health care needs.

A section is added providing for a Legislative Council study of North Dakota's long-term care continuum of services, including service delivery methods and payment systems.

A section is added providing for a Legislative Council study of the feasibility and desirability of creating a Medicaid advisory council.

A section of legislative intent is added providing that the department conduct three-month rather than three-month and six-month "followup" reviews of vocational rehabilitation clients who begin working if allowed under federal regulations.

#### Senate Bill No. 2012 - Department of Human Services - State Hospital - House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES <sup>1</sup>	HOUSE VERSION	
Human service centers/ institutions	\$44,312,699	\$41,931,048	(\$41,487)	\$41,889,561	
Total all funds	\$44,312,699	\$41,931,048	(\$41,487)	\$41,889,561	
Less estimated income	<u>16,405,360</u>	<u>16,405,360</u>		<u>16,405,360</u>	
General fund	\$27,907,339	\$25,525,688	(\$41,487)	\$25,484,201	
FTE	416.90	416.90	0.00	416.90	
		FTE	GENERAL FUND	ESTIMATED INCOME	TOTAL
<sup>1</sup> State Hospital - House Changes					
Reduces funding for salaries and wages to reflect a reduction in state employee health insurance premiums from \$493 to \$488.70 per month			(\$41,487)		(\$41,487)
<b>Total House Changes - State Hospital</b>		0.00	(\$41,487)	\$0	(\$41,487)

#### Other Changes Affecting the State Hospital

Subdivision 3 of Section 1 of the bill is changed to appropriate funds by funding source for the State Hospital, the Developmental Center, and each of the human service centers rather than appropriating the funds by funding source only in total for all entities.

#### Senate Bill No. 2012 - Department of Human Services - Developmental Center - House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES <sup>1</sup>	HOUSE VERSION	
Human service centers/ institutions	\$42,148,253	\$40,808,116	(\$47,059)	\$40,761,057	
Total all funds	\$42,148,253	\$40,808,116	(\$47,059)	\$40,761,057	
Less estimated income	<u>32,234,480</u>	<u>31,984,652</u>	<u>(34,824)</u>	<u>31,949,828</u>	
General fund	\$9,913,773	\$8,823,464	(\$12,235)	\$8,811,229	
FTE	458.04	458.04	0.00	458.04	
		FTE	GENERAL FUND	ESTIMATED INCOME	TOTAL
<sup>1</sup> Developmental Center - House Changes					
Reduces funding for salaries and wages to reflect a reduction in state employee health insurance premiums from \$493 to \$488.70 per month			(\$12,235)	(\$34,824)	(\$47,059)
<b>Total House Changes - Developmental Center</b>		0.00	(\$12,235)	(\$34,824)	(\$47,059)

## Other Changes Affecting the Developmental Center

Subdivision 3 of Section 1 of the bill is changed to appropriate funds by funding source for the State Hospital, the Developmental Center, and each of the human service centers rather than appropriating the funds by funding source only in total for all entities.

## Senate Bill No. 2012 - Human Service Centers - General Fund Summary

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES <sup>1</sup>	HOUSE VERSION
DHS - Mental health contingency	\$250,000	\$250,000		\$250,000
DHS - Northwest HSC	3,684,311	3,635,144	(\$5,105)	3,630,039
DHS - North Central HSC	7,948,212	7,851,942	(10,746)	7,841,196
DHS - Lake Region HSC	4,699,565	4,643,682	(5,722)	4,637,960
DHS - Northeast HSC	7,529,216	7,458,555	537,808	7,996,363
DHS - Southeast HSC	9,690,147	9,526,131	(16,811)	9,509,320
DHS - South Central HSC	5,713,073	5,635,006	(7,899)	5,627,107
DHS - West Central HSC	8,575,947	8,473,327	(10,118)	8,463,209
DHS - Badlands HSC	<u>4,435,165</u>	<u>4,372,834</u>	<u>(6,930)</u>	<u>4,365,904</u>
Total general fund	\$52,525,636	\$51,846,621	\$474,477	\$52,321,098

## Senate Bill No. 2012 - Human Service Centers - Other Funds Summary

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES <sup>1</sup>	HOUSE VERSION
DHS - Mental health contingency				
DHS - Northwest HSC	\$3,647,636	\$3,645,798	(\$158)	\$3,645,640
DHS - North Central HSC	6,735,850	6,725,002	(1,328)	6,723,674
DHS - Lake Region HSC	3,790,662	3,783,753	(780)	3,782,973
DHS - Northeast HSC	10,099,083	10,050,301	1,394,519	11,444,820
DHS - Southeast HSC	11,233,890	11,217,090	(1,868)	11,215,222
DHS - South Central HSC	5,741,308	5,732,844	(976)	5,731,868
DHS - West Central HSC	9,137,950	9,123,282	(1,647)	9,121,635
DHS - Badlands HSC	<u>4,569,807</u>	<u>4,559,946</u>	<u>(1,223)</u>	<u>4,558,723</u>
Total other funds	\$54,956,186	\$54,838,016	\$1,386,539	\$56,224,555

