JOURNAL OF THE SENATE

Sixty-third Legislative Assembly

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Bismarck, April 16, 2013

The Senate convened at 8:00 a.m., with President Wrigley presiding.

The prayer was offered by Senator Robinson, District 24.

The roll was called and all members were present.

A quorum was declared by the President.

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

MR. PRESIDENT: The House has amended and subsequently passed: SB 2002.

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2002

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

Page 1, line 2, after "27-02-02" insert "; subsection 1 of section 27-05-02.1;"

Page 1, line 2, after the third "and" insert "section"

Page 1, line 3, after "judges" insert "and disposition of vacant judgeships"

Page 1, replace lines 14 through 18 with:

"Salaries and wages	$9,116,651	$1,811,745	$10,928,396
Accrued leave payments	0	531,696	531,696
Operating expenses	2,315,118	439,136	2,754,254
Capital assets	0	15,000	15,000
Judges' retirement	138,105	(63,809)	74,296
Total general fund	$11,569,874	$2,733,768	$14,303,642"

Page 1, remove lines 23 and 24

Page 2, replace lines 1 through 7 with:

"Salaries and wages	$54,216,144	$4,661,897	$58,878,041
Accrued leave payments	0	2,399,277	2,399,277
Operating expenses	16,658,522	3,604,415	20,262,937
Capital assets	0	833,026	833,026
Judges' retirement	478,997	17,094	496,091
UND central legal research	80,000	0	80,000
Mediation	869,664	219,564	1,089,228
Total all funds	$72,303,327	$11,735,273	$84,038,600
Less estimated income	1,856,775	(48,685)	1,808,090
Total general fund	$70,446,552	$11,783,958	$82,230,510"

Page 2, replace lines 21 through 24 with:

"Grand total general fund	$82,580,882	$14,574,358	$97,155,240
Grand total special funds	2,182,274	(6,685)	2,175,589
Grand total all funds	$84,763,156	$14,567,673	$99,330,829
Full-time equivalent positions	344.00	19.00	359.00"

Page 3, after line 22, insert:

"**SECTION 5. DISTRICT JUDGES.** The appropriation provided in subdivision 2 of section 1 of this Act provides for two additional district court judges in the northwest judicial district and one additional district court judge in the east

central judicial district to be assigned pursuant to section 10 of article VI of the Constitution of North Dakota, and to be assigned to chambers by the supreme court. Within thirty days after the effective date of this Act, the judgeship vacancies created by this section must be filled in accordance with section 13 of article VI of the Constitution of North Dakota. In accordance with sections 9 and 13 of article VI of the Constitution of North Dakota, each judge appointed to fill a vacancy created by this section continues in the office until the next general election immediately following two years of service after the appointment. The individual then elected holds office for the remainder of the term and until a successor is elected and duly qualified."

Page 3, line 26, replace "forty-three" with "forty-two"

Page 3, line 27, replace "six hundred eighty-five" with "three hundred four"

Page 3, line 28, replace "forty-nine" with "forty-six"

Page 3, line 28, replace "four" with "five"

Page 3, line 28, replace "thirty-three" with "seventy-three"

Page 3, line 30, remove "one"

Page 3, line 30, overstrike "hundred"

Page 3, line 30, replace "twenty-seven" with "eighty-seven"

Page 4, line 1, replace "ninety-two" with "nine"

Page 4, after line 2, insert:

"**SECTION 7. AMENDMENT.** Subsection 1 of section 27-05-02.1 of the North Dakota Century Code is amended and reenacted as follows:

1. Notwithstanding section 44-02-03, when a vacancy occurs in the office of district court judge, the supreme court shall determine, within ninety days of receiving notice of the vacancy from the governor and in consultation with the judges and attorneys in the affected judicial district, whether that office is necessary for effective judicial administration or whether the district judgeship may be transferred to another location to fulfill a need for judicial services. The supreme court may, consistent with that determination, order that:

   a. The vacancy be filled in the manner provided pursuant to chapter 27-25; ~~or~~

   b. The vacant office be transferred to a judicial district in which an additional judge is necessary for effective judicial administration, and that the vacancy be filled in the manner provided pursuant to chapter 27-25 with respect to that judicial district; or

   c. The vacant office be abolished with or without transfer of a district judgeship as provided in subsection 3."

Page 4, line 6, replace "thirty-one" with "thirty"

Page 4, line 7, replace "six" with "three"

Page 4, line 7, replace "sixty-one" with "ninety-five"

Page 4, line 8, replace "thirty-six" with "thirty-four"

Page 4, line 8, replace "nine" with "three"

Page 4, line 8, replace "twenty-seven" with "seven"

Page 4, line 12, replace "eight" with "seven"

Page 4, line 13, replace "three" with "sixty-six"

Page 4, line 14, replace "nine hundred fifty-five" with "eight hundred seventy-nine"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2002 - Summary of House Action

	Executive Budget	Senate Version	House Changes	House Version
Supreme Court				
Total all funds	$15,530,297	$15,502,599	($1,198,957)	$14,303,642
Less estimated income	0	0	0	0
General fund	$15,530,297	$15,502,599	($1,198,957)	$14,303,642
District Courts				
Total all funds	$83,073,957	$82,851,983	$1,186,617	$84,038,600
Less estimated income	1,808,090	1,808,090	0	1,808,090
General fund	$81,265,867	$81,043,893	$1,186,617	$82,230,510
Judicial Conduct Commission				
Total all funds	$988,587	$988,587	$0	$988,587
Less estimated income	367,499	367,499	0	367,499
General fund	$621,088	$621,088	$0	$621,088
Bill total				
Total all funds	$99,592,841	$99,343,169	($12,340)	$99,330,829
Less estimated income	2,175,589	2,175,589	0	2,175,589
General fund	$97,417,252	$97,167,580	($12,340)	$97,155,240

Senate Bill No. 2002 - Supreme Court - House Action

	Executive Budget	Senate Version	House Changes	House Version
Salaries and wages	$12,684,559	$12,657,959	($1,729,563)	$10,928,396
Operating expenses	2,754,254	2,754,254		2,754,254
Capital assets	15,000	15,000		15,000
Judges retirement	76,484	75,386	(1,090)	74,296
Accrued leave payments			531,696	531,696
Total all funds	$15,530,297	$15,502,599	($1,198,957)	$14,303,642
Less estimated income	0	0	0	0
General fund	$15,530,297	$15,502,599	($1,198,957)	$14,303,642
FTE	45.00	45.00	0.00	45.00

Department No. 181 - Supreme Court - Detail of House Changes

	Adjusts State Employee Compensation and Benefits Package[1]	Provides Separate Line Item for Accrued Leave Payments[2]	Adjusts Salaries for Justices[3]	Adjusts Justices' Retirement[4]	Total House Changes
Salaries and wages	($1,171,387)	($531,696)	($26,480)		($1,729,563)
Operating expenses					
Capital assets					
Judges retirement				(1,090)	(1,090)
Accrued leave payments		531,696			531,696
Total all funds	($1,171,387)	$0	($26,480)	($1,090)	($1,198,957)
Less estimated income	0	0	0	0	0
General fund	($1,171,387)	$0	($26,480)	($1,090)	($1,198,957)
FTE	0.00	0.00	0.00	0.00	0.00

[1] This amendment adjusts the state employee compensation and benefits package as follows:

- Reduces the performance component from 3 to 5 percent per year to 2 to 4 percent per year.

- Reduces the market equity component from 2 to 4 percent per year for employees below the midpoint of their salary range to up to 2 percent for employees in the first quartile of their salary range for the first year of the biennium only.
- Removes funding for additional retirement contribution increases.

[2] A portion of salaries and wages funding for permanent employees' compensation and benefits is reallocated to an accrued leave payments line item for paying annual leave and sick leave for eligible employees.

[3] This amendment reduces the salary increase for justices from the Senate version of 4 percent each year of the biennium to 3 percent each year. The executive budget included a 5 percent increase each year.

[4] This amendment reduces the retirement increase for justices from the Senate version of 4 percent each year of the biennium to 3 percent each year. The executive budget included a 5 percent increase each year.

A section is added to amend Section 27-05-02.1 relating to vacancies in judgeships.

Senate Bill No. 2002 - District Courts - House Action

	Executive Budget	Senate Version	House Changes	House Version
Salaries and wages	$60,398,498	$60,183,898	($1,305,857)	$58,878,041
Operating expenses	20,162,413	20,162,413	100,524	20,262,937
Capital assets	833,026	833,026		833,026
Judges retirement	510,792	503,418	(7,327)	496,091
UND central legal research	80,000	80,000		80,000
Mediation	1,089,228	1,089,228		1,089,228
Accrued leave payments			2,399,277	2,399,277
Total all funds	$83,073,957	$82,851,983	$1,186,617	$84,038,600
Less estimated income	1,808,090	1,808,090	0	1,808,090
General fund	$81,265,867	$81,043,893	$1,186,617	$82,230,510
FTE	310.00	310.00	4.00	314.00

Department No. 182 - District Courts - Detail of House Changes

	Provides Separate Line Item for Accrued Leave Payments[1]	Adds Three New Judgeships[2]	Removes Two Deputy Clerk Positions[3]	Adjusts Salaries for Judges[4]	Adjusts Judges' Retirement[5]	Total House Changes
Salaries and wages	($2,399,277)	$1,575,522	($268,822)	($213,280)		($1,305,857)
Operating expenses		115,428	(14,904)			100,524
Capital assets						
Judges retirement					(7,327)	(7,327)
UND central legal research						
Mediation						
Accrued leave payments	2,399,277					2,399,277
Total all funds	$0	$1,690,950	($283,726)	($213,280)	($7,327)	$1,186,617
Less estimated income	0	0	0	0	0	0
General fund	$0	$1,690,950	($283,726)	($213,280)	($7,327)	$1,186,617
FTE	0.00	6.00	(2.00)	0.00	0.00	4.00

[1] A portion of salaries and wages funding from the general fund ($2,351,291) and other funds ($47,986) for permanent employees' compensation and benefits is reallocated to an accrued leave payments line item for paying annual leave and sick leave for eligible employees.

[2] Funding is added to add three new judgeships--two for the Northwest judicial district and one for the East Central judicial district. The funding includes three new judge FTE positions and three new court reporter FTE positions.

[3] Funding is removed for two deputy clerk FTE positions included in the executive budget recommendation.

[4] This amendment reduces the salary increase for district judges and presiding judges from the Senate version of 4 percent each year of the biennium to 3 percent each year. The executive budget included a 5 percent increase each year.

[5] This amendment reduces the retirement increase for district judges and presiding judges from the Senate version of 4 percent each year of the biennium to 3 percent each year. The executive budget included a 5 percent increase each year.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has amended and subsequently passed: SB 2004, SB 2226, SB 2267, SB 2344.

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2004

Page 1, line 2, after "repeal" insert "chapter 23-17.5 and"

Page 1, line 2, after the second "to" insert "health care provider cooperative agreements and"

Page 1, replace lines 13 through 16 with:

"Salaries and wages	$49,351,659	$3,523,961	$52,875,620
Accrued leave payments	0	2,223,289	2,223,289
Operating expenses	50,272,030	(13,755,947)	36,516,083
Capital assets	1,998,073	2,215	2,000,288
Grants	57,928,038	(6,705,309)	51,222,729"

Page 1, replace lines 20 through 23 with:

"Total all funds	$189,870,305	($14,673,184)	$175,197,121
Less estimated income	156,956,525	(18,028,735)	138,927,790
Total general fund	$32,913,780	$3,355,551	$36,269,331
Full-time equivalent positions	344.00	6.00	350.00"

Page 2, replace lines 11 and 12 with:

"Less estimated income	3,992,228	265,000
Total general fund	$1,100,000	$500,000"

Page 2, after line 16, insert:

"**SECTION 3. FAMILY VIOLENCE GRANTS - CONTINGENT FUNDING.** The grants line item in section 1 of this Act includes $80,000 from the general fund for family violence services and prevention grants. This funding is contingent on the state department of health certifying to the director of the office of management and budget that federal funds available to the department for family violence grants have been reduced due to federal sequestration. The department may spend these funds to the extent that federal funds are reduced."

Page 2, remove lines 23 through 25

Page 3, line 3, replace "Section" with "Chapter 23-17.5 and section"

Page 3, line 3, replace "is" with "are"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2004 - State Department of Health - House Action

	Executive Budget	Senate Version	House Changes	House Version
Salaries and wages	$58,149,478	$58,191,244	($5,315,624)	$52,875,620
Operating expenses	38,152,557	38,527,557	(2,011,474)	36,516,083
Capital assets	2,224,288	2,224,288	(224,000)	2,000,288
Grants	57,316,529	57,484,729	(6,262,000)	51,222,729
Tobacco prevention	5,544,251	5,544,251		5,544,251
WIC food payments	24,659,861	24,659,861		24,659,861
Federal stimulus funds	155,000	155,000		155,000
Accrued leave payments			2,223,289	2,223,289
Total all funds	$186,201,964	$186,786,930	($11,589,809)	$175,197,121
Less estimated income	140,216,701	140,618,913	(1,691,123)	138,927,790
General fund	$45,985,263	$46,168,017	($9,898,686)	$36,269,331
FTE	354.00	354.00	(4.00)	350.00

Department No. 301 - State Department of Health - Detail of House Changes

	Adjusts State Employee Compensation and Benefits Package[1]	Provides Separate Line Item for Accrued Leave Payments[2]	Removes Workforce Safety Insurance for Volunteers[3]	Removes Funding for Oil Impact Grants[4]	Decreases Funding for Operating Expenses[5]	Removes Funding for School of Medicine Autopsy Services[6]
Salaries and wages	($2,429,853)	($2,223,289)				
Operating expenses			(84,000)		(250,000)	(640,000)
Capital assets						
Grants				(1,184,000)		
Tobacco prevention						
WIC food payments						
Federal stimulus funds						
Accrued leave payments		2,223,289				
Total all funds	($2,429,853)	$0	($84,000)	($1,184,000)	($250,000)	($640,000)
Less estimated income	(1,118,123)	0	0	0	(200,000)	0
General fund	($1,311,730)	$0	($84,000)	($1,184,000)	($50,000)	($640,000)
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	Removes Funding for Community Paramedic[7]	Adjusts Funding Source of Food and Lodging Licensing System[8]	Removes Funding for Environmental Health FTE Positions[9]	Decreases Funding for Emergency Medical Services Grants[10]	Removes Funding for Emergency Medical Services Manager[11]	Decreases Funding for Statewide Stroke System of Care[12]
Salaries and wages	($135,000)		($388,386)		($139,096)	
Operating expenses	(141,600)		(359,970)		(60,904)	(375,000)
Capital assets			(224,000)			
Grants				(5,150,000)		(8,000)
Tobacco prevention						
WIC food payments						
Federal stimulus funds						
Accrued leave payments						
Total all funds	($276,600)	$0	($972,356)	($5,150,000)	($200,000)	($383,000)
Less estimated income	0	110,000	0	0	0	(383,000)
General fund	($276,600)	($110,000)	($972,356)	($5,150,000)	($200,000)	$0
FTE	(1.00)	0.00	(3.00)	0.00	0.00	0.00

	Adds Contingent Funding for Family Violence Services and Prevention Grants[13]	Removes Funding Related to Health Care Provider Cooperative Agreements[14]	Total House Changes
Salaries and wages			($5,315,624)
Operating expenses		(100,000)	(2,011,474)
Capital assets			(224,000)
Grants	80,000		(6,262,000)
Tobacco prevention			
WIC food payments			
Federal stimulus funds			
Accrued leave payments			2,223,289
Total all funds	$80,000	($100,000)	($11,589,809)

Less estimated income	0	(100,000)	(1,691,123)
General fund	$80,000	$0	($9,898,686)
FTE	0.00	0.00	(4.00)

[1] This amendment adjusts the state employee compensation and benefits package as follows:

- Reduces the performance component from 3 to 5 percent per year to 2 to 4 percent per year.
- Reduces the market component from 2 to 4 percent per year for employees below the midpoint of their salary range to up to 2 percent for employees in the first quartile of their salary range for the first year of the biennium only.
- Removes funding for additional retirement contribution increases.