## Senate Bill No. 2012 - Human Service Centers - All Funds Summary

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES <sup>1</sup>	HOUSE VERSION
DHS - Mental health contingency	\$250,000	\$250,000		\$250,000
DHS - Northwest HSC	7,331,947	7,280,942	(\$5,263)	7,275,679
DHS - North Central HSC	14,684,062	14,576,944	(12,074)	14,564,870
DHS - Lake Region HSC	8,490,227	8,427,435	(6,502)	8,420,933
DHS - Northeast HSC	17,628,299	17,508,856	1,932,327	19,441,183
DHS - Southeast HSC	20,924,037	20,743,221	(18,679)	20,724,542
DHS - South Central HSC	11,454,381	11,367,850	(8,675)	11,358,975
DHS - West Central HSC	17,713,897	17,596,609	(11,765)	17,584,844
DHS - Badlands HSC	<u>9,004,972</u>	<u>8,932,780</u>	<u>(8,153)</u>	<u>8,924,627</u>
Total all funds	\$107,481,822	\$106,684,637	\$1,861,016	\$108,545,653
FTE	817.58	817.58	16.30	833.88

	FTE	GENERAL FUND	ESTIMATED INCOME	TOTAL
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<sup>1</sup> Northwest Human Service Center - House Changes

Reduces funding for salaries and wages to reflect a reduction in state employee health insurance premiums from \$493 to \$488.70 per month

**Total House Changes - Northwest Human Service Center** 0.00 (\$5,105) (\$158) (\$5,263)

**North Central Human Service Center - House Changes**

Reduces funding for salaries and wages to reflect a reduction in state employee health insurance premiums from \$493 to \$488.70 per month

Adds one activity therapist II and one administrative assistant I. Federal funding for the positions is included in the department's 2003-05 biennium budget.

**Total House changes - North Central Human Service Center** 2.00 (\$10,746) (\$1,328) (\$12,074)

**Lake Region Human Service Center - House Changes**

Removes one FTE vacant administrative position (no funding was included for the position)

Reduces funding for salaries and wages to reflect a reduction in state employee health insurance premiums from \$493 to \$488.70 per month

**Total House Changes - Lake Region Human Service Center** (1.00) (\$5,722) (\$780) (\$6,502)

**Northeast Human Service Center - House Changes**

Adds funding to continue operating the Ruth Meiers Adolescent Treatment Center. The executive budget and the Senate version anticipated the center would be operated by a private organization. The funding added is being reduced from medical services and children and family services programs.	13.30	\$545,016	\$1,400,417	\$1,945,433
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Reduces funding for salaries and wages to reflect a reduction in state employee health insurance premiums from \$493 to \$488.70 per month		(7,208)	(5,898)	(13,106)
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<b>Total House Changes - Northeast Human Service Center</b>	13.30	\$537,808	\$1,394,519	\$1,932,327
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**Southeast Human Service Center - House Changes**

Reduces funding for salaries and wages to reflect a reduction in state employee health insurance premiums from \$493 to \$488.70 per month		(\$16,811)	(\$1,868)	(\$18,679)
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Adds one activity therapist I. Federal funding for the position is included in the department's 2003-05 biennium budget.	1.00			
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<b>Total House Changes - Southeast Human Service Center</b>	1.00	(\$16,811)	(\$1,868)	(\$18,679)
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**South Central Human Service Center - House Changes**

Reduces funding for salaries and wages to reflect a reduction in state employee health insurance premiums from \$493 to \$488.70 per month		(\$7,899)	(\$976)	(\$8,875)
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<b>Total House Changes - South Central Human Service Center</b>	0.00	(\$7,899)	(\$976)	(\$8,875)
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**West Central Human Service Center - House Changes**

Reduces funding for salaries and wages to reflect a reduction in state employee health insurance premiums from \$493 to \$488.70 per month		(\$10,118)	(\$1,647)	(\$11,765)
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Adds one office assistant I. Federal funding for the position is included in the department's 2003-05 biennium budget.	1.00			
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<b>Total House Changes - West Central Human Service Center</b>	1.00	(\$10,118)	(\$1,647)	(\$11,765)
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**Badlands Human Service Center - House Changes**

Reduces funding for salaries and wages to reflect a reduction in state employee health insurance premiums from \$493 to \$488.70 per month		(\$6,930)	(\$1,223)	(\$8,153)
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<b>Total House Changes - Badlands Human Service Center</b>	0.00	(\$6,930)	(\$1,223)	(\$8,153)
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**Other Changes Affecting the Human Service Centers**

Subdivision 3 of Section 1 of the bill is changed to appropriate funds by funding source for the State Hospital, the Developmental Center, and each of the human service centers rather than appropriating the funds by funding source only in total for all entities.

The reports of the majority and the minority were placed on the Seventh order of business on the calendar for the succeeding legislative day.

**REPORT OF STANDING COMMITTEE (MINORITY)**

**SB 2012, as engrossed: Appropriations Committee (Rep. Svedjan, Chairman) A MINORITY** of your committee (Reps. Kerzman, Aarsvold, Gulleson, Glassheim, Kroeber, Warner, Metcalf) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS**.