[2] A portion of salaries and wages funding from the general fund ($707,673) and from other funds ($1,515,616) for permanent employees' compensation and benefits is reallocated to an accrued leave payments line item for paying annual leave and sick leave for eligible employees.

[3] Removes funding for workforce safety insurance for volunteers included in the executive recommendation. The additional payment was determined to be unnecessary by Workforce Safety and Insurance.

[4] Oil impact funding for grants to local public health units in oil-impacted areas of the state included in the executive recommendation and approved by the Senate is removed.

[5] Operating expenses are reduced departmentwide.

[6] Professional services to contract with the University of North Dakota School of Medicine and Health Sciences to perform autopsies in the eastern part of the state, included in the executive recommendation and approved by the Senate are removed.

[7] Funding for 1 FTE position to implement a community paramedic/community health care worker pilot project and for educational startup costs is removed.

[8] The funding source of one-time funding for a food and lodging licensing management system included in the executive recommendation and approved by the Senate is changed from the general fund to special funds from food and lodging fees.

[9] Funding for 3 environmental health FTE positions, included in the executive recommendation and approved by the Senate is removed as follows:

- 1 FTE laboratory services position ($101,638) and related operating expenses ($335,543) and capital assets ($224,000), and
- 2 FTE municipal facilities positions ($286,748) and related operating expenses ($24,427).

[10] Funding for rural emergency medical services grants is reduced to provide a total of $2.19 million, of which $940,000 is from the general fund and $1.25 million is from the insurance tax distribution fund. The executive recommendation included $7.34 million, of which $6.09 million is from the general fund and $1.25 million is from the insurance tax distribution fund, $2.35 million more than the 2011-13 biennium.

[11] Funding increases provided in the executive recommendation in the salaries and wages line item and the operating expenses line item for an emergency medical services grants manager are removed.

[12] Funding added by the Senate from the tobacco prevention and control trust fund to provide an increase in funding for the continued implementation of the statewide integrated stroke system of care is removed. The executive recommendation included $473,324 from the general fund for the statewide integrated stroke system of care. Funding was added by

the Senate to provide a total of $856,324 for the statewide integrated stroke system of care, of which $473,324 is from the general fund.
[13] Contingent funding is added for family violence services and prevention grants. The funding is contingent on a reduction in federal funds resulting from sequestration.

[14] Operating expenses are reduced due to the repeal of Chapter 23-17.5 related to health care provider cooperative agreements.

In addition, this amendment:

- Adds a section to provide the additional funding in the grants line item for family violence services and prevention grants of $80,000 from the general fund is contingent on the State Department of Health certifying to the Director of the Office of Management and Budget that federal funds available to the department for family violence grants has been reduced due to federal sequestration. The department may spend these funds to the extent that federal funds are reduced.
- Adds a section to repeal Chapter 23-17.5 related to health care provider cooperative agreements.
- Removes a section added by the Senate to provide $383,000 from the tobacco prevention and control trust fund for the continued implementation of the statewide integrated stroke system of care.

HOUSE AMENDMENTS TO SENATE BILL NO. 2226

Page 1, line 14, replace "$709,000" with "$240,000"

Page 1, replace lines 18 through 24 with:

"Contracted emergency medical services and trauma medical director $100,000
Advanced trauma life support training $40,000
Development of the rural trauma team development course $50,000
Trauma designation visits
$50,000"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2226 - State Department of Health - House Action

	Executive Budget	Senate Version	House Changes	House Version
Comprehensive state trauma system		$709,000	($469,000)	$240,000
Total all funds	$0	$709,000	($469,000)	$240,000
Less estimated income	0	0	0	0
General fund	$0	$709,000	($469,000)	$240,000
FTE	0.00	1.00	(1.00)	0.00

Department No. 301 - State Department of Health - Detail of House Changes

	Reduces Funding for the Comprehensive State Trauma System[1]	Total House Changes
Comprehensive state trauma system	($469,000)	($469,000)
Total all funds	($469,000)	($469,000)
Less estimated income	0	0
General fund	($469,000)	($469,000)
FTE	(1.00)	(1.00)

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[1] This amendment reduces the funding for the comprehensive state trauma system, providing a total of $240,000, all of which is from the general fund. This reduction also includes the removal of the associated trauma coordinator FTE position.

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2267

In lieu of the amendments adopted by the House as printed on pages 1090 and1091 of the House Journal, Engrossed Senate Bill No. 2267 is amended as follows:

Page 1, line 1, remove "and deferred maintenance"

Page 1, line 4, remove "**AND**"

Page 1, line 5, remove "**DEFERRED MAINTENANCE**"

Page 1, line 7, replace "$10,000,000" with "$3,000,000"

Page 1, line 9, remove "and deferred maintenance"

Page 1, line 16, after "forward" insert "$10,000"

Page 1, line 16, replace the colon with a period

Page 1, remove line 17 through 19

Page 2, line 1, after "forward" insert "$10,000"

Page 2, line 2, replace the colon with a period

Page 2, remove lines 3 through 5

Page 2, line 6, remove "at least fifty"

Page 2, line 7, remove "percent of"

Page 2, line 7, remove "for safety. Any remaining funds may be dedicated to"

Page 2, line 8, replace "deferred maintenance" with "for projects that improve safety"

Page 2, line 9, remove the colon

Page 2, line 10, replace "(1) Submit" with "submit"

Page 2, line 11, replace "; or" with a period

Page 2, remove lines 12 and 13

Page 2, line 22, remove "and"

Page 2, line 23, replace the second period with ";

c. As of the most recent fiscal year, has an ending general fund balance that does not exceed twenty-five percent of the district's total general fund expenditures for the same fiscal year; and

d. Has annual general fund expenditures of less than $10,000,000 during the most recent fiscal year."

Renumber accordingly

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2344

In lieu of the amendments adopted by the House as printed on page 1235 and divided on page 1243 of the House Journal, Engrossed Senate Bill No. 2344 is amended as follows:

Page 1, after line 8, insert:

"1. A payment under this section may be made by the department of veterans' affairs only upon the completion of a service dog's training.

2. Payment may not exceed $12,500 per service dog.

SECTION 2. VETERANS SERVICE DOG TRAINING - LEGISLATIVE MANAGEMENT REPORT. The department of veterans' affairs shall provide a report to the legislative management during the 2013-14 interim regarding the status of the service dog training program, including benefits to veterans, number of applicants, and number of service dogs provided."

Renumber accordingly

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has amended and subsequently passed: SB 2193, SB 2222.

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2193

In lieu of the amendments adopted by the House as printed on pages 1175 and 1176 of the House Journal, Engrossed Senate Bill No. 2193 is amended as follows:

Page 1, line 1, remove "and"

Page 1, line 2, remove "an autism spectrum disorder voucher program"

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

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

Page 2, remove lines 13 through 31

Page 3, replace lines 1 through 5 with:

"**SECTION 2. DEPARTMENT OF HUMAN SERVICES AUTISM SPECTRUM DISORDER MEDICAID WAIVER.** The department of human services, by January 1, 2014, shall seek approval from the federal centers for medicare and medicaid services to expand the department's autism spectrum disorder medicaid waiver to cover twenty additional individuals from birth through age thirteen and to provide appropriate behavior intervention and treatment services that may include evidence-based and promising practices, case management services, technology and technology-based support, in-home support, equipment and supplies, home monitoring, respite care, residential supports and services, and behavioral consultation.

SECTION 3. DEPARTMENT OF PUBLIC INSTRUCTION - AUTISM SPECTRUM DISORDER EDUCATIONAL TRAINING AND SUPPORT. The department of public instruction shall provide training and support to general education classroom teachers and other school staff regarding the most effective methods of educating and providing services and support to individuals with autism spectrum disorder."

Page 3, line 16, replace "$200,648" with "$148,132"

Page 3, line 23, replace "$400,000" with "$265,136"

Page 4, line 4, replace "$500,000" with "$250,000"

Page 4, after line 7, insert:

"**SECTION 8. EXPIRATION DATE.** This Act is effective through June 30, 2015, and after that date is ineffective."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2193 - Summary of House Action

	Executive Budget	Senate Version	House Changes	House Version
State Department of Health				
Total all funds	$0	$200,648	($52,516)	$148,132
Less estimated income	0	0	0	0
General fund	$0	$200,648	($52,516)	$148,132
Department of Human Services				
Total all funds	$0	$900,000	($384,864)	$515,136
Less estimated income	0	0	0	0
General fund	$0	$900,000	($384,864)	$515,136
Bill total				
Total all funds	$0	$1,100,648	($437,380)	$663,268
Less estimated income	0	0	0	0
General fund	$0	$1,100,648	($437,380)	$663,268

Senate Bill No. 2193 - State Department of Health - House Action

	Executive Budget	Senate Version	House Changes	House Version
Autism spectrum database		$200,648	($52,516)	$148,132
Total all funds	$0	$200,648	($52,516)	$148,132
Less estimated income	0	0	0	0
General fund	$0	$200,648	($52,516)	$148,132
FTE	0.00	1.00	0.00	1.00

Department No. 301 - State Department of Health - Detail of House Changes

	Reduces Funding for Autism Spectrum Disorder Database[1]	Total House Changes
Autism spectrum database	($52,516)	($52,516)
Total all funds	($52,516)	($52,516)
Less estimated income	0	0
General fund	($52,516)	($52,516)
FTE	0.00	0.00

[1] Funding is reduced for the autism spectrum disorder database.

Senate Bill No. 2193 - Department of Human Services - House Action

	Executive Budget	Senate Version	House Changes	House Version
State autism coordinator		$400,000	($134,864)	$265,136
Autism spectrum training		500,000	(250,000)	250,000
Total all funds	$0	$900,000	($384,864)	$515,136
Less estimated income	0	0	0	0
General fund	$0	$900,000	($384,864)	$515,136
FTE	0.00	1.00	0.00	1.00

Department No. 325 - Department of Human Services - Detail of House Changes

	Reduces Funding for State Autism Coordinator[1]	Reduces Funding for Autism Spectrum Disorder Training[2]	Total House Changes
State autism coordinator	($134,864)		($134,864)
Autism spectrum training		(250,000)	(250,000)
Total all funds	($134,864)	($250,000)	($384,864)

Less estimated income	0	0	0
General fund	($134,864)	($250,000)	($384,864)
FTE	0.00	0.00	0.00

[1] Funding is reduced for the state autism coordinator.

[2] Funding is reduced for statewide autism spectrum disorder training to be implemented by the Department of Human Services.

A section is added regarding an autism spectrum disorder Medicaid waiver.

A section is added regarding training provided by the Department of Public Instruction for classroom teachers and other school staff.

A section is added providing that the bill is effective for the 2013-15 biennium only.

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2222

Page 3, line 10, remove "after six consecutive semesters"

Page 3, line 10, remove "twenty-four or"

Page 3, line 10, after "fewer" insert "than fifteen"

Page 3, line 12, replace "only" with "fewer than fifteen but at least"

Page 3, line 12, replace "each of the student's final two semesters" with "the semester"

Page 3, line 15, remove "The exception provided for in this subdivision is applicable to any student"

Page 3, line 16, replace "graduating after June 30, 2013, but before July 1, 2015" with "Students who graduated from high school during the 2009-10 or the 2010-11 school year and who have completed six semesters may retain scholarship eligibility by enrolling in only twelve credits during each of the student's final two semesters, or the equivalent number of credits, as determined by the state board of higher education, with respect to students in a quarter system"

Renumber accordingly

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2222

In addition to the amendments adopted by the House as printed on page 1009 of the House Journal, Engrossed Senate Bill No. 2222 is further amended as follows:

Page 1, line 1, replace "section" with "sections 15.1-21-02.4, 15.1-21-02.5, and"

Page 1, after line 4, insert:

"**SECTION 1. AMENDMENT.** Section 15.1-21-02.4 of the North Dakota Century Code is amended and reenacted as follows:

15.1-21-02.4. North Dakota career and technical education scholarship.

Any resident student who graduates from a high school during or after the 2010-11 school year is eligible to receive a North Dakota career and technical education scholarship provided the student:

1. Completed four units of English language arts from a sequence that includes literature, composition, and speech;

2. Completed three units of mathematics, including:

   a. One unit of algebra II, as defined by the superintendent of public instruction; and

   b. Two units of any other mathematics;

3. Completed three units of science, including:

   a. One unit of physical science;

   b. One unit of biology; and

   c. (1) One unit of any other science; or

      (2) Two one-half units of any other science;

4. Completed three units of social studies, including:

   a. One unit of United States history;

   b. (1) One-half unit of United States government and one-half unit of economics; or

      (2) One unit of problems of democracy; and

   c. One unit or two one-half units of any other social studies, which may include civics, civilization, geography and history, multicultural studies, North Dakota studies, psychology, sociology, and world history;

5. a. Completed one unit of physical education; or

   b. One-half unit of physical education and one-half unit of health;

6. Completed:

   a. One unit selected from:

      (1) Foreign languages;

      (2) Native American languages;

      (3) American sign language;

      (4) Fine arts; or

      (5) Career and technical education courses; and

   b. Two units of a coordinated plan of study recommended by the department of career and technical education and approved by the superintendent of public instruction;

7. Completed any five additional units, two of which must be in the area of career and technical education;

8. a. (1) Obtained a cumulative grade point average of at least 3.0 on a 4.0 grading scale, as determined by the superintendent of public instruction, based on all high school units in which the student was enrolled; and

      (2) Obtained a grade of at least "C" in each unit or one-half unit; or

   b. (1) Obtained a cumulative grade point average of at least 3.0 on a 4.0 grading scale, as determined by the superintendent of

public instruction, based only on the units required by subsections 1 through 7; and

(2) Obtained a grade of at least "C" in each unit or one-half unit; and

9. Received:

a. A composite score of at least twenty-four on an ACT, or in the case of a student who graduated during or after the 2012-13 school year, a composite score of at least twenty-three on an ACT; or

b. A score of at least five on each of three WorkKeys assessments recommended by the department of career and technical education and approved by the superintendent of public instruction.

SECTION 2. AMENDMENT. Section 15.1-21-02.5 of the North Dakota Century Code is amended and reenacted as follows:

15.1-21-02.5. North Dakota academic scholarship.

Any resident student who graduates from a high school during or after the 2010-11 school year is eligible to receive a North Dakota academic scholarship provided the student:

1. Completed four units of English language arts from a sequence that includes literature, composition, and speech;

2. Completed three units of mathematics, including:

a. One unit of algebra II, as defined by the superintendent of public instruction; and

b. One unit of mathematics for which algebra II, as defined by the superintendent of public instruction, is a prerequisite;

3. Completed three units of science, including:

a. One unit of physical science;

b. One unit of biology; and

c. (1) One unit of any other science; or

(2) Two one-half units of any other science;

4. Completed three units of social studies, including:

a. One unit of United States history;

b. (1) One-half unit of United States government and one-half unit of economics; or

(2) One unit of problems of democracy; and

c. One unit or two one-half units of any other social studies, which may include civics, civilization, geography and history, multicultural studies, North Dakota studies, psychology, sociology, and world history;

5. a. Completed one unit of physical education; or

b. One-half unit of physical education and one-half unit of health;

6. ~~a.~~ Completed:

a. (1) Two units of the same foreign or native American language; or

(2) Two units of American sign language; and

b. One unit selected from:

(1) Foreign languages;

(2) Native American languages;

(3) American sign language;

(4) Fine arts; or

(5) Career and technical education;

7. Completed any five additional units, one of which must be in the area of fine arts or career and technical education;

8. a. (1) Obtained a cumulative grade point average of at least 3.0 on a 4.0 grading scale, as determined by the superintendent of public instruction, based on all high school units in which the student was enrolled; and

(2) Obtained a grade of at least "C" in each unit or one-half unit; or

b. (1) Obtained a cumulative grade point average of at least 3.0 on a 4.0 grading scale, as determined by the superintendent of public instruction, based only on the units required by subsections 1 through 7; and

(2) Obtained a grade of at least "C" in each unit or one-half unit;

9. Received a composite score of at least twenty-four on an ACT, or in the case of a student who graduated during or after the 2012-13 school year, a composite score of at least twenty-three on an ACT; and

10. a. Fulfilled any one unit requirement set forth in subsections 1 through 7 by means of an advanced placement course and examination; or

b. Fulfilled any one-half unit requirement set forth in subsections 1 through 7 by means of a dual-credit course."

Page 2, line 1, remove "two hundred"

Page 2, line 2, remove "fifty"

Page 2, line 9, replace "eight" with "six"

Page 2, line 9, replace "thirty-three" with "sixty-six"

Page 2, line 20, replace "ten" with "eight"

Renumber accordingly

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has amended, subsequently passed, and the emergency clause carried: SB 2013.

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2013

Page 1, replace lines 15 through 22 with:

"Salaries and wages	$4,145,824	$921,833	$5,067,657
Accrued leave payments	0	108,541	108,541
Operating expenses	1,431,096	544,767	1,975,863
Capital assets	0	65,550	65,550
Grants	99,778,269	(99,778,269)	0
Energy infrastructure and impact office	0	217,000,000	217,000,000
Contingencies	100,000	100,000	200,000
Total special funds	$105,455,189	$118,962,422	$224,417,611
Full-time equivalent positions	24.75	6.25	31.00"

Page 2, replace line 9 with:

"Energy impact grants - dust control	0	3,000,000"

Page 2, replace lines 12 through 14 with:

"Total all funds	$65,010,000	$67,065,550
Less estimated income	35,010,000	67,065,550
Total general fund	$30,000,000	$0"

Page 4, line 12, after the period insert "The department of trust lands shall consult with the state department of health and the industrial commission relating to the use of oilfield-produced saltwater and products previously tested for dust control."

Page 4, replace lines 15 through 24 with:

"**SECTION 10. PRIVATE LAND STUDY - EMERGENCY COMMISSION APPROVAL FOR ADDITIONAL FUNDS.** The operating expenses line item in section 1 of this Act includes the sum of $50,000 from the strategic investment and improvements fund for a study provided for in House Bill No. 1338, as approved by the sixty-third legislative assembly, of private lands owned adjacent to lands under control of the United States army corps of engineers. If the $50,000 provided for the study is insufficient, the department of trust lands may seek emergency commission approval for additional funding from the state contingencies appropriation of up to $50,000 for the biennium beginning July 1, 2013, and ending June 30, 2015."

Page 5, line 7, replace "twenty-four" with "seventeen"

Page 6, line 13, replace "$10,000,000" with "$3,000,000"

Page 6, line 14, replace "sections 9 and 10" with "section 9"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2013 - Department of Trust Lands - House Action

	Executive Budget	Senate Version	House Changes	House Version
Salaries and wages	$5,312,873	$5,319,551	($251,894)	$5,067,657
Operating expenses	1,925,863	1,925,863	50,000	1,975,863
Capital assets	65,550	65,550		65,550
Energy infrastructure and impact office	214,000,000	224,000,000	(7,000,000)	217,000,000
Contingencies	200,000	200,000		200,000
Accrued leave payments			108,541	108,541
Total all funds	$221,504,286	$231,510,964	($7,093,353)	$224,417,611
Less estimated income	221,504,286	231,510,964	(7,093,353)	224,417,611
General fund	$0	$0	$0	$0
FTE	31.00	31.00	0.00	31.00

Department No. 226 - Department of Trust Lands - Detail of House Changes

	Adjusts State Employee	Provides Separate Line	Adds Funding for Study[3]	Reduces Funding for	Total House Changes

	Compensation and Benefits Package[1]	Item for Accrued Leave Payments[2]		Dust Control[4]	
Salaries and wages	($143,353)	($108,541)			($251,894)
Operating expenses			50,000		50,000
Capital assets					
Energy infrastructure and impact office				(7,000,000)	(7,000,000)
Contingencies					
Accrued leave payments		108,541			108,541
Total all funds	($143,353)	$0	$50,000	($7,000,000)	($7,093,353)
Less estimated income	(143,353)	0	50,000	(7,000,000)	(7,093,353)
General fund	$0	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00	0.00

[1] This amendment adjusts the state employee compensation and benefits package as follows:

- Reduces the performance component from 3 to 5 percent per year to 2 to 4 percent per year.
- Reduces the market equity component from 2 to 4 percent per year for employees below the midpoint of their salary range to up to 2 percent for employees in the first quartile of their salary range for the first year of the biennium only.
- Removes funding for additional retirement contribution increases.

[2] A portion of salaries and wages funding for permanent employees' compensation and benefits is reallocated to an accrued leave payments line item for paying annual leave and sick leave for eligible employees.

[3] Funding is added to conduct a study of private lands owned adjacent to lands under control of the United States Army Corps of Engineers included in House Bill No. 1338.

[4] Funding added by the Senate for dust control is reduced from $10 million to $3 million, and the amount of oil and gas tax collections to be deposited in the oil and gas impact grant fund during the 2013-15 biennium is reduced from $224 million to $217 million.

A section is added relating to funding for a study of private lands included in House Bill No. 1338 and authorizing the department to seek additional funding for the study from the Emergency Commission.

A section added by the Senate relating to contingency funding for dust control grants is removed.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has amended, subsequently passed, and the emergency clause carried: SB 2020.

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2020

Page 1, remove lines 22 through 24

Page 2, replace lines 1 and 2 with:

"Extension service	$47,026,654	$3,306,689	$50,333,343
Soil conservation committee	987,800	75,000	1,062,800
Accrued leave payments	0	1,716,289	1,716,289
Total all funds	$48,014,454	$5,097,978	$53,112,432
Less estimated income	23,128,810	1,431,810	24,560,620
Total general fund	$24,885,644	$3,666,168	$28,551,812"

Page 2, replace lines 8 through 10 with:

"Northern crops institute	$3,347,307	$444,213	$3,791,520
Accrued leave payments	0	42,195	42,195
Total all funds	$3,347,307	$486,408	$3,833,715
Less estimated income	1,654,725	127,614	1,782,339
Total general fund	$1,692,582	$358,794	$2,051,376"

Page 2, replace lines 16 through 18 with:

"Upper great plains transportation institute	$24,069,961	$2,052,462	$26,122,423
Accrued leave payments	0	241,627	241,627
Total all funds	$24,069,961	$2,294,089	$26,364,050
Less estimated income	22,150,333	166,272	22,316,605
Total general fund	$1,919,628	$2,127,817	$4,047,445"

Page 2, replace lines 24 through 27 with:

"Main research center	$89,012,990	$19,234,128	$108,247,118
Accrued leave payments	0	2,561,394	2,561,394
Total all funds	$89,012,990	$21,795,522	$110,808,512
Less estimated income	41,630,644	11,841,303	53,471,947
Total general fund	$47,382,346	$9,954,219	$57,336,565
Full-time equivalent positions	349.01	2.48	351.49"

Page 3, replace lines 1 through 10 with:

"Dickinson research center	$5,588,562	$487,453	$6,076,015
Central grasslands research center	2,865,847	341,369	3,207,216
Hettinger research center	3,373,175	1,261,401	4,634,576
Langdon research center	2,378,807	433,988	2,812,795
North central research center	4,399,821	162,575	4,562,396
Williston research center	3,410,089	316,898	3,726,987
Carrington research center	7,126,488	718,896	7,845,384
Accrued leave payments	0	503,916	503,916
Total all funds	$29,142,789	$4,226,496	$33,369,285
Less estimated income	14,997,581	963,849	15,961,430
Total general fund	$14,145,208	$3,262,647	$17,407,855"

Page 3, replace lines 16 and 17 with:

"Agronomy seed farm	$1,435,168	$23,681	$1,458,849
Accrued leave payments	0	5,741	5,741
Total special funds	$1,435,168	$29,422	$1,464,590"

Page 3, replace lines 23 through 25 with:

"Grand total general fund	$90,025,408	$19,369,645	$109,395,053
Grand total special funds	104,997,261	14,560,270	119,557,531
Grand total all funds	$195,022,669	$33,929,915	$228,952,584"

Page 4, after line 4, insert:

"Upper great plains transportation institute state match for federal funds"	0	1,250,000

Page 4, remove line 7

Page 4, replace lines 11 through 13 with:

"Total all funds	$10,726,983	$9,685,000
Total other funds	2,852,931	1,950,000
Total general fund	$7,874,052	$7,735,000"

Page 4, after line 25, insert:

"**SECTION 4. DICKINSON RESEARCH EXTENSION CENTER - MINERAL RIGHTS INCOME.** The Dickinson research extension center may spend revenues received from mineral royalties, leases, or easements only for one-time items and not for ongoing operational expenses, for the biennium beginning July 1, 2013, and ending June 30, 2015."

Page 5, after line 4, insert:

"**SECTION 7. EXTENSION SERVICE - NEW TECHNICAL SUPPORT FULL-TIME EQUIVALENT POSITION.** The North Dakota state university extension service may utilize the new full-time equivalent technical support position recommended in the 2013-15 executive budget and included in subdivision 1 of section 1 of this Act, in either the weed science or potato program during the biennium beginning July 1, 2013, and ending June 30, 2015."

Page 5, line 5, remove "**GENERAL FUND -**"

Page 5, line 5, remove "unexpended"

Page 5, line 6, remove "general fund appropriation authority to and any"

Page 5, line 8, remove "from these appropriations"

Page 5, line 16, remove "**MATCHING FUNDS**"

Page 5, line 27, replace "$4,300,000" with "$5,925,000"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2020 - Summary of House Action

	Executive Budget	Senate Version	House Changes	House Version
Transportation Institute				
Total all funds	$25,353,629	$25,353,629	$1,010,421	$26,364,050
Less estimated income	22,525,054	22,525,054	(208,449)	22,316,605
General fund	$2,828,575	$2,828,575	$1,218,870	$4,047,445
Branch Research Centers				
Total all funds	$33,746,878	$33,746,878	($377,593)	$33,369,285
Less estimated income	16,021,866	16,021,866	(60,436)	15,961,430
General fund	$17,725,012	$17,725,012	($317,157)	$17,407,855
NDSU Extension Service				
Total all funds	$54,088,058	$54,288,058	($1,175,626)	$53,112,432
Less estimated income	25,437,414	24,987,414	(426,794)	24,560,620
General fund	$28,650,644	$29,300,644	($748,832)	$28,551,812
Northern Crops Institute				
Total all funds	$3,874,651	$3,874,651	($40,936)	$3,833,715
Less estimated income	1,800,307	1,800,307	(17,968)	1,782,339
General fund	$2,074,344	$2,074,344	($22,968)	$2,051,376
Main Research Center				
Total all funds	$110,293,322	$112,320,622	($1,512,110)	$110,808,512
Less estimated income	53,255,585	53,255,585	216,362	53,471,947
General fund	$57,037,737	$59,065,037	($1,728,472)	$57,336,565
Agronomy Seed Farm				
Total all funds	$1,474,961	$1,474,961	($10,371)	$1,464,590
Less estimated income	1,474,961	1,474,961	(10,371)	1,464,590
General fund	$0	$0	$0	$0
Bill total				
Total all funds	$228,831,499	$231,058,799	($2,106,215)	$228,952,584
Less estimated income	120,515,187	120,065,187	(507,656)	119,557,531
General fund	$108,316,312	$110,993,612	($1,598,559)	$109,395,053

Senate Bill No. 2020 - Transportation Institute - House Action

	Executive Budget	Senate Version	House Changes	House Version
Upper Great Plains Trans. Institute	$25,353,629	$25,353,629	$768,794	$26,122,423
Accrued leave payments			241,627	241,627
Total all funds	$25,353,629	$25,353,629	$1,010,421	$26,364,050
Less estimated income	22,525,054	22,525,054	(208,449)	22,316,605
General fund	$2,828,575	$2,828,575	$1,218,870	$4,047,445
FTE	53.75	53.75	0.00	53.75

Department No. 627 - Transportation Institute - Detail of House Changes

	Adjusts State Employee Compensation and Benefits Package[1]	Removes Separate Line Item for Accrued Leave Payments[2]	Increases Funding for Matching Grants[3]	Total House Changes
Upper Great Plains Trans. Institute	($239,579)	($241,627)	$1,250,000	$768,794
Accrued leave payments		241,627		241,627
Total all funds	($239,579)	$0	$1,250,000	$1,010,421
Less estimated income	(208,449)	0	0	(208,449)
General fund	($31,130)	$0	$1,250,000	$1,218,870
FTE	0.00	0.00	0.00	0.00

[1] This amendment adjusts the state employee compensation and benefits package as follows:

- Reduces the performance component from 3 to 5 percent per year to 2 to 4 percent per year.
- Reduces the market component from 2 to 4 percent per year for employees below the midpoint of their salary range to up to 2 percent for employees in the first quartile of their salary range for the first year of the biennium only.
- Removes funding for additional retirement contribution increases.