Page 1, line 3, after "institutions" insert "; to provide an exception; to provide for legislative council studies"

Page 1, line 13, replace "11,027,431" with "11,016,285"

Page 1, line 14, replace "34,066,362" with "34,166,362"

Page 1, line 16, replace "2,261,556" with "3,261,556"

Page 1, line 17, replace "47,358,043" with "48,446,897"

Page 1, line 18, replace "33,134,565" with "32,630,107"

Page 1, line 19, replace "14,223,478" with "15,816,790"

Page 1, line 22, replace "22,077,620" with "22,053,781"

Page 1, line 23, replace "38,456,409" with "37,331,409"

Page 2, line 1, replace "288,492,803" with "287,987,203"

Page 2, line 2, replace "890,942,979" with "936,755,352"

Page 2, line 3, replace "1,240,009,483" with "1,284,167,417"

Page 2, line 4, replace "978,141,758" with "1,000,122,754"

Page 2, line 5, replace "261,867,725" with "284,044,663"

Page 2, replace lines 7 through 21 with:

"MENTAL HEALTH COMMUNITY SERVICES CONTINGENCY"

Total general fund appropriation	\$250,000
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NORTHWEST HUMAN SERVICE CENTER

Total all funds	\$7,275,679
Less estimated income	<u>3,645,640</u>
Total general fund appropriation	\$3,630,039

NORTH CENTRAL HUMAN SERVICE CENTER

Total all funds	\$14,564,870
Less estimated income	<u>6,723,674</u>
Total general fund appropriation	\$7,841,196

LAKE REGION HUMAN SERVICE CENTER

Total all funds	\$8,420,933
Less estimated income	<u>3,782,973</u>
Total general fund appropriation	\$4,637,960

NORTHEAST HUMAN SERVICE CENTER

Total all funds	\$19,441,183
Less estimated income	<u>11,444,820</u>
Total general fund appropriation	\$7,996,363

SOUTHEAST HUMAN SERVICE CENTER

Total all funds	\$20,724,542
Less estimated income	<u>11,215,222</u>
Total general fund appropriation	\$9,509,320

SOUTH CENTRAL HUMAN SERVICE CENTER

Total all funds	\$11,358,975
Less estimated income	<u>5,731,868</u>
Total general fund appropriation	\$5,627,107

WEST CENTRAL HUMAN SERVICE CENTER

Total all funds	\$17,584,844
Less estimated income	<u>9,121,635</u>
Total general fund appropriation	\$8,463,209

BADLANDS HUMAN SERVICE CENTER

Total all funds	\$8,924,627
Less estimated income	<u>4,558,723</u>
Total general fund appropriation	\$4,365,904

STATE HOSPITAL

Total all funds	\$43,889,561
Less estimated income	<u>16,405,360</u>
Total general fund appropriation	\$27,484,201

## DEVELOPMENTAL CENTER

Total all funds	\$41,761,057
Less estimated income	31,949,828
Total general fund appropriation	\$9,811,229
Total all funds - Subdivision 3	\$194,196,271
Total estimated income - Subdivision 3	\$104,579,743
Total general fund appropriation - Subdivision 3	\$89,616,528

Page 2, line 22, replace "362,336,976" with "389,527,981"

Page 2, line 23, replace "1,114,504,351" with "1,137,332,604"

Page 2, line 24, replace "1,476,841,327" with "1,526,860,585"

Page 2, line 28, replace "health centers" with "entities"

Page 2, line 29, after "services" insert "for the purpose of health center grant application submission"

Page 3, line 6, replace "\$2,261,556" with "\$3,261,556"

Page 3, replace lines 13 through 23 with:

**"SECTION 5. FUNDING TRANSFERS - EXCEPTION - AUTHORIZATION.**

Notwithstanding section 54-16-04, the department of human services may transfer appropriation authority between line items within each subdivision of section 1 of this Act, and between subdivisions within section 1 of this Act for the biennium beginning July 1, 2003, and ending June 30, 2005. The department shall notify the office of management and budget of any transfer made pursuant to this section. The department shall report to the budget section after June 30, 2004, any transfers made in excess of \$50,000 and to the appropriations committees of the fifty-ninth legislative assembly regarding any transfers made pursuant to this section.

**SECTION 6. FEDERAL TANF BLOCK GRANT PROGRAMS - EXPENDITURE LIMIT.**

The department of human services shall make the changes necessary to programs utilizing funding from the temporary assistance for needy families (TANF) block grant to provide that by the end of the 2003-05 biennium, the cumulative funding anticipated to be spent for these programs for each fiscal year does not exceed North Dakota's annual federal TANF block grant allocation, including any incentive or bonus grants awarded to North Dakota.

**SECTION 7. MEDICAL SERVICES - COPAYMENTS AND SERVICE LIMITS.**

The department of human services shall establish a six dollar copayment for medical assistance recipients for each emergency room visit that is not designated an emergency service by the medical services provider. The department of human services shall establish other service copayments or limits and make other programmatic changes within the medical services program to operate the program within the funding levels approved by the fifty-eighth legislative assembly for the biennium beginning July 1, 2003, and ending June 30, 2005.

**SECTION 8. NURSING HOME RATES - EXCEPTION - DIRECT CARE LIMIT.**

Notwithstanding subsection 4 of section 50-24.4-10, the department of human services shall establish an eighty-five dollar per diem limit, adjusted for inflation under subsection 5 of section 50-24.4-10, on allowable operating costs for direct care services of nursing facilities for purposes of determining nursing facility payment rates for the biennium beginning July 1, 2003, and ending June 30, 2005.

**SECTION 9. SUPPORTED LIVING ARRANGEMENTS FOR INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES - LOCAL MATCHING FUNDS - FUNDING ALLOCATION.**

The grants - medical assistance line item in subdivision 2 of section 1 of this Act includes \$200,000 from the health care trust fund for supported living arrangement services for individuals with developmental disabilities. This funding may be spent only if local or private funding of two dollars is provided for these services for each one dollar of general fund moneys provided for these services. The department shall allocate the funding appropriated for this purpose proportionately to each human service region of the state based on the number of individuals with developmental disabilities seeking supported living arrangement services in each region for the biennium beginning July 1, 2003, and ending June 30, 2005.