[2] A portion of salaries and wages funding from the general fund ($42,266) and from other funds ($199,361) for permanent employees' compensation and benefits is reallocated to an accrued leave payments line item for paying annual leave and sick leave for eligible employees.

[3] This amendment increases funding to match new federal grants received by the agency to provide a total of $2 million, all of which is from the general fund. This increase of $1.25 million added by the House is one-time funding.

Senate Bill No. 2020 - Branch Research Centers - House Action

	Executive Budget	Senate Version	House Changes	House Version
Dickinson Research Center	$6,231,325	$6,231,325	($155,310)	$6,076,015
Central Grasslands Research Center	3,297,559	3,297,559	(90,343)	3,207,216
Hettinger Research Center	4,746,234	4,746,234	(111,658)	4,634,576
Langdon Research Center	2,886,763	2,886,763	(73,968)	2,812,795
North Central Research Center	4,661,679	4,661,679	(99,283)	4,562,396
Williston Research Center	3,869,023	3,869,023	(142,036)	3,726,987
Carrington Research Center	8,054,295	8,054,295	(208,911)	7,845,384
Accrued leave payments			503,916	503,916
Total all funds	$33,746,878	$33,746,878	($377,593)	$33,369,285
Less estimated income	16,021,866	16,021,866	(60,436)	15,961,430
General fund	$17,725,012	$17,725,012	($317,157)	$17,407,855
FTE	107.04	107.04	0.00	107.04

Department No. 628 - Branch Research Centers - Detail of House Changes

	Adjusts State Employee Compensation and Benefits Package[1]	Provides Separate Line Item for Accrued Leave Payments[2]	Total House Changes
Dickinson Research Center	($68,302)	($87,008)	($155,310)
Central Grasslands Research Center	(38,980)	(51,363)	(90,343)
Hettinger Research Center	(47,485)	(64,173)	(111,658)
Langdon Research Center	(32,828)	(41,140)	(73,968)
North Central Research Center	(39,332)	(59,951)	(99,283)
Williston Research Center	(64,653)	(77,383)	(142,036)
Carrington Research Center	(86,013)	(122,898)	(208,911)
Accrued leave payments		503,916	503,916
Total all funds	($377,593)	$0	($377,593)
Less estimated income	(60,436)	0	(60,436)
General fund	($317,157)	$0	($317,157)
FTE	0.00	0.00	0.00

[1] This amendment adjusts the state employee compensation and benefits package as follows:

- Reduces the performance component from 3 to 5 percent per year to 2 to 4 percent per year.
- Reduces the market component from 2 to 4 percent per year for employees below the midpoint of their salary range to up to 2 percent for employees in the first quartile of their salary range for the first year of the biennium only.
- Removes funding for additional retirement contribution increases.

[2] A portion of salaries and wages funding from the general fund ($407,680) and from other funds ($96,236) for permanent employees' compensation and benefits is reallocated to an accrued leave payments line item for paying annual leave and sick leave for eligible employees for each branch center as follows:

Branch Research Centers	General Fund	Estimated Income	Total
Dickinson Research Center	($70,391)	($16,617)	($87,008)
Central Grasslands Research Center	(41,554)	(9,809)	(51,363)
Hettinger Research Center	(51,917)	(12,256)	(64,173)
Langdon Research Center	(33,283)	(7,857)	(41,140)
North Central Research Center	(48,502)	(11,449)	(59,951)
Williston Research Center	(62,604)	(14,779)	(77,383)
Carrington Research Center	(99,429)	(23,469)	(122,898)
Accrued leave payments	407,680	96,236	503,916

A section is added providing that the Dickinson Research Extension Center may only spend revenue from mineral royalties, leases, or easements for one-time items and not for operations during the 2013-15 biennium.

Senate Bill No. 2020 - NDSU Extension Service - House Action

	Executive Budget	Senate Version	House Changes	House Version
Extension Service	$53,025,258	$53,150,258	($2,816,915)	$50,333,343
Soil Conservation Committee	1,062,800	1,137,800	(75,000)	1,062,800
Accrued leave payments			1,716,289	1,716,289
Total all funds	$54,088,058	$54,288,058	($1,175,626)	$53,112,432
Less estimated income	25,437,414	24,987,414	(426,794)	24,560,620
General fund	$28,650,644	$29,300,644	($748,832)	$28,551,812
FTE	258.26	258.26	0.00	258.26

Department No. 630 - NDSU Extension Service - Detail of House Changes

	Adjusts State Employee Compensation and Benefits Package[1]	Provides Separate Line Item for Accrued Leave Payments[2]	Removes Funding for Partial Salary Support[3]	Reduces Funding for Soil Conservation Committee[4]	Provides Funding for Burleigh County Extension Service Summer Internships[5]	Total House Changes
Extension Service	($865,626)	($1,716,289)	($260,000)		$25,000	($2,816,915)
Soil Conservation Committee				(75,000)		(75,000)
Accrued leave payments		1,716,289				1,716,289
Total all funds	($865,626)	$0	($260,000)	($75,000)	$25,000	($1,175,626)
Less estimated income	(426,794)	0	0	0	0	(426,794)
General fund	($438,832)	$0	($260,000)	($75,000)	$25,000	($748,832)
FTE	0.00	0.00	0.00	0.00	0.00	0.00

[1] This amendment adjusts the state employee compensation and benefits package as follows:

- Reduces the performance component from 3 to 5 percent per year to 2 to 4 percent per year.
- Reduces the market component from 2 to 4 percent per year for employees below the midpoint of their salary range to up to 2 percent for employees in the first quartile of their salary range for the first year of the biennium only.
- Removes funding for additional retirement contribution increases.

[2] A portion of salaries and wages funding from the general fund ($852,203) and from other funds ($864,086) for permanent employees' compensation and benefits is reallocated to an accrued leave payments line item for paying annual leave and sick leave for eligible employees.

[3] This amendment removes funding included in the executive budget to provide partial general fund salary support for the following existing positions:

- Integrated pest management and plant diagnostic laboratory coordinator.
- State water quality specialist.

[4] This amendment removes funding added by the Senate for Soil Conservation Committee operations.

[5] This amendment provides funding for salaries and wages for a Junior Master Gardener internship program through the Burleigh County Extension Service for the summer of 2013 and the summer of 2014.

This amendment provides the NDSU Extension Service flexibility to use the new FTE technical support position, recommended in the executive budget, in either the weed science or potato program.

Senate Bill No. 2020 - Northern Crops Institute - House Action

	Executive Budget	Senate Version	House Changes	House Version
Northern Crops Institute	$3,874,651	$3,874,651	($83,131)	$3,791,520
Accrued leave payments			42,195	42,195
Total all funds	$3,874,651	$3,874,651	($40,936)	$3,833,715
Less estimated income	1,800,307	1,800,307	(17,968)	1,782,339
General fund	$2,074,344	$2,074,344	($22,968)	$2,051,376
FTE	12.00	12.00	0.00	12.00

Department No. 638 - Northern Crops Institute - Detail of House Changes

	Adjusts State Employee Compensation and Benefits Package[1]	Provides Separate Line Item for Accrued Leave Payments[2]	Total House Changes
Northern Crops Institute	($40,936)	($42,195)	($83,131)
Accrued leave payments		42,195	42,195
Total all funds	($40,936)	$0	($40,936)
Less estimated income	(17,968)	0	(17,968)
General fund	($22,968)	$0	($22,968)
FTE	0.00	0.00	0.00

[1] This amendment adjusts the state employee compensation and benefits package as follows:

- Reduces the performance component from 3 to 5 percent per year to 2 to 4 percent per year.
- Reduces the market component from 2 to 4 percent per year for employees below the midpoint of their salary range to up to 2 percent for employees in the first quartile of their salary range for the first year of the biennium only.
- Removes funding for additional retirement contribution increases.

[2] A portion of salaries and wages funding from the general fund ($37,172) and from other funds ($5,023) for permanent employees' compensation and benefits is reallocated to an accrued leave payments line item for paying annual leave and sick leave for eligible employees.

Senate Bill No. 2020 - Main Research Center - House Action

	Executive Budget	Senate Version	House Changes	House Version
Main Research Center	$110,293,322	$112,320,622	($4,073,504)	$108,247,118
Accrued leave payments			2,561,394	2,561,394
Total all funds	$110,293,322	$112,320,622	($1,512,110)	$110,808,512
Less estimated income	53,255,585	53,255,585	216,362	53,471,947
General fund	$57,037,737	$59,065,037	($1,728,472)	$57,336,565
FTE	351.49	351.99	(0.50)	351.49

Department No. 640 - Main Research Center - Detail of House Changes

	Adjusts State Employee Compensation and Benefits Package[1]	Provides Separate Line Item for Accrued Leave Payments[2]	Removes Funding for Oil-Impacted Centers[3]	Reduces Funding for Flooded Lands Study[4]	Adjusts Funding for Capital Projects[5]	Removes Animal Science Position[6]
Main Research Center	($1,331,810)	($2,561,394)	($100,000)	($80,300)		
Accrued leave payments		2,561,394				
Total all funds	($1,331,810)	$0	($100,000)	($80,300)	$0	$0
Less estimated income	(783,638)	0	0	0	1,000,000	0
General fund	($548,172)	$0	($100,000)	($80,300)	($1,000,000)	$0
FTE	0.00	0.00	0.00	0.00	0.00	(0.50)

	Total House Changes
Main Research Center	($4,073,504)
Accrued leave payments	2,561,394
Total all funds	($1,512,110)
Less estimated income	216,362
General fund	($1,728,472)
FTE	(0.50)

[1] This amendment adjusts the state employee compensation and benefits package as follows:

- Reduces the performance component from 3 to 5 percent per year to 2 to 4 percent per year.
- Reduces the market component from 2 to 4 percent per year for employees below the midpoint of their salary range to up to 2 percent for employees in the first quartile of their salary range for the first year of the biennium only.
- Removes funding for additional retirement contribution increases.

[2] A portion of salaries and wages funding from the general fund ($1,748,140) and from other funds ($813,254) for permanent employees' compensation and benefits is reallocated to an accrued leave payments line item for paying annual leave and sick leave for eligible employees.

[3] This amendment removes the funding added by the Senate for oil-impacted research extension centers for housing allowances or hiring bonuses.

[4] This amendment reduces the funding added by the Senate for the research relating to the recovery of grasslands affected by Souris River flooding to provide a total of $82,000, all of which is from the general fund.

[5] This amendment:

- Provides a total of $5,925,000 for replacement of agronomy laboratories, the same as the Senate version and $1,625,000 more than the executive budget.
- Reduces funding from the general fund for the replacement of agronomy laboratories to provide a total of $4,925,000, $1,000,000 less than the Senate version but $625,000 more than the executive budget.
- Provides authority for the agency to raise funds from the private industry of up to $1 million for all of the agronomy laboratory projects. Neither the Senate nor the executive budget included other funds for the projects.

[6] The .5 FTE animal science position added by the Senate is removed. The funding of $140,000 from the general fund added by the Senate relating to the position is not changed.

Senate Bill No. 2020 - Agronomy Seed Farm - House Action

	Executive Budget	Senate Version	House Changes	House Version
Agronomy Seed Farm	$1,474,961	$1,474,961	($16,112)	$1,458,849
Accrued leave payments			5,741	5,741
Total all funds	$1,474,961	$1,474,961	($10,371)	$1,464,590
Less estimated income	1,474,961	1,474,961	(10,371)	1,464,590
General fund	$0	$0	$0	$0
FTE	3.00	3.00	0.00	3.00

Department No. 649 - Agronomy Seed Farm - Detail of House Changes

	Adjusts State Employee Compensation and Benefits Package[1]	Provides Separate Line Item for Accrued Leave Payments[2]	Total House Changes
Agronomy Seed Farm	($10,371)	($5,741)	($16,112)
Accrued leave payments		5,741	5,741
Total all funds	($10,371)	$0	($10,371)
Less estimated income	(10,371)	0	(10,371)
General fund	$0	$0	$0
FTE	0.00	0.00	0.00

[1] This amendment adjusts the state employee compensation and benefits package as follows:

- Reduces the performance component from 3 to 5 percent per year to 2 to 4 percent per year.
- Reduces the market component from 2 to 4 percent per year for employees below the midpoint of their salary range to up to 2 percent for employees in the first quartile of their salary range for the first year of the biennium only.
- Removes funding for additional retirement contribution increases.

[2] A portion of salaries and wages funding from other funds ($5,741) for permanent employees' compensation and benefits is reallocated to an accrued leave payments line item for paying annual leave and sick leave for eligible employees.

Senate Bill No. 2020 - Other Changes - House Action

Section 8 is amended to remove the general fund carryover authority.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has amended and subsequently failed to pass: SB 2075.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has failed to pass, unchanged: SB 2359.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has appointed as a conference committee to act with a like committee from the Senate on:

SB 2171: Reps. Owens; Dockter; Zaiser
SB 2338: Reps. Klein; Schmidt; Haak
SCR 4030: Reps. Headland; Trottier; Zaiser

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has concurred in the Senate amendments and subsequently passed: HB 1106, HB 1309, and HB 1332.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House does not concur in the Senate amendments to HB 1272, HB 1290, and HB 1291, and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1272: Reps. Meier; Rohr; Mock
HB 1290: Reps. Headland; Belter; Zaiser
HB 1291: Reps. Heller; Heilman; J. Kelsh

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has adopted the conference committee report and subsequently passed: SB 2368.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: Your signature is respectfully requested on: HB 1145, HB 1213, HB 1322, HB 1413.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The Speaker has signed: HB 1263, HCR 3010.

APPOINTMENT OF CONFERENCE COMMITTEE

SEN. KLEIN MOVED that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on Engrossed HB 1338, Reengrossed HB 1405, and Engrossed HB 1452, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on:

Engrossed HB 1338: Sens. Schaible, Dever, Nelson
Reengrossed HB 1405: Sens. Schaible, Dever, Marcellais
Engrossed HB 1452: Sens. Dever, Krebsbach, Nelson

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SEN. LAFFEN MOVED that the conference committee report on Reengrossed SB 2339 as printed on SJ pages 1373-1374 be adopted, which motion prevailed on a voice vote.

Reengrossed SB 2339, as amended, was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

SB 2339: A BILL for an Act to provide for a legislative management study to create an inventory and strategic plan relating to residential and commercial development programs and infrastructure and to provide for a study of programs providing residential and commercial development assistance.

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 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

Reengrossed SB 2339 passed.

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CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SEN. SCHAIBLE MOVED that the conference committee report on Engrossed SB 2095 as printed on SJ page 1373 be adopted, which motion prevailed on a voice vote.

Engrossed SB 2095, as amended, was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

SB 2095: A BILL for an Act to repeal section 15-62.2-04 of the North Dakota Century Code, relating to state board of higher education deposits and expenditures.

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 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

Reengrossed SB 2095 passed.

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CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SEN. SITTE MOVED that the conference committee report on SB 2257 as printed on SJ page 1373 be adopted, which motion prevailed on a voice vote.

SB 2257, as amended, was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

SB 2257: A BILL for an Act to provide for a legislative management study of the state hospital's program for the evaluation and treatment of civilly committed sexually dangerous individuals.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 21 YEAS, 26 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Axness; Campbell; Dotzenrod; Erbele; Heckaman; Krebsbach; Larsen; Luick; Mathern; Murphy; Nelson; O'Connell; Robinson; Schneider; Sinner; Sitte; Sorvaag; Triplett; Wardner; Warner

NAYS: Anderson; Armstrong; Berry; Bowman; Burckhard; Carlisle; Cook; Dever; Flakoll; Grabinger; Grindberg; Hogue; Holmberg; Kilzer; Klein; Laffen; Lee, G.; Lee, J.; Lyson; Marcellais; Miller; Oehlke; Poolman; Schaible; Unruh; Wanzek

Engrossed SB 2257 failed.

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CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SEN. DEVER MOVED that the conference committee report on SB 2201 as printed on SJ page 1380 be adopted, which motion prevailed on a voice vote.

SB 2201, as amended, was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

SB 2201: A BILL for an Act to amend and reenact section 37-19.1-02 of the North Dakota Century Code, relating to employment preferences for veterans.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 4 YEAS, 43 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Armstrong; Dever; Hogue; Miller

NAYS: Anderson; Andrist; Axness; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

Engrossed SB 2201 failed.

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CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SEN. SCHAIBLE MOVED that the conference committee report on SB 2047 as printed on SJ pages 1380-1381 be adopted, which motion prevailed on a voice vote.

SB 2047, as amended, was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

SB 2047: A BILL for an Act to amend and reenact section 54-35-23 of the North Dakota

Century Code, relating to the committee on tribal and state relations.

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 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

Engrossed SB 2047 passed.

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CONSIDERATION OF AMENDMENTS

HB 1021, as engrossed: SEN. KREBSBACH (Appropriations Committee) MOVED that the amendments be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF HOUSE BILL

HB 1021: A BILL for an Act to provide an appropriation for defraying the expenses of workforce safety and insurance.

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 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

Engrossed HB 1021, as amended, passed.

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MOTION

SEN. KLEIN MOVED that HB 1012 be moved to the bottom of the calendar, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1013, as engrossed: SEN. HOLMBERG (Appropriations Committee) MOVED that the amendments be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF HOUSE BILL

HB 1013: A BILL for an Act to provide an appropriation for defraying the expenses of the department of public instruction, the state library, the school for the deaf, and North Dakota vision services - school for the blind; to provide for a transfer to the general fund; to provide for the distribution of funding for gifted and talented programs and other grants; to amend and reenact sections 15.1-02-02 and 15.1-18.1-02 of the North Dakota Century Code, relating to the salary of the superintendent of public instruction and the national board certification program; to provide exemptions; to provide legislative intent; to provide an effective date; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 45 YEAS,

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

YEAS: Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

NAYS: Larsen; Miller

Engrossed HB 1013, as amended, passed and the emergency clause was declared carried.

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MOTION

SEN. KLEIN MOVED that the Senate stand in recess until 1:00 p.m., which motion prevailed.

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

CORRECTION AND REVISION OF THE JOURNAL

MR. PRESIDENT: Your **Committee on Correction and Revision of the Journal (Sen. Andrist, Chairman)** recommends that the Journal of the Sixty-third, Sixty-fourth, and Sixty-fifth Days be corrected as follows and when so corrected, recommends that it be approved:

Page 1211, line 44, after "has" insert "amended and subsequently"

Page 1232, line 34, remove "and the emergency clause was declared carried"

Page 1322, line 23, replace "Rohr" with "Ruby"

SEN. ANDRIST MOVED that the report be adopted, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1020, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1020 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "to create and enact a new"

Page 1, remove line 3

Page 1, line 4, remove "policies and procedures of the state water commission;"

Page 1, line 4, replace "sections" with "section"

Page 1, line 5, remove "and 54-35-02.37"

Page 1, line 5, remove "and sections 6 and 7 of"

Page 1, line 6, remove "chapter 46 of the 2011 Session Laws"

Page 1, line 6, remove ", the"

Page 1, line 7, remove "water-related topics overview committee, and Fargo flood control project funding"

Page 1, line 8, after the semicolon insert "to provide for a loan from the Bank of North Dakota;"

Page 1, replace lines 17 through 22 with:

"Administrative and support services	$3,229,873	$1,620,136	$4,850,009
Water and atmospheric resources	498,413,774	324,694,788	823,108,562
Total all funds	$501,643,647	$326,314,924	$827,958,571
Less estimated income	486,648,448	341,310,123	827,958,571
Total general fund	$14,995,199	($14,995,199)	$0"

Page 2, line 25, remove the comma

Page 2, line 26, remove "subject to budget section approval,"

Page 2, after line 28, insert:

"**SECTION 5. BANK OF NORTH DAKOTA LOAN - WESTERN AREA WATER SUPPLY AUTHORITY.** The Bank of North Dakota shall provide a loan of $40,000,000 to the western area water supply authority for construction of the project. The terms and conditions of the loan must be negotiated by the western area water supply authority and the Bank of North Dakota and any previous loans may be added to and merged into this loan as agreed by the authority and the Bank of North Dakota. The authority may repay the loan from income from specific project features. If the authority is in default in the payment of the principal of or interest on the obligation to the Bank of North Dakota for the loan, the authority is subject to the default provisions under section 61-40-09."

Page 3, remove lines 5 through 31

Page 4, replace lines 1 through 13 with:

"**SECTION 7. FARGO FLOOD CONTROL PROJECT FUNDING.** Funds designated by the sixty-first legislative assembly, the sixty-second legislative assembly, and the sixty-third legislative assembly for Fargo flood control are available only for levee and dike protection until federal authorization is received for a river diversion project, at which time these funds may be expended for a river diversion project.

SECTION 8. LEGISLATIVE INTENT - FARGO FLOOD CONTROL PROJECT FUNDING. It is the intent of the sixty-third legislative assembly that the state provide one-half of the local cost-share of constructing a federally authorized Fargo flood control project and that total Fargo flood control project funding to be provided by the state not exceed $450,000,000."

Page 4, line 19, after "projects" insert ", including levees and dikes"

Page 4, line 21, remove "or for a river diversion project. Notwithstanding"

Page 4, remove lines 22 and 23

Page 4, line 24, remove "Fargo flood control project"

Page 4, line 27, after the period insert "Costs incurred by nonstate entities for dwellings or other real property which are not paid by state funds are eligible for application by the nonstate entity for cost-sharing with the state."

Page 4, remove lines 28 through 31

Page 5, remove lines 1 through 3

Page 5, line 13, replace "$515,000,000" with "$287,000,000"

Page 5, remove lines 14 through 31

Page 6, replace lines 1 through 3 with:

"**SECTION 12. FARGO FLOOD CONTROL - REPORTS TO THE BUDGET SECTION.** The Fargo-Moorhead area diversion authority board shall report to the budget section prior to December 2013 and prior to October 2014 regarding an

update on congressional authorization of the diversion project and the status of the self-insured crop insurance pool, mitigation efforts, easements, and the project budget."

Page 6, remove lines 12 through 30

Page 7, remove lines 1 through 16

Page 7, line 17, after "1" insert "of this Act and section 5"

Page 7, line 18, replace "is" with "are"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1020 - State Water Commission - Senate Action

	Executive Budget	House Version	Senate Changes	Senate Version
Administrative and support services	$4,042,784	$3,909,500	$940,509	$4,850,009
Water and atmospheric resources	823,096,248	822,339,358	769,204	823,108,562
Accrued leave payments		325,774	(325,774)	
Total all funds	$827,139,032	$826,574,632	$1,383,939	$827,958,571
Less estimated income	809,359,388	826,574,632	1,383,939	827,958,571
General fund	$17,779,644	$0	$0	$0
FTE	90.00	90.00	0.00	90.00

Department No. 770 - State Water Commission - Detail of Senate Changes

	Restores Executive Compensation Package[1]	Removes Separate Line Item for Accrued Leave Payments[2]	Increases Funding for Operating Expenses[3]	Total Senate Changes
Administrative and support services	$86,252	$49,192	$805,065	$940,509
Water and atmospheric resources	492,622	276,582		769,204
Accrued leave payments		(325,774)		(325,774)
Total all funds	$578,874	$0	$805,065	$1,383,939
Less estimated income	578,874	0	805,065	1,383,939
General fund	$0	$0	$0	$0
FTE	0.00	0.00	0.00	0.00

[1] Funding reductions made by the House to the state employee compensation and benefits package are restored to the Governor's recommended level.

[2] The accrued leave payments line item added by the House is removed and the associated funding returned to line items with salaries and wages funding.

[3] Funding for the following operating expenses is increased to pay fees to other agencies due to the change in funding source for the State Water Commission from general fund to special funds:

- Audit fees $53,000 - State Auditor
- Attorney fees $321,276 - Attorney General
- Rent $430,789 - Office of Management and Budget

This amendment removes:

- Sections added by the House to amend 2011 Session Laws and 2009 Session Laws, previously amended in 2011, related to Fargo flood control funding. The House amendments changed legislative guidelines for Fargo flood control project expenditures.
- A section added by the House to provide that total Fargo flood control project funding to be provided by the state not exceed $325 million.
- Sections added by the House directing the State Water Commission to study the use of ring dikes as part of a flood protection plan for the city of Fargo and water supply needs in the Red River Valley.
- A section added by the House to require the State Water Commission to adopt policies regarding project development and financing.
- A section added by the House which increases the membership of the Water-Related Topics Overview Committee and directs the committee to prepare a water project priority schedule to be included in the committee's final report to the Legislative Management.
- A section added by the House to require the State Water Commission to move information technology hardware to the Information Technology Department secure data center.
- A section added by the House to require the State Water Commission to report to the Budget Section within 90 days of any changes made to the water project priority list presented to the Legislative Assembly in 2013.
- The requirement that the State Water Commission receive Budget Section approval prior to spending any additional funds that may become available in the resources trust fund or water development trust fund during the 2013-15 biennium.

In addition, this amendment:

- Adds a section to provide for a $40 million loan from the Bank of North Dakota to the Western Area Water Supply Authority for construction of the project, which is declared an emergency measure.
- Adds a section to provide funds designated by the Legislative Assembly for Fargo flood control are available only for levee and dike protection until federal authorization is received for a river diversion project, at which time these funds may be expended for a river diversion project.
- Adds a section of legislative intent that the state provide one-half of the local cost-share of constructing a federally authorized Fargo flood control project and that total Fargo flood control project funding not exceed $450 million.
- Adds a section requiring Fargo-Moorhead Area Diversion Authority reports to the Budget Section.
- Amends guidelines for Fargo flood control project expenditures included in a section added by the House to designate $100 million for Fargo flood control projects. The guidelines are amended to match the guidelines approved by the 62nd and 61st Legislative Assemblies and to include levees and dikes.
- Allows the State Water Commission to use funding in the resources trust fund to pay off or defease outstanding bond issues when the balance in the resources trust fund exceeds $287 million rather than $515 million, as provided in the executive recommendation.

REPORT OF STANDING COMMITTEE

HB 1038, as reengrossed and amended: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed HB 1038, as amended, was placed on the Sixth order on the calendar.

In lieu of the amendments adopted by the Senate as printed on pages 922 and 923 of the Senate Journal, Reengrossed House Bill No. 1038 is amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for the establishment of an autism spectrum disorder database and an autism spectrum disorder voucher program; to provide for a department of human services study and report to the legislative management; and to provide an appropriation.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1.

Autism spectrum disorder database - Rulemaking - Confidentiality.

1. The state department of health shall establish and administer an autism spectrum disorder database. The database must include a record of all reported cases of autism spectrum disorder in the state and any other information determined relevant and appropriate by the department in order to complete epidemiologic surveys of the autism spectrum disorder, enable research and analysis of the autism spectrum disorder, and provide services to individuals with an autism spectrum disorder.

2. The state department of health shall establish criteria regarding who is qualified to report a case of autism spectrum disorder to the database. In establishing this criteria, the department shall require that the reporter be a doctoral-level professional and be appropriately licensed, credentialed, and experienced in the field of autism spectrum disorder, including intellectual testing and other formal evidenced-based assessments for autism spectrum disorders. The department shall consult with experts in establishing this criteria.

3. The database established under this section must:

   a. Include the reported individual's diagnoses under the American psychiatric association's diagnostic and statistical manual of mental disorders, fifth edition; and

   b. Include a complete physical evaluation of the reported individual, performed by a licensed physician.

4. The state health council shall adopt rules to provide for mandatory reporting to the autism spectrum disorder database and to establish reporting requirements, including timeliness requirements.

5. The state department of health shall keep confidential all records of the database which could be used to identify a reported individual; however, the department may provide these records to other state agencies as necessary to effect the purposes of this database without regard to the confidential nature of the records. If the department provides confidential records of the database to a state agency, the department shall notify the receiving agency of the confidential nature of the records and the receiving agency shall treat these records as confidential.

SECTION 2.

Autism spectrum disorder voucher program - Appeal.

1. The department of human services shall establish a voucher program to assist in funding equipment and general educational needs related to autism spectrum disorder for individuals under age twenty-two who have been diagnosed with autism spectrum disorder. The program may include funding for assistive technology; video modeling videos or equipment; language-generating devices; training and educational material for parents; parenting education; sensory equipment; tutors; safety equipment; travel tools; self-care equipment; timers; visual representation systems; language comprehension equipment; and registration and related expenses for workshops and training to improve independent living skills, employment opportunities, and other executive or social skills. In determining the amount of a voucher for which an applicant may be determined eligible under this section, the department shall consider the applicant's level of functioning.