**SECTION 10. LEGISLATIVE INTENT - VOCATIONAL REHABILITATION - SURVEY TIME PERIOD.** It is the intent of the legislative assembly that the department of human services only survey vocational rehabilitation clients who become employed regarding job retention and job satisfaction after three months of employment if allowed under federal regulations for the biennium beginning July 1, 2003, and ending June 30, 2005.

**SECTION 11. LEGISLATIVE COUNCIL STUDY - HUMAN SERVICES ADMINISTRATIVE COSTS.** The legislative council shall consider studying, during the 2003-04 interim, administrative costs of human service programs, including costs incurred by the central office of the department of human services, human service centers, and county social services. If studied, the legislative council shall review the effects of the 1997 "swap" legislation on state and county human service program costs. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the fifty-ninth legislative assembly.

**SECTION 12. LEGISLATIVE COUNCIL STUDY - CHILDREN WITH SPECIAL HEALTH NEEDS.** The legislative council shall consider studying, during the 2003-04 interim, programs providing services to children with special health care needs in North Dakota and service needs of these children which are not available under current programs. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the fifty-ninth legislative assembly.

**SECTION 13. LEGISLATIVE COUNCIL STUDY - MEDICAID ADVISORY COUNCIL.** The legislative council shall consider studying, during the 2003-04 interim, the feasibility and desirability of establishing an advisory council for the medical assistance program of the department of human services. If studied, the legislative council shall consider including representatives of private health care providers on the advisory council. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the fifty-ninth legislative assembly.

**SECTION 14. LEGISLATIVE COUNCIL STUDY - LONG-TERM CARE CONTINUUM.** The legislative council shall consider studying, during the 2003-04 interim, North Dakota's long-term care continuum of services, including service delivery methods and payment systems. If studied, the legislative council shall consider the cost-effectiveness of the programs and the appropriateness of rate structures and the nursing home equalized rate policy. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the fifty-ninth legislative assembly."

Page 3, line 24, replace "state hospital" with "total all funds" and after "item" insert "for the state hospital"

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

#### Senate Bill No. 2012 - Summary of House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
DHS - Management				
Total all funds	\$47,962,467	\$47,358,043	\$1,088,854	\$48,446,897
Less estimated income	31,912,324	33,134,565	(504,458)	32,630,107
General fund	\$16,050,143	\$14,223,478	\$1,593,312	\$15,816,790
DHS - Program/Policy				
Total all funds	\$1,247,161,224	\$1,240,059,483	\$44,157,934	\$1,284,217,417
Less estimated income	974,986,069	978,141,758	21,980,996	1,000,122,754
General fund	\$272,175,155	\$261,917,725	\$22,176,938	\$284,094,663
DHS - State Hospital				
Total all funds	\$44,312,699	\$41,931,048	\$1,958,513	\$43,889,561
Less estimated income	16,405,360	16,405,360	0	16,405,360
General fund	\$27,907,339	\$25,525,688	\$1,958,513	\$27,484,201
DHS - Developmental Center				
Total all funds	\$42,148,253	\$40,808,116	\$952,941	\$41,761,057
Less estimated income	32,234,480	31,984,652	(34,824)	31,949,828
General fund	\$9,913,773	\$8,823,464	\$987,765	\$9,811,229
DHS - Mental health contingency				

Total all funds	\$250,000	\$250,000	\$0	\$250,000
Less estimated income				
General fund	<u>\$250,000</u>	<u>\$250,000</u>	<u>\$0</u>	<u>\$250,000</u>
DHS - Northwest HSC				
Total all funds	\$7,331,947	\$7,280,942	(\$5,263)	\$7,275,679
Less estimated income	3,647,636	3,645,798	(158)	3,645,640
General fund	<u>\$3,684,311</u>	<u>\$3,635,144</u>	<u>(\$5,105)</u>	<u>\$3,630,039</u>
DHS - North Central HSC				
Total all funds	\$14,684,062	\$14,576,944	(\$12,074)	\$14,564,870
Less estimated income	6,735,850	6,725,002	(1,328)	6,723,674
General fund	<u>\$7,948,212</u>	<u>\$7,851,942</u>	<u>(\$10,746)</u>	<u>\$7,841,196</u>
DHS - Lake Region HSC				
Total all funds	\$8,490,227	\$8,427,435	(\$6,502)	\$8,420,933
Less estimated income	3,790,662	3,783,753	(780)	3,782,973
General fund	<u>\$4,699,565</u>	<u>\$4,643,682</u>	<u>(\$5,722)</u>	<u>\$4,637,960</u>
DHS - Northeast HSC				
Total all funds	\$17,628,299	\$17,508,856	\$1,932,327	\$19,441,183
Less estimated income	10,099,083	10,050,301	1,394,519	11,444,820
General fund	<u>\$7,529,216</u>	<u>\$7,458,555</u>	<u>\$537,808</u>	<u>\$7,996,363</u>
DHS - Southeast HSC				
Total all funds	\$20,924,037	\$20,743,221	(\$18,679)	\$20,724,542
Less estimated income	11,233,890	11,217,090	(1,868)	11,215,222
General fund	<u>\$9,690,147</u>	<u>\$9,526,131</u>	<u>(\$16,811)</u>	<u>\$9,509,320</u>
DHS - South Central HSC				
Total all funds	\$11,454,381	\$11,367,850	(\$8,875)	\$11,358,975
Less estimated income	5,741,308	5,732,844	(976)	5,731,868
General fund	<u>\$5,713,073</u>	<u>\$5,635,006</u>	<u>(\$7,899)</u>	<u>\$5,627,107</u>
DHS - West Central HSC				
Total all funds	\$17,713,897	\$17,596,609	(\$11,765)	\$17,584,844
Less estimated income	9,137,950	9,123,282	(1,647)	9,121,635
General fund	<u>\$8,575,947</u>	<u>\$8,473,327</u>	<u>(\$10,118)</u>	<u>\$8,463,209</u>
DHS - Badlands HSC				
Total all funds	\$9,004,972	\$8,932,780	(\$8,153)	\$8,924,627
Less estimated income	4,569,807	4,559,946	(1,223)	4,558,723
General fund	<u>\$4,435,165</u>	<u>\$4,372,834</u>	<u>(\$6,930)</u>	<u>\$4,365,904</u>
Bill Total				
Total all funds	\$1,489,066,465	\$1,476,841,327	\$50,019,258	\$1,526,860,585
Less estimated income	1,110,494,419	1,114,504,351	22,828,253	1,137,332,604
General fund	<u>\$378,572,046</u>	<u>\$362,336,976</u>	<u>\$27,191,005</u>	<u>\$389,527,981</u>