2. The department shall adopt rules addressing management of this voucher program and establishing the eligibility requirements and exclusions for this voucher program. The program may not provide a voucher for early intensive behavioral intervention, including applied behavioral analysis, intensive early interventional behavioral therapy, intensive behavioral intervention, the Lovaas method, the Denver model, LEAP (learning experiences - an alternative program for preschoolers and parents), TEACCH (treatment and education of autistic and related communication handicapped children), pivotal response training, or discrete trial training.

3. A decision on a voucher application which is issued by the department under this section may be appealed as provided under chapter 28-32.

SECTION 3. DEPARTMENT OF HUMAN SERVICES AUTISM SPECTRUM DISORDER STUDY AND REPORT TO THE LEGISLATIVE MANAGEMENT. During the 2013-14 interim, in consultation with clinicians who have expertise in the evaluation, diagnosis, and treatment of autism spectrum disorder, the department of human services shall study autism spectrum disorder services, including the most feasible service delivery system for individuals not served in the developmental disability system who have an autism spectrum disorder. Before August 1, 2014, the department of human services shall report to the legislative management the outcome and recommendations of this study.

SECTION 4. APPROPRIATION - STATE DEPARTMENT OF HEALTH - AUTISM SPECTRUM DISORDER DATABASE. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $200,648, or so much of the sum as may be necessary, to the state department of health for the purpose of establishing and administering an autism spectrum disorder database, for the biennium beginning July 1, 2013, and ending June 30, 2015. The state department of health is authorized one full-time equivalent position for this purpose.

SECTION 5. APPROPRIATION - DEPARTMENT OF HUMAN SERVICES - STATE AUTISM COORDINATOR. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $400,000, or so much of the sum as may be necessary, to the department of human services for the purpose of hiring a state autism coordinator who would be responsible for implementing a resource and service center to provide information and services for individuals with autism spectrum disorder, developing a statewide outreach plan, conducting regional meetings and an annual conference, and developing a protocol for use after screenings, for the biennium beginning July 1, 2013, and ending June 30, 2015. The department of human services is authorized one full-time equivalent position for this purpose.

SECTION 6. APPROPRIATION - DEPARTMENT OF HUMAN SERVICES - STATEWIDE AUTISM SPECTRUM DISORDER TRAINING EFFORT. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $500,000, or so much of the sum as may be necessary, to the department of human services for the purpose of implementing a statewide autism spectrum disorder training effort, including physician training, regional training, school staff training, and parent training, for the biennium beginning July 1, 2013, and ending June 30, 2015.

SECTION 7. APPROPRIATION - DEPARTMENT OF HUMAN SERVICES - AUTISM SPECTRUM DISORDER VOUCHER PROGRAM. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $2,219,854, or so much of the sum as may be necessary, to the department of human services for the purpose of issuing vouchers and completing a study on autism spectrum disorder services, for the biennium beginning July 1, 2013, and ending June 30, 2015. "

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1140, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO NOT PASS** (10 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1140 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1422, as engrossed and amended: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (8 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1422, as amended, was placed on the Sixth order on the calendar.

In lieu of the amendments adopted by the House as printed on page 1071 of the Senate Journal, Engrossed House Bill No. 1422 is amended as follows:

Page 1, line 1, remove "to create and enact a new subsection to section 50-11.1-03 and two new"

Page 1, remove line 2

Page 1, line 3, remove "sizes for licensed child care;"

Page 1, line 10, replace "thirty" with "twenty-four"

Page 1, remove lines 11 through 21

Page 2, remove lines 1 through 24

Page 2, line 26, replace "$2,100,000" with "$6,000,000"

Page 2, line 28, after "initiative" insert "under sections 50-11.1-14.1 and 50-11.1-18"

Page 2, line 28, remove "The"

Page 2, remove lines 29 through 31

Page 3, remove lines 1 and 2

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1422 - Department of Human Services - Senate Action

	Executive Budget	House Version	Senate Changes	Senate Version
Child care stabilization initiative		$2,100,000	$3,900,000	$6,000,000
Total all funds	$0	$2,100,000	$3,900,000	$6,000,000
Less estimated income	0	0	0	0
General fund	$0	$2,100,000	$3,900,000	$6,000,000
FTE	0.00	0.00	0.00	0.00

Department No. 325 - Department of Human Services - Detail of Senate Changes

	Increases Funding to Child Care Stabilization Initiative[1]	Total Senate Changes
Child care stabilization initiative	$3,900,000	$3,900,000
Total all funds	$3,900,000	$3,900,000
Less estimated income	0	0
General fund	$3,900,000	$3,900,000
FTE	0.00	0.00

[1] This amendment increases the funding for the child care stabilization initiative to provide $6 million, all of which is from the general fund. This is a $3.9 million increase from the House version.

REPORT OF STANDING COMMITTEE

HCR 3047: Judiciary Committee (Sen. Hogue, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HCR 3047 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "department" with "commission"

Page 1, line 6, replace "department" with "three-member commission"

Page 1, line 6, remove "with"

Page 1, line 7, replace "the charge that the department" with "to"

Page 1, line 17, replace "The department" with "A three-member commission"

Page 1, remove lines 21 through 25

Page 2, remove lines 1 through 9

Page 2, line 10, replace "4." with:

"2. The governor shall appoint each member of the commission from a list of at least three nominees agreed to by a majority of the following:

a. The speaker of the house of representatives;

b. The president pro tempore of the senate;

c. The chief justice of the North Dakota supreme court;

d. The superintendent of public instruction; and

e. A representative of an educational interest group selected by three of the four aforementioned individuals.

3. The governor shall ensure that one member of the commission has leadership experience in a private sector business, industry, or service, and that one member, at the time of appointment, holds a professional position within the higher education sector. Each member of the commission must be confirmed by the senate.

4. The term of office for each commission member is four years, except that the initial terms must be staggered by lot so that no more than one member's term expires each year. Each term begins on July first and members may be reappointed to three consecutive terms.

5. A member of the commission is subject to removal by impeachment in the same manner as that established for the removal of the governor.

6."

Page 2, line 10, replace "director" with "commission"

Page 2, line 13, replace "director" with "commission"

Page 2, line 14, replace "director" with "commission"

Page 2, after line 14, insert:

"7. The legislative assembly may provide for the appointment of an advisory board that includes a faculty and a student representative."

Renumber accordingly

APPOINTMENT OF CONFERENCE COMMITTEE

SEN. KLEIN MOVED that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on Engrossed HB 1272, Engrossed HB 1286, Engrossed HB 1291, and Engrossed HCR 3006, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on:

Engrossed HB 1272: Sens. Luick, Schaible, Marcellais
Engrossed HB 1286: Sens. Laffen, Sorvaag, Murphy
Engrossed HB 1291: Sens. Schaible, Poolman, Heckaman
Engrossed HCR 3006: Sens. Berry, Armstrong, Nelson

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. FLAKOLL MOVED that the Senate do not concur in the House amendments to Engrossed SCR 4010 as printed on SJ pages 1174-1175 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE PRESIDENT APPOINTED as a Conference Committee on Engrossed SCR 4010: Sens. Flakoll, Hogue, Heckaman.

CONSIDERATION OF AMENDMENTS

HB 1020, as engrossed: SEN. GRINDBERG (Appropriations Committee) MOVED that the amendments be adopted and then be placed on the Fourteenth order with **DO PASS**.

REQUEST

SEN. GRINDBERG REQUESTED a recorded roll call vote, which request was granted.

ROLL CALL

The question being on the motion to adopt the amendments to Engrossed HB 1020, the roll was called and there were 42 YEAS, 5 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Armstrong; Axness; Berry; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Unruh; Wardner; Warner

NAYS: Anderson; Bowman; Erbele; Triplett; Wanzek

The proposed amendments to Engrossed HB 1020 were adopted on a recorded roll call vote.

SECOND READING OF HOUSE BILL

HB 1020: A BILL for an Act to provide an appropriation for defraying the expenses of the state water commission; to provide exemptions; to provide legislative intent; to amend and reenact section 6-09.5-03 of the North Dakota Century Code, relating to the community water facility loan fund; to provide for legislative management reports; to provide for a loan from the Bank of North Dakota; and to declare an emergency.

MOTION

SEN. LUICK MOVED that Engrossed HB 1020, as amended, be amended as follows.

In lieu of the amendments adopted by the Senate as printed on pages _____ of the Senate Journal, Engrossed House Bill No. 1020 is amended as follows:

Page 1, line 2, remove "to create and enact a new"

Page 1, remove line 3

Page 1, line 4, remove "policies and procedures of the state water commission;"

Page 1, line 4, replace "sections" with "section"

Page 1, line 5, remove "and 54-35-02.37"

Page 1, line 5, remove "and sections 6 and 7 of"

Page 1, line 6, remove "chapter 46 of the 2011 Session Laws"

Page 1, line 6, remove ", the"

Page 1, line 7, remove "water-related topics overview committee, and Fargo flood control project funding"

Page 1, line 8, after the semicolon insert "to provide for a loan from the Bank of North Dakota;"

Page 1, replace lines 17 through 22 with:

"Administrative and support services	$3,229,873	$1,620,136	$4,850,009
Water and atmospheric resources	498,413,774	324,694,788	823,108,562
Total all funds	$501,643,647	$326,314,924	$827,958,571
Less estimated income	486,648,448	341,310,123	827,958,571
Total general fund	$14,995,199	($14,995,199)	$0"

Page 2, line 25, remove the comma

Page 2, line 26, remove "subject to budget section approval,"

Page 2, after line 28, insert:

"**SECTION 5. BANK OF NORTH DAKOTA LOAN - WESTERN AREA WATER SUPPLY AUTHORITY.** The Bank of North Dakota shall provide a loan of $40,000,000 to the western area water supply authority for construction of the project. The terms and conditions of the loan must be negotiated by the western area water supply authority and the Bank of North Dakota and any previous loans may be added to and merged into this loan as agreed by the authority and the Bank of North Dakota. The authority may repay the loan from income from specific project features. If the authority is in default in the payment of the principal of or interest on the obligation to the Bank of North Dakota for the loan, the authority is subject to the default provisions under section 61-40-09."

Page 3, remove lines 5 through 31

Page 4, replace lines 1 through 13 with:

"**SECTION 7. FARGO FLOOD CONTROL PROJECT FUNDING.** Funds designated by the sixty-first legislative assembly, the sixty-second legislative assembly, and the sixty-third legislative assembly for Fargo flood control are available only for levee and dike protection until the full federal share of the cost is appropriated by Congress.

SECTION 8. LEGISLATIVE INTENT - FARGO FLOOD CONTROL PROJECT FUNDING. It is the intent of the sixty-third legislative assembly that the state provide one-half of the local cost-share of constructing a federally authorized Fargo flood control project and that total Fargo flood control project funding to be provided by the state not exceed $450,000,000."

Page 4, line 19, after "projects" insert ", including levees and dikes"

Page 4, line 21, remove "or for a river diversion project. Notwithstanding"

Page 4, remove lines 22 and 23

Page 4, line 24, remove "Fargo flood control project"

Page 4, line 27, after the period insert "Costs incurred by nonstate entities for dwellings or other real property which are not paid by state funds are eligible for application by the nonstate entity for cost-sharing with the state."

Page 4, remove lines 28 through 31

Page 5, remove lines 1 through 3

Page 5, line 13, replace "$515,000,000" with "$287,000,000"

Page 5, remove lines 14 through 31

Page 6, replace lines 1 through 3 with:

"**SECTION 12. FARGO FLOOD CONTROL - REPORTS TO THE BUDGET SECTION.** The Fargo-Moorhead area diversion authority board shall report to the budget section prior to December 2013 and prior to October 2014 regarding an update on congressional authorization of the diversion project and the status of the self-insured crop insurance pool, mitigation efforts, easements, and the project budget."

Page 6, remove lines 12 through 30

Page 7, remove lines 1 through 16

Page 7, line 17, after "1" insert "of this Act and section 5"

Page 7, line 18, replace "is" with "are"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1020 - State Water Commission - Senate Action

	Executive Budget	House Version	Senate Changes	Senate Version
Administrative and support services	$4,042,784	$3,909,500	$940,509	$4,850,009
Water and atmospheric resources	823,096,248	822,339,358	769,204	823,108,562
Accrued leave payments		325,774	(325,774)	
Total all funds	$827,139,032	$826,574,632	$1,383,939	$827,958,571
Less estimated income	809,359,388	826,574,632	1,383,939	827,958,571
General fund	$17,779,644	$0	$0	$0
FTE	90.00	90.00	0.00	90.00

Department No. 770 - State Water Commission - Detail of Senate Changes

	Restores Executive Compensation Package[1]	Removes Separate Line Item for Accrued Leave Payments[2]	Increases Funding for Operating Expenses[3]	Total Senate Changes
Administrative and support services	$86,252	$49,192	$805,065	$940,509
Water and atmospheric resources	492,622	276,582		769,204
Accrued leave payments		(325,774)		(325,774)
Total all funds	$578,874	$0	$805,065	$1,383,939
Less estimated income	578,874	0	805,065	1,383,939
General fund	$0	$0	$0	$0
	0.00	0.00	0.00	0.00

	FTE	

[1] Funding reductions made by the House to the state employee compensation and benefits package are restored to the Governor's recommended level.

[2] The accrued leave payments line item added by the House is removed and the associated funding returned to line items with salaries and wages funding.

[3] Funding for the following operating expenses is increased to pay fees to other agencies due to the change in funding source for the State Water Commission from general fund to special funds:

- Audit fees - $53,000 - State Auditor.
- Attorney fees - $321,276 - Attorney General.
- Rent - $430,789 - Office of Management and Budget.

This amendment removes:

- Sections added by the House to amend 2011 Session Laws and 2009 Session Laws, previously amended in 2011, related to Fargo flood control funding. The House amendments changed legislative guidelines for Fargo flood control project expenditures.
- A section added by the House to provide that total Fargo flood control project funding to be provided by the state not exceed $325 million.
- Sections added by the House directing the State Water Commission to study the use of ring dikes as part of a flood protection plan for the city of Fargo and water supply needs in the Red River Valley.
- A section added by the House to require the State Water Commission to adopt policies regarding project development and financing.
- A section added by the House which increases the membership of the Water-Related Topics Overview Committee and directs the committee to prepare a water project priority schedule to be included in the committee's final report to the Legislative Management.
- A section added by the House to require the State Water Commission to move information technology hardware to the Information Technology Department secure data center.
- A section added by the House to require the State Water Commission to report to the Budget Section within 90 days of any changes made to the water project priority list presented to the Legislative Assembly in 2013.
- The requirement that the State Water Commission receive Budget Section approval prior to spending any additional funds that may become available in the resources trust fund or water development trust fund during the 2013-15 biennium.

In addition, this amendment:

- Adds a section to provide for a $40 million loan from the Bank of North Dakota to the Western Area Water Supply Authority for construction of the project, which is declared an emergency measure.
- Adds a section to provide that funds designated by the Legislative Assembly for Fargo flood control are available only for levee and dike protection until the full federal share of the cost is appropriated by Congress.
- Adds a section of legislative intent that the state provide one-half of the local cost-share of constructing a federally authorized Fargo flood control project and that total Fargo flood control project funding not exceed $450 million.
- Adds a section requiring Fargo-Moorhead Area Diversion Authority reports to the Budget Section.
- Amends guidelines for Fargo flood control project expenditures included in a section added by the House to designate $100 million for Fargo flood control projects. The guidelines are amended to match the guidelines approved by the 62nd and 61st Legislative Assemblies and to include levees and dikes.

- Allows the State Water Commission to use funding in the resources trust fund to pay off or defease outstanding bond issues when the balance in the resources trust fund exceeds $287 million rather than $515 million, as provided in the executive recommendation.

REQUEST

SEN. LARSEN REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to Engrossed HB 1020, as amended, which request was granted.

ROLL CALL

The question being on the motion to adopt the proposed amendments to Engrossed HB 1020, as amended, the roll was called and there were 24 YEAS, 23 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Armstrong; Bowman; Cook; Dever; Dotzenrod; Erbele; Heckaman; Kilzer; Klein; Larsen; Lee, G.; Luick; Lyson; Miller; O'Connell; Poolman; Schaible; Sitte; Triplett; Unruh; Wanzek; Wardner; Warner

NAYS: Anderson; Axness; Berry; Burckhard; Campbell; Carlisle; Flakoll; Grabinger; Grindberg; Hogue; Holmberg; Krebsbach; Laffen; Lee, J.; Marcellais; Mathern; Murphy; Nelson; Oehlke; Robinson; Schneider; Sinner; Sorvaag

The proposed amendments to Engrossed HB 1020, as amended, were adopted on a recorded roll call vote.

HB 1020: A BILL for an Act to provide an appropriation for defraying the expenses of the state water commission; to provide exemptions; to provide legislative intent; to amend and reenact section 6-09.5-03 of the North Dakota Century Code, relating to the community water facility loan fund; to provide for legislative management reports; to provide for a loan from the Bank of North Dakota; 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 44 YEAS, 3 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Anderson; Andrist; Armstrong; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

NAYS: Axness; Mathern; Sinner

Engrossed HB 1020, as amended, passed and the emergency clause was declared carried.

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SECOND READING OF HOUSE BILL

HB 1140: A BILL for an Act to provide for a loan from the Bank of North Dakota to the western area water supply authority; and to declare an emergency.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 0 YEAS, 47 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

NAYS: Anderson; Andrist; Armstrong; Axness; Berry; Bowman; Burckhard; Campbell; Carlisle; Cook; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Grindberg; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Laffen; Larsen; Lee, G.; Lee, J.; Luick; Lyson; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oehlke; Poolman; Robinson; Schaible; Schneider; Sinner; Sitte; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

Engrossed HB 1140 failed.

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MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has amended and subsequently passed: HB 1021.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has amended, subsequently passed, and the emergency clause carried: HB 1013.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has failed to pass, unchanged: HB 1140.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has passed, unchanged: SB 2255.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has amended and subsequently passed: SB 2015, SB 2242.

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2015

Page 1, line 2, after the first semicolon insert "to provide for refusal of admission of inmates; to provide for a legislative management study; to provide for a report to legislative management; to provide for a transfer;"

Page 1, line 2, remove "section 3 of"

Page 1, replace line 3 with "subsection 2 of section 12.1-32-07 of the North Dakota Century Code, relating to supervision fees."

Page 1, replace lines 13 through 18 with:

"Adult services	$160,825,768	$12,771,315	$173,597,083
Youth services	27,221,743	1,336,986	28,558,729
Accrued leave payments	0	4,639,529	4,639,529
Total all funds	$188,047,511	$18,747,830	$206,795,341
Less estimated income	30,145,650	971,524	31,117,174
Total general fund	$157,901,861	$17,776,306	$175,678,167
Full-time equivalent positions	794.29	20.00	814.29"

Page 2, replace line 3 with:

"Missouri River correctional center study	0	200,000
Transfer to state penitentiary land fund	0	12,000,000"

Page 2, replace lines 5 through 7 with:

"Total all funds	$3,124,558	$15,439,046
Less estimated income	1,460,500	298,000
Total general fund	$1,664,058	$15,141,046"

Page 2, replace lines 16 through 23:

"**SECTION 4. APPROPRIATION - TRANSFER - STATE PENITENTIARY LAND FUND - LEGISLATIVE INTENT.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $12,000,000, which the office of management and budget shall transfer on July 1, 2013, to the state penitentiary land fund established in section 54-23.3-04. The funds transferred and interest earned on the moneys transferred must be used for costs of relocating the Missouri River correctional center. It is the intent of the legislative assembly that if the sixty-fourth legislative assembly does not approve the relocation of the Missouri River correctional center, the funds transferred be returned to the general fund.

SECTION 5. DEPARTMENT OF CORRECTIONS AND REHABILITATION - REPORT TO THE LEGISLATIVE MANAGEMENT. There is included in section 1 of this Act, the sum of $200,000, or so much of the sum as may be necessary, that the department of corrections and rehabilitation shall use for developing a plan for relocating the Missouri River correctional center, for the biennium beginning July 1, 2013, and ending June 30, 2015. The plan must include a determination of facilities, services, and activities that may be shared by the Missouri River correctional center and the youth correctional center. The department must present the plan to the legislative management by July 1, 2014.

SECTION 6. LEGISLATIVE INTENT - MISSOURI RIVER CORRECTIONAL CENTER LAND - REPORTS TO THE LEGISLATIVE MANAGEMENT. It is the intent of the sixty-third legislative assembly that once the Missouri River correctional center is relocated to the youth correctional center site, all remaining land be transferred to the parks and recreation department for recreational purposes and not for residential, business, or industrial purposes. The parks and recreation department shall develop a ten-year plan for the property to be used for recreational purposes. The parks and recreation department shall report on the plan and progress to implement the plan periodically to a committee designated by the legislative management.

SECTION 7. LEGISLATIVE MANAGEMENT STUDY OF JAMES RIVER CORRECTIONAL CENTER AND STATE HOSPITAL PROPERTY. During the 2013-14 interim, the legislative management shall consider studying the use of the structures and property of the James River correctional center and the state hospital to determine the best and most efficient use of the properties. The legislative management shall reports its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-fourth legislative assembly.

SECTION 8. REFUSAL OF ADMISSION OF INMATES - REPORT TO LEGISLATIVE MANAGEMENT. The department of corrections and rehabilitation may refuse to admit inmates sentenced to the physical custody of the department when the admission of inmates will exceed the maximum operational capacity of the penitentiary and its affiliated facilities and result in the department exceeding its authorized legislative appropriation for contracting for housing inmates in other correctional facilities. For purposes of this section, maximum operational capacity of the department means the total number of inmates that may be imprisoned at the same time in the penitentiary and its affiliated facilities. The department shall develop a prison population management plan to prioritize admissions based on sentences and the availability of space in the penitentiary and its affiliated facilities. The department shall report annually to the budget section of the legislative management on the prison population management plan and inmate admissions and the number of inmates the department has not admitted after sentencing.

SECTION 9. AMENDMENT. Subsection 2 of section 12.1-32-07 of the North Dakota Century Code is amended and reenacted as follows:

2. The conditions of probation must be such as the court in its discretion deems reasonably necessary to ensure that the defendant will lead a law-abiding life or to assist the defendant to do so. The court shall provide as an explicit condition of every probation that the defendant not commit another offense during the period for which the probation remains subject to revocation. The court shall order supervision costs and fees of not less than ~~forty-five~~fifty-five dollars per month unless the court makes a specific finding on record that the imposition of fees will result in an undue hardship. If the offender has not paid the full amount of supervision fees and costs before completion or termination of probation, the court may issue an order, after opportunity for hearing, to determine the amount of supervision fees and costs that are unpaid. The order may be filed, transcribed, and enforced by the department of corrections and rehabilitation in the same manner as civil judgments rendered by a district court of this state."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2015 - DOCR - House Action

	Executive Budget	Senate Version	House Changes	House Version
Adult services	$180,507,372	$181,589,147	($7,992,064)	$173,597,083
Youth services	30,149,708	30,159,324	(1,600,595)	28,558,729
Accrued leave payments			4,639,529	4,639,529
Transfer to state penitentiary land fund			12,000,000	12,000,000
Total all funds	$210,657,080	$211,748,471	$7,046,870	$218,795,341
Less estimated income	30,673,355	30,676,124	441,050	31,117,174
General fund	$179,983,725	$181,072,347	$6,605,820	$187,678,167
FTE	814.29	814.29	0.00	814.29

Department No. 530 - DOCR - Detail of House Changes

	Adjusts State Employee Compensation and Benefits Package[1]	Provides Separate Line Item for Accrued Leave Payments[2]	Removes Funding for Oil Impact[3]	Reduces Funding for Operating Expenses[4]	Changes Funding Source for New FTE Positions[5]	Adds Funding for MRCC Study[6]
Adult services	($4,142,246)	($3,768,101)	($187,967)	($93,750)		$200,000
Youth services	(619,532)	(871,428)	(78,385)	(31,250)		
Accrued leave payments		4,639,529				
Transfer to state penitentiary land fund						
Total all funds	($4,761,778)	$0	($266,352)	($125,000)	$0	$200,000
Less estimated income	(236,950)	0	0	0	678,000	0
General fund	($4,524,828)	$0	($266,352)	($125,000)	($678,000)	$200,000
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	Adds Transfer for MRCC Relocation[7]	Total House Changes
Adult services		($7,992,064)
Youth services		(1,600,595)
Accrued leave payments		4,639,529
Transfer to state penitentiary land fund	12,000,000	12,000,000
Total all funds	$12,000,000	$7,046,870
Less estimated income	0	441,050
General fund	$12,000,000	$6,605,820
FTE	0.00	0.00

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[1] This amendment adjusts the state employee compensation and benefits package as follows:

- Reduces the performance component from 3 to 5 percent per year to 2 to 4 percent per year.
- Reduces the market equity component from 2 to 4 percent per year for employees below the midpoint of their salary range to up to 2 percent for employees in the first quartile of their salary range for the first year of the biennium only.
- Removes funding for additional retirement contribution increases.

[2] A portion of salaries and wages funding from the general fund ($4,407,553) and from other funds ($231,976) for permanent employees' compensation and benefits is reallocated to an accrued leave payments line item for paying annual leave and sick leave for eligible employees.

[3] Funding included in the executive budget recommendation for salary add-ons and housing assistance for employees in oil-impacted areas is removed.

[4] Funding is reduced by $125,000 departmentwide for operating expenses.

[5] The funding source for a portion of salaries and operating expenses for new parole and probation officer FTE positions is changed from the general fund to other funds received from an increase in supervision fees.

[6] Funding is added for a study regarding the relocation of the Missouri River Correctional Center to the Youth Correctional Center site.

[7] Funding is added in a separate section for a transfer of $12 million from the general fund to the state penitentiary land fund for future relocation of the Missouri River Correctional Center.

Sections are added relating to the following:

- Refusal of admission of inmates.
- Legislative Management study of the James River Correctional Center and the State Hospital.
- A report to Legislative Management regarding the Missouri River Correctional Center study.
- Subsection 2 of Section 12.1-32-07 is amended to increase supervision fees from $45 to $55.

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2242

Page 1, line 3, replace "subsection 6 of section 20.1-03-12" with "subsection 1 of section 54-17.8-06"

Page 1, line 4, after "Code" insert "as created by House Bill No. 1278, as approved by the sixty-third legislative assembly"

Page 1, line 4, replace "and fishing fees for disabled veterans" with "the members of the North Dakota outdoor heritage advisory board"

Page 1, remove lines 13 through 17

Page 1, after line 21, insert:

"**SECTION 3. AMENDMENT.** Subsection 1 of section 54-17.8-06 of the North Dakota Century Code as created by House Bill No. 1278, as approved by the sixty-third legislative assembly, is amended and reenacted as follows:

1. There is created a North Dakota outdoor heritage advisory board consisting of twelve members. The governor shall appoint representatives from each of the groups listed in this section based upon recommendations made by the appropriate group. The advisory board consists of:

   a. Four members from the agriculture community. The governor shall appoint one member from the North Dakota farm bureau, North Dakota farmers union, the North Dakota stockmen's association, and the North Dakota grain growers association.

   b. Two members from the energy industry. The governor shall appoint one member from the North Dakota petroleum council and one member from the lignite energy council.

   c. Four members from the conservation community. ~~The governor shall appoint one member from ducks unlimited of North Dakota, the North Dakota natural resources trust fund, the~~

~~North Dakota chapter of pheasants forever, and the conservation community at large.~~

d. One member from the business community from the greater North Dakota chamber.

e. One member from the North Dakota recreation and park association."