### Senate Bill No. 2012 - Department of Human Services - Management - House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES 1	HOUSE VERSION
Salaries and wages	\$11,147,734	\$11,027,431	(\$11,146)	\$11,016,285
Operating expenses	34,550,483	34,066,362	100,000	34,166,362
Capital assets	2,694	2,694		2,694
Developmentally disabled facility loan	2,261,556	2,261,556	1,000,000	3,261,556
Total all funds	<u>\$47,962,467</u>	<u>\$47,358,043</u>	<u>\$1,088,854</u>	<u>\$48,446,897</u>
Less estimated income	<u>31,912,324</u>	<u>33,134,565</u>	<u>(504,458)</u>	<u>32,630,107</u>
General fund	\$16,050,143	\$14,223,478	\$1,593,312	\$15,816,790
FTE	113.80	113.80	0.00	113.80

1

	FTE	GENERAL FUND	ESTIMATED INCOME	TOTAL
<b>Administration Support - House Changes</b>				
Increases general fund support and reduces special funds to reverse the funding source change made by the Senate		\$1,500,000	(\$1,500,000)	
Reduces funding for salaries and wages to reflect a reduction in state employee health insurance premiums from \$493 to \$488.70 per month		(\$6,688)	(4,458)	(\$11,146)
<b>Administration Support Program</b>				
Increases funding from the lands and minerals trust fund to accommodate any loan prepayments by developmental disabilities services providers during the 2003-05 biennium			1,000,000	1,000,000
<b>Information Technology Division Program</b>				
Restores funding reduced by the Senate for information technology contractual services		100,000		100,000
<b>Total House Changes - Administration Support</b>	0.00	\$1,593,312	(\$504,458)	\$1,088,854

### Other Changes Affecting Administration Support Programs or Multiple Programs of the Department



A section is added providing for a Legislative Council study of administrative costs of the Department of Human Services' central office, human service centers, and county social services.

A section is added authorizing the department to transfer funds between line items and between subdivisions without Emergency Commission or Budget Section approval. The department is to report any transfers to the Office of Management and Budget and to the Appropriations Committees of the 2005 Legislative Assembly, and any transfers over \$50,000 to the Budget Section after June 30, 2004.

Section 5 of the bill is removed which would have authorized the department to transfer funds between the State Hospital, the Developmental Center, and the human service centers and to increase the number of FTE positions at these institutions and centers.

#### Senate Bill No. 2012 - Department of Human Services - Program/Policy - House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES <sup>1</sup>	HOUSE VERSION
Salaries and wages	\$22,311,231	\$22,077,620	(\$23,839)	\$22,053,781
Operating expenses	38,397,710	38,456,409	(1,125,000)	37,331,409
Capital assets	39,672	39,672		39,672
Grants	288,491,078	288,492,803	(505,600)	287,987,203
Grants - Medical assistance	897,921,533	890,942,979	45,812,373	936,755,352
Health center grants		<u>50,000</u>		<u>50,000</u>
Total all funds	\$1,247,161,224	\$1,240,059,483	\$44,157,934	\$1,284,217,417
Less estimated income	<u>974,986,069</u>	<u>978,141,758</u>	<u>21,980,996</u>	<u>1,000,122,754</u>
General fund	\$272,175,155	\$261,917,725	\$22,176,938	\$284,094,663
FTE	234.80	234.80	0.00	234.80

1

	FTE	GENERAL FUND	ESTIMATED INCOME	TOTAL
<b>Program/Policy Management - House Changes</b>				
Increases general fund support and reduces special funds to reverse the funding source change made by the Senate		\$4,000,000	(\$4,000,000)	
Reduces operating expenses. The department may determine the specific areas to reduce.		(1,000,000)		(\$1,000,000)
Reduces funding for salaries and wages to reflect a reduction in state employee health insurance premiums from \$493 to \$488.70 per month		(7,087)	(16,752)	(23,839)
<b>Economic Assistance Policy Program</b>				
No changes				
<b>Child Support Program</b>				
No changes				
<b>Medical Services Program</b>				
Restores a portion of the funding removed by the Senate for optional medical services for adults, including durable medical equipment, optometric services, and psychological services		1,100,000	2,337,500	3,437,500
Restores funding reduced by the Senate for prescription drugs in the medical assistance program. The funding level provided is the same as the executive budget.		2,880,000	6,120,000	9,000,000
Increases funding for medical assistance grants with the priority for use of the funding designated for increasing hospital reimbursements for inpatient and outpatient services. The state matching funds of \$500,000 are from the health care trust fund.			1,562,500	1,562,500
Removes funding for rehabilitation services relating to the Ruth Meiers Adolescent Treatment Center because the center will continue to be operated by the Northeast Human Service Center rather than by a private organization as anticipated in the executive budget and Senate version. The funding removed is being added to the Northeast Human Service Center.		(493,277)	(1,046,556)	(1,539,833)
Adds funding to increase the allowable fringe benefit percentage for employees of developmental disabilities services providers from 30 to 33 percent of salary. The state matching funds of \$1,119,628 are from the health care trust fund.			3,498,839	3,498,839
Increases funding to provide an additional 37-cent per hour salary increase to employees of developmental disabilities services providers. This amount is in			5,850,715	5,850,715

addition to the funding added by the Senate to provide for a 50-cent per hour increase. The state matching funds of \$1,872,229 are from the health care trust fund.

Increases funding to provide an additional 63-cent per hour salary increase to employees of developmental disabilities services providers to provide for a total increase by the House of \$1 per hour. This amount is in addition to the funding added by the Senate to provide a 50-cent per hour salary increase.	3,293,416	6,466,693	9,760,109
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#### Long-Term Care Program

Changes the funding source for nursing facility care in the medical assistance program from the health care trust fund to the general fund.

Funding recommended in the executive budget and Senate version for this purpose totaled \$29,137,300 from the health care trust fund. The House version appropriates \$19,545,393 from the health care trust fund.

9,591,907	(9,591,907)
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Provides for the nursing facility direct care limit to be set at \$85 rather than the 85th percentile as included in the executive budget and the Senate version. The state matching funds of \$2,925,207 are from the health care trust fund. A section is added authorizing the department to establish the limit at \$85 for the 2003-05 biennium.

9,129,859	9,129,859
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Restores \$1,750,000 of the \$4,382,049 general fund reduction made by the Senate to the service payments for elderly and disabled (SPED) program with funding from the health care trust fund. Funding from the counties is increased by \$92,105.

1,842,105	1,842,105
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Restores the remaining funding reduced by the Senate for the SPED program. The funding level provided is the same as the executive budget.

2,632,049	138,530	2,770,579
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Restores funding reduced by the Senate for the expanded SPED program. The funding level provided is the same as the executive budget.

300,000	300,000
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#### Aging Services Program

Reduces funding from the health care trust fund for qualified service provider training grants from \$140,000 to \$40,000

(100,000)	(100,000)
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#### Children and Family Services Program

Changes the source of funding to reflect additional federal funds anticipated to be available from "refinancing" activities of the Children's Services Coordinating Committee during the 2003-05 biennium

(43,331)	43,331
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Removes funding for foster care room and board costs relating to the Ruth Meiers Adolescent Treatment Center because the center will continue to be operated by the Northeast Human Service Center rather than by a private organization as anticipated in the executive budget and Senate version. The funding removed is being added to the Northeast Human Service Center.

(51,739)	(353,861)	(405,600)
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#### Mental Health and Substance Abuse Program

Reduces funding for gambling addiction services from \$225,000 to \$100,000

(125,000)	(125,000)
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#### Developmental Disabilities Council

No changes

#### Disabilities Program

Changes the source of funding for independent living center grants from the health care trust fund to the general fund

100,000	(100,000)
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Adds funding from the health care trust fund for supported living arrangement services. A section is added providing that these funds may be spent only if local or private matching funds of two to one are provided for the services. The section also directs the department to allocate the funds to each region based on each region's share of individuals with developmental disabilities who are seeking these services.

200,000	200,000
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<b>Total House Changes - Program/Policy Management</b>	0.00	\$22,176,938	\$21,980,996	\$44,157,934
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### Other Changes Affecting Program/Policy Management Programs

Section 2, added by the Senate, which appropriates \$50,000 from the general fund for health center grants, is amended to allow any community entity to be eligible to receive a grant from the department to assist it in applying for federal health center grants.

A section is added requiring the department to make the program changes necessary to operate programs utilizing funding from the federal TANF block grant within North Dakota's funding allocation by the end of the 2003-05 biennium.

A section is added directing the department to establish a \$6 copayment for Medicaid recipients for each emergency room visit that is not considered an emergency by hospital personnel and directing the department to make other programmatic changes or establish other copayments or service limits within the medical services program to operate the program within the funding level approved by the Legislative Assembly for the 2003-05 biennium.

A section is added providing for a Legislative Council study of programs providing services to children with special health care needs.

A section is added providing for a Legislative Council study of North Dakota's long-term care continuum of services, including service delivery methods and payment systems.

A section is added providing for a Legislative Council study of the feasibility and desirability of creating a Medicaid Advisory Council.

A section of legislative intent is added providing that the department conduct three-month rather than three-month and six-month "followup" reviews of vocational rehabilitation clients who begin working if allowed under federal regulations.

#### Senate Bill No. 2012 - Department of Human Services - State Hospital - House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES <sup>1</sup>	HOUSE VERSION
Human service centers/ institutions	\$44,312,699	\$41,931,048	\$1,958,513	\$43,889,561
Total all funds	\$44,312,699	\$41,931,048	\$1,958,513	\$43,889,561
Less estimated income	<u>16,405,360</u>	<u>16,405,360</u>		<u>16,405,360</u>
General fund	\$27,907,339	\$25,525,688	\$1,958,513	\$27,484,201
FTE	416.90	416.90	0.00	416.90

1

	FTE	GENERAL FUND	ESTIMATED INCOME	TOTAL
<b>State Hospital - House Changes</b>				
Restores funding relating to the undesignated general fund reduction made by the Senate		\$2,000,000		\$2,000,000
Reduces funding for salaries and wages to reflect a reduction in state employee health insurance premiums from \$493 to \$488.70 per month		(41,487)		(41,487)
<b>Total House Changes - State Hospital</b>	0.00	\$1,958,513	\$0	\$1,958,513

#### Other Changes Affecting the State Hospital

Subdivision 3 of Section 1 of the bill is changed to appropriate funds by funding source for the State Hospital, the Developmental Center, and each of the human service centers rather than appropriating the funds by funding source only in total for all entities.

#### Senate Bill No. 2012 - Department of Human Services - Developmental Center - House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES <sup>1</sup>	HOUSE VERSION
Human service centers/ institutions	\$42,148,253	\$40,808,116	\$952,941	\$41,761,057
Total all funds	\$42,148,253	\$40,808,116	\$952,941	\$41,761,057
Less estimated income	<u>32,234,480</u>	<u>31,984,652</u>	<u>(34,824)</u>	<u>31,949,828</u>
General fund	\$9,913,773	\$8,823,464	\$987,765	\$9,811,229
FTE	458.04	458.04	0.00	458.04

1

	FTE	GENERAL FUND	ESTIMATED INCOME	TOTAL
<b>Developmental Center - House Changes</b>				
Restores funding relating to the undesignated general fund reduction made by the Senate		\$1,000,000		\$1,000,000
Reduces funding for salaries and wages to reflect a reduction in state employee health insurance premiums from \$493 to \$488.70 per month		(12,235)	(34,824)	(47,059)
<b>Total House Changes - Developmental Center</b>	0.00	\$987,765	(\$34,824)	\$952,941

### Other Changes Affecting the Developmental Center

Subdivision 3 of Section 1 of the bill is changed to appropriate funds by funding source for the State Hospital, the Developmental Center, and each of the human service centers rather than appropriating the funds by funding source only in total for all entities.

### Senate Bill No. 2012 - Human Service Centers - General Fund Summary

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES 1	HOUSE VERSION
DHS - Mental health contingency	\$250,000	\$250,000		\$250,000
DHS - Northwest HSC	3,684,311	3,635,144	(\$5,105)	3,630,039
DHS - North Central HSC	7,948,212	7,851,942	(10,746)	7,841,196
DHS - Lake Region HSC	4,699,565	4,643,682	(5,722)	4,637,960
DHS - Northeast HSC	7,529,216	7,458,555	537,808	7,996,363
DHS - Southeast HSC	9,690,147	9,526,131	(16,811)	9,509,320
DHS - South Central HSC	5,713,073	5,635,006	(7,899)	5,627,107
DHS - West Central HSC	8,575,947	8,473,327	(10,118)	8,463,209
DHS - Badlands HSC	4,435,165	4,372,834	(6,930)	4,365,904
Total general fund	\$52,525,636	\$51,846,621	\$474,477	\$52,321,098

### Senate Bill No. 2012 - Human Service Centers - Other Funds Summary

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES 1	HOUSE VERSION
DHS - Mental health contingency				
DHS - Northwest HSC	\$3,647,636	\$3,645,798	(\$158)	\$3,645,640
DHS - North Central HSC	6,735,850	6,725,002	(1,328)	6,723,674
DHS - Lake Region HSC	3,790,662	3,783,753	(780)	3,782,973
DHS - Northeast HSC	10,099,083	10,050,301	1,394,519	11,444,820
DHS - Southeast HSC	11,233,890	11,217,090	(1,868)	11,215,222
DHS - South Central HSC	5,741,308	5,732,844	(976)	5,731,868
DHS - West Central HSC	9,137,950	9,123,282	(1,647)	9,121,635
DHS - Badlands HSC	4,569,807	4,559,946	(1,223)	4,558,723
Total other funds	\$54,956,186	\$54,838,016	\$1,386,539	\$56,224,555

### Senate Bill No. 2012 - Human Service Centers - All Funds Summary

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES 1	HOUSE VERSION
DHS - Mental health contingency	\$250,000	\$250,000		\$250,000
DHS - Northwest HSC	7,331,947	7,280,942	(5,263)	7,275,679
DHS - North Central HSC	14,684,062	14,576,944	(12,074)	14,564,870
DHS - Lake Region HSC	8,490,227	8,427,435	(6,502)	8,420,933
DHS - Northeast HSC	17,628,299	17,508,856	1,932,327	19,441,183
DHS - Southeast HSC	20,924,037	20,743,221	(18,679)	20,724,542
DHS - South Central HSC	11,454,381	11,367,850	(8,875)	11,358,975
DHS - West Central HSC	17,713,897	17,596,609	(11,765)	17,584,844
DHS - Badlands HSC	9,004,972	8,932,780	(8,153)	8,924,627
Total all funds	\$107,481,822	\$106,684,637	\$1,861,016	\$108,545,653
FTE	817.58	817.58	16.30	833.88

1

	FTE	GENERAL FUND	ESTIMATED INCOME	TOTAL
<b>Northwest Human Service Center - House Changes</b>				
Reduces funding for salaries and wages to reflect a reduction in state employee health insurance premiums from \$493 to \$488.70 per month		(5,105)	(158)	(5,263)
<b>Total House Changes - Northwest Human Service Center</b>	0.00	(\$5,105)	(\$158)	(\$5,263)
<b>North Central Human Service Center - House Changes</b>				
Reduces funding for salaries and wages to reflect a reduction in state employee health insurance premiums from \$493 to \$488.70 per month		(\$10,746)	(\$1,328)	(\$12,074)
Adds one activity therapist II and one	2.00			

administrative assistant I. Federal funding for the positions is included in the department's 2003-05 biennium budget.

<b>Total House Changes - North Central Human Center</b>	2.00	(\$10,746)	(\$1,328)	(\$12,074)
<b>Lake Region Human Service Center - House Changes</b>				
Removes 1 FTE vacant administrative position (no funding was included for the position)	(1.00)			
Reduces funding for salaries and wages to reflect a reduction in state employee health insurance premiums from \$493 to \$488.70 per month		(\$5,722)	(\$780)	(\$6,502)
<b>Total House Changes - Lake Region Human Service Center</b>	(1.00)	(\$5,722)	(\$780)	(\$6,502)
<b>Northeast Human Service Center - House Changes</b>				
Adds funding to continue operating the Ruth Meiers Adolescent Treatment Center. The executive budget and the Senate version anticipated the center would be operated by a private organization. The funding added is being reduced from medical services and children and family services programs.	13.30	\$545,016	\$1,400,417	\$1,945,433
Reduces funding for salaries and wages to reflect a reduction in state employee health insurance premiums from \$493 to \$488.70 per month		(7,208)	(5,898)	(13,106)
<b>Total House Changes - Northeast Human Service Center</b>	13.30	\$537,808	\$1,394,519	\$1,932,327
<b>Southeast Human Service Center - House Changes</b>				
Reduces funding for salaries and wages to reflect a reduction in state employee health insurance premiums from \$493 to \$488.70 per month		(\$16,811)	(\$1,868)	(\$18,679)
Adds one activity therapist I. Federal funding for the position is included in the department's 2003-05 biennium budget.	1.00			
<b>Total House Changes - Southeast Human Service Center</b>	1.00	(\$16,811)	(\$1,868)	(\$18,679)
<b>South Central Human Service Center - House Changes</b>				
Reduces funding for salaries and wages to reflect a reduction in state employee health insurance premiums from \$493 to \$488.70 per month		(\$7,899)	(\$976)	(\$8,875)
<b>Total House Changes - South Central Human Service Center</b>	0.00	(\$7,899)	(\$976)	(\$8,875)
<b>West Central Human Service Center - House Changes</b>				
Reduces funding for salaries and wages to reflect a reduction in state employee health insurance premiums from \$493 to \$488.70 per month		(\$10,118)	(\$1,647)	(\$11,765)
Adds one office assistant I. Federal funding for the position is included in the department's 2003-05 biennium budget.	1.00			
<b>Total House Changes - West Central Human Service Center</b>	1.00	(\$10,118)	(\$1,647)	(\$11,765)
<b>Badlands Human Service Center - House Changes</b>				
Reduces funding for salaries and wages to reflect a reduction in state employee health insurance premiums from \$493 to \$488.70 per month		(\$6,930)	(\$1,223)	(\$8,153)
<b>Total House Changes - Badlands Human Service Center</b>	0.00	(\$6,930)	(\$1,223)	(\$8,153)

#### Other Changes Affecting the Human Service Centers

Subdivision 3 of Section 1 of the bill is changed to appropriate funds by funding source for the State Hospital, the Developmental Center, and each of the human service centers rather than appropriating the funds by funding source only in total for all entities.

The reports of the majority and the minority were placed on the Seventh order of business on the calendar for the succeeding legislative day.

#### REPORT OF STANDING COMMITTEE

**SB 2335, as engrossed: Appropriations Committee (Rep. Svedjan, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (16 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2335 was placed on the Sixth order on the calendar.**

Page 1, line 1, remove ", a"

Page 1, line 2, remove "new section to chapter 6-09,"

Page 1, remove lines 13 through 18

Page 2, line 1, replace "Sections 1 and 3 of this" with "This" and replace "are" with "is"

Page 2, line 2, replace "July 31, 2007" with "December 31, 2005" and replace "are" with "is"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2416, as engrossed: Appropriations Committee (Rep. Svedjan, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 7 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2416 was placed on the Sixth order on the calendar.

Page 1, line 8, remove "in an amount not to exceed \$5,000,000"

Page 1, remove lines 14 and 15

Page 1, line 23, replace "\$8,000,000" with "\$2,000,000"

Page 2, after line 3, insert:

**"SECTION 3. LEGISLATIVE INTENT - STATE HISTORICAL SOCIETY OF NORTH DAKOTA - INTERPRETIVE CENTERS EXPANSION.** It is the intent of the fifty-eighth legislative assembly that \$600,000 of the required federal, local, or donated funds responsibility as provided in section 2 of this Act, \$300,000 for each interpretive center, must be collected before the state historical society may begin the expansion of the interpretive centers."

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

HOUSE - Removes the project authorization for the North Dakota Heritage Center archives addition (Phase I of the Heritage Center expansion project) for \$6,000,000 and requires \$600,000, \$300,000 for each interpretive center, of federal, local, or donated funds be collected before expansion of interpretive centers may begin.

#### 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, Ninth, Twelfth, and Sixteenth orders of business and at the conclusion of those orders, the House stand adjourned until 8:15 a.m., Tuesday, April 8, 2003, which motion prevailed.

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

**BRADLEY C. FAY, Chief Clerk**