Renumber accordingly

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate does not concur in the House amendments to SCR 4010, and the President has appointed as a conference committee to act with a like committee from the House on:

SCR 4010: Sens. Flakoll; Hogue; Heckaman

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has appointed as a conference committee to act with a like committee from the Senate on:

SB 2005: Reps. J. Nelson; Kreidt; Holman
SB 2006: Reps. Kempenich; Sanford; Glassheim
SB 2007: Reps. Kreidt; J. Nelson; Holman
SB 2008: Reps. Hawken; Thoreson; Guggisberg
SB 2009: Reps. Dosch; Grande; Boe
SB 2010: Reps. Kreidt; J. Nelson; Holman
SB 2011: Reps. Kempenich; Brandenburg; Guggisberg
SB 2016: Reps. Dosch; Martinson; Boe
SB 2017: Reps. Kreidt; Wieland; Holman
SB 2019: Reps. Streyle; Martinson; Williams
SB 2021: Reps. Thoreson; Sanford; Glassheim
SB 2022: Reps. Sanford; Hawken; Guggisberg
SB 2023: Reps. Sanford; Thoreson; Guggisberg
SB 2024: Reps. J. Nelson; Pollert; Holman
SB 2354: Reps. Hofstad; Fehr; Mooney
SB 2369: Reps. Kasper; Boehning; Zaiser

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has appointed as a conference committee to act with a like committee from the Senate on:

SB 2219: Reps. Wieland; Bellew; Holman

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has concurred in the Senate amendments and subsequently passed: HB 1023.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has concurred in the Senate amendments and subsequently passed: HB 1167, HB 1202, HB 1219, HB 1368, and HB 1410.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House does not concur in the Senate amendments to HB 1002, HB 1003, HB 1004, HB 1006, HB 1008, HB 1009, HB 1014, HB 1018, HB 1019, HB 1022, HB 1099, HB 1128, HB 1138, HB 1170, HB 1198, HB 1300, HB 1412, HCR 3011, and HCR 3034, and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1002: Reps. Grande; Martinson; Williams
HB 1003: Reps. Brandenburg; Kempenich; Glassheim

HB 1004: Reps. Brandenburg; Thoreson; Guggisberg
HB 1006: Reps. Brandenburg; Kempenich; Glassheim
HB 1008: Reps. Streyle; Dosch; Boe
HB 1009: Reps. Monson; Skarphol; Boe
HB 1014: Reps. J. Nelson; Kreidt; Holman
HB 1018: Reps. Streyle; Grande; Williams
HB 1019: Reps. Dosch; Monson; Boe
HB 1022: Reps. Kempenich; Sanford; Glassheim
HB 1099: Reps. Kempenich; Dosch; Guggisberg
HB 1128: Reps. K. Koppelman; Brabandt; Toman
HB 1138: Reps. K. Koppelman; Boehning; Karls
HB 1170: Reps. Damschen; Fehr; Oversen
HB 1198: Reps. Belter; Headland; S. Kelsh
HB 1300: Reps. Hatlestad; Froseth; Haak
HB 1412: Reps. Larson; Steiner; Delmore
HCR 3011: Reps. Paur; Klemin; Maragos
HCR 3034: Reps. Maragos; Karls; Toman

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House does not concur in the Senate amendments to HB 1025, HB 1033, HB 1041, HB 1136, HB 1205, HB 1289, and HB 1306, and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1025: Reps. Kretschmar; Klemin; Delmore
HB 1033: Reps. Kempenich; Porter; Boe
HB 1041: Reps. Weisz; Wieland; Holman
HB 1136: Reps. Klemin; Kretschmar; Hanson
HB 1205: Reps. Vigesaa; Frantsvog; Delmore
HB 1289: Reps. Brandenburg; Grande; Boe
HB 1306: Reps. Bellew; Boehning; Amerman

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has appointed as a conference committee to act with a like committee from the House on:

HB 1272: Sens. Luick; Schaible; Marcellais
HB 1286: Sens. Laffen; Sorvaag; Murphy
HB 1291: Sens. Schaible; Poolman; Heckaman
HCR 3006: Sens. Berry; Armstrong; Nelson

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has appointed as a conference committee to act with a like committee from the House on:

HB 1338: Sens. Schaible; Dever; Marcellais
HB 1405: Sens. Schaible; Dever; Marcellais
HB 1452: Sens. Dever; Krebsbach; Nelson

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has adopted the conference committee report and subsequently passed: SB 2047, SB 2095, SB 2339.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has adopted the conference committee report and subsequently failed to pass: SB 2201, SB 2257.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has adopted the conference committee report on: SB 2087, SB 2113, SB 2114, SB 2207, SB 2352.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has adopted the conference committee report and subsequently passed: HB 1080, HB 1157, HB 1163, HB 1227, HB 1251, HCR 3016.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: Your signature is respectfully requested on: SB 2087, SB 2113, SB 2114, SB 2207, SB 2255, SB 2352.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: Your signature is respectfully requested on: SB 2146, SB 2238, SB 2368.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: Your signature is respectfully requested on: HB 1027, HB 1451.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: Your signature is respectfully requested on: HB 1106, HB 1211, HB 1296, HB 1309, HB 1332, HB 1382, HCR 3019, HCR 3021, HCR 3029, HCR 3038.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: Your signature is respectfully requested on: HB 1167, HB 1202, HB 1219, HB 1368, HB 1410.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The Speaker has signed: SB 2146, SB 2238, SB 2368.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The President has signed: SB 2146, SB 2238, SB 2368.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The President has signed: HB 1027, HB 1106, HB 1211, HB 1296, HB 1309, HB 1332, HB 1382, HB 1451, HCR 3019, HCR 3021, HCR 3029, HCR 3038.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The President has signed: HB 1145, HB 1213, HB 1322, HB 1413.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The Speaker has signed: HB 1026, HB 1052, HB 1054, HB 1085, HB 1091, HB 1117, HB 1130, HB 1185, HB 1192, HB 1241, HB 1247, HB 1267.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bills were delivered to the Governor for approval on April 16, 2013: SB 2146, SB 2238, SB 2368.

MOTION

SEN. KLEIN MOVED that the Senate be on the Fourth, Fifth, and Thirteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 8:00 a.m., Wednesday, April 17, 2013, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

SB 2115, as engrossed: Your conference committee (Sens. Berry, Hogue, Nelson and Reps. Boehning, Steiner, Hanson) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 939-940, adopt amendments as follows, and place SB 2115 on the Seventh order:

That the House recede from its amendments as printed on pages 939 and 940 of the Senate Journal and page 1061 of the House Journal and that Engrossed Senate Bill No. 2115 be amended as follows:

Page 2, line 13, remove "as"

Page 2, line 14, remove "determined by the agency to which the records are submitted"

Page 4, after line 9, insert:

"7. Unless made confidential under subsection 1, records received by the state department of emergency services under chapter 37-17.1 from the federal government and any public or private agency or entity for disaster mitigation, preparation, response, and recovery are exempt."

Renumber accordingly

Engrossed SB 2115 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2126, as engrossed: Your conference committee (Sens. Miller, Cook, Dotzenrod and Reps. Sukut, Beadle, Gruchalla) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 751-752, adopt amendments as follows, and place SB 2126 on the Seventh order:

That the House recede from its amendments as printed on pages 751 and 752 of the Senate Journal and pages 882-884 of the House Journal and that Engrossed Senate Bill No. 2126 be amended as follows:

Page 1, line 1, replace the first "section" with "sections"

Page 1, line 1, after "12.1-23-16" insert "and 12.1-23-17"

Page 1, line 3, after "devices" insert "and skimming devices used for a fraudulent purpose"

Page 1, remove line 11

Page 1, line 12, remove "internet link, or"

Page 1, line 12, remove "other"

Page 1, line 12, remove the second underscored comma

Page 2, line 17, after "is" insert "guilty of a class A felony and also is"

Page 3, after line 3, insert:

"**SECTION 2.** Section 12.1-23-17 of the North Dakota Century Code is created and enacted as follows:

12.1-23-17. Unlawful skimming of credit, debit, or other electronic payment cards - Penalty.

1. For purposes of this section:

   a. "Authorized card user" means any person with the empowerment, permission, or competence to use an electronic payment card.

   b. "Electronic payment card" means a credit card, charge card, debit card, hotel key card, stored value card, or any other card that is issued to an authorized card user which allows the user to obtain, purchase, or receive goods, services, money, or anything else of value from a merchant.

   c. "Merchant" means an owner or operator of a retail mercantile establishment or an agent, employee, lessee, consignee, officer, director, franchisee, or independent contractor of a retail mercantile establishment who receives from an authorized user or someone believed to be an authorized user, an electronic payment card or information from an electronic payment card, or what is believed to be an electronic payment card or information from an electronic payment card, as the instrument for obtaining, purchasing, or receiving goods, services, money, or anything else of value from the retail mercantile establishment.

d. "Re-encoder" means an electronic device that places encoded information from the magnetic strip or stripe of an electronic payment card onto the magnetic strip or stripe of a different electronic payment card.

e. "Scanning device" means a scanner, reader, or any other electronic device that is used to access, read, scan, obtain, memorize, or store, temporarily or permanently, information encoded on the magnetic strip or stripe of an electronic payment card.

2. A person is guilty of unlawful skimming if the person uses:

a. A scanning device to access, read, scan, obtain, memorize, or store, temporarily or permanently, information encoded on the magnetic strip or stripe of an electronic payment card without the permission of the authorized user of the electronic payment card, with the intent to defraud the authorized user of the electronic payment card, the issuer of the electronic payment card, or a merchant; or

b. A re-encoder to place information encoded on the magnetic strip or stripe of an electronic payment card onto the magnetic strip or stripe of a different electronic payment card without the permission of the authorized user of the card from which the information is being re-encoded, with the intent to defraud the authorized user of the electronic payment card, the issuer of the electronic payment card, or a merchant.

3. Any person convicted of a violation under subsection 2 is guilty of a class B felony. Any person convicted of a second or subsequent violation of subsection 2 is guilty of a class A felony and also is subject to a civil penalty of not more than one hundred thousand dollars."

Page 3, line 8, replace "revocation" with "conviction"

Page 3, line 8, after the underscored period insert "Any person convicted of violating section 12.1-23-16 who is not a holder of a permit at the time of conviction is not eligible to receive a permit for a period of ten years from the date of conviction."

Renumber accordingly

Engrossed SB 2126 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2132: Your conference committee (Sens. Andrist, Sorvaag, Dotzenrod and Reps. Louser, Ruby, Gruchalla) recommends that the **SENATE ACCEDE** to the House amendments as printed on SJ page 1175 and place SB 2132 on the Seventh order.

SB 2132 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2162: Your conference committee (Sens. Dever, Larsen, Axness and Reps. Drovdal, Dockter, Strinden) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ page 878, adopt amendments as follows, and place SB 2162 on the Seventh order:

That the House recede from its amendments as printed on page 878 of the Senate Journal and page 940 of the House Journal and that Senate Bill No. 2162 be amended as follows:

Page 1, line 19, after "~~of~~" insert "eighty-five percent of"

Page 2, line 5, after "~~of~~" insert "eighty-five percent of"

Renumber accordingly

SB 2162 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2213: Your conference committee (Sens. Schaible, Dever, Nelson and Reps. Kasper, B. Koppelman, Amerman) recommends that the **SENATE ACCEDE** to the House amendments as printed on SJ page 1065 and place SB 2213 on the Seventh order.

SB 2213 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2243, as engrossed: Your conference committee (Sens. Dever, J. Lee, Axness and Reps. Damschen, Fehr, Mooney) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ page 918, adopt amendments as follows, and place SB 2243 on the Seventh order:

That the House recede from its amendments as printed on page 918 of the Senate Journal and page 1009 of the House Journal and that Engrossed Senate Bill No. 2243 be amended as follows:

Page 1, line 1, remove "; and"

Page 1, line 2, remove "to provide an appropriation"

Page 1, line 13, after the period insert "The legislative council may spend up to $45,000 to contract for consulting and coordination of study services to assist the legislative management in conducting the behavioral health study."

Page 1, remove lines 14 through 19

Renumber accordingly

Engrossed SB 2243 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2361: Your conference committee (Sens. Luick, Poolman, Marcellais and Reps. Heller, D. Johnson, Hunskor) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 942-943, adopt amendments as follows, and place SB 2361 on the Seventh order:

That the House recede from its amendments as printed on pages 942 and 943 of the Senate Journal and page 1092 of the House Journal and that Senate Bill No. 2361 be amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new section to chapter 15-62.1 of the North Dakota Century Code, relating to a student loan consolidation program at the Bank of North Dakota; and to provide for a report.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 15-62.1 of the North Dakota Century Code is created and enacted as follows:

Student loan consolidation program - Requirements - Authority to expand.

1. The agency shall develop and administer a student loan consolidation program under which the agency may refinance state, federal, and alternative education loans for eligible physicians. In order to be eligible under this subsection, a physician must:

   a. Be licensed in accordance with chapter 43-17; and

   b. Be a resident of and practice in a North Dakota city having a population that does not exceed four thousand five hundred.

2. The agency may expand the student loan consolidation program to serve individuals other than those referenced in subsection 1.

SECTION 2. STUDENT LOAN CONSOLIDATION PROGRAM - REPORT. The Bank of North Dakota shall provide a written report regarding the implementation of the student loan consolidation program to the legislative management at the biennial meeting during which interim committee reports are presented."

Renumber accordingly

SB 2361 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2129, as engrossed: Your conference committee (Sens. Klein, Andrist, Murphy and Reps. Sukut, Louser, M. Nelson) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ page 898, adopt amendments as follows, and place SB 2129 on the Seventh order:

That the House recede from its amendments as printed on page 898 of the Senate Journal and page 990 of the House Journal and that Engrossed Senate Bill No. 2129 be amended as follows:

Page 1, remove lines 4 through 24

Page 2, remove lines 1 through 30

Page 3, replace lines 1 through 7 with:

"**SECTION 1. AMENDMENT.** Section 54-21.3-04.1 of the North Dakota Century Code is amended and reenacted as follows:

54-21.3-04.1. Accessibility standards - Automatic doors.

1. Notwithstanding section 54-21.3-04, every building or facility subject to the federal Americans with Disabilities Act of 1990 [Pub. L. 101-336; 104 Stat. 327] must conform to the ~~accessibility standards of the Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities~~2010 Americans with Disabilities Act standards for accessible design as contained in ~~the appendix to~~ title 28, Code of Federal Regulations, ~~part~~ parts 35 and 36 [28 CFR 35 and 36]. ~~State and political subdivision entities may not claim the exceptions to the requirement that elevators be installed in certain buildings as those exceptions are stated in exception 1 to section 4.1.3(5) and in section 4.1.6(1)(k)(i) in the Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities found in the appendix to 28 CFR 36. A structural change to an existing state or political subdivision building or facility is not required if another method is effective in achieving compliance with regulations adopted under Public Law 101-336. For public accommodations, an alternative to a structural change in existing buildings or facilities is permitted only after it has been documented, in accordance with regulations adopted under Public Law 101-336, that a particular structural change is not readily achievable.~~

2. A state agency or the governing body of a political subdivision shall require from any ~~person~~individual preparing plans and specifications for a building or facility subject to the Americans with Disabilities Act of 1990 [Pub. L. 101-336; 104 Stat. 327], a statement that the plans and specifications are, in the professional judgment of that ~~person~~individual, in conformance with the Americans with Disabilities Act ~~Accessibility Guidelines for Buildings and Facilities found in the appendix to 28 CFR 36, subject to the exception stated in this section~~standards for accessible design as provided under subsection 1. A statement of conformance must be submitted to the department of commerce division of community services for recording.

3. After July 31, 2013, a newly designed and constructed building in excess of seven thousand five hundred square feet [696.77 square meters] which is classified within the state building code as assembly, business, educational, institutional, or mercantile occupancy and required by the state building code to be accessible must include at the primary exterior public entrance an automatic door or power-assisted manual door that complies with the requirements of the Americans with Disabilities Act of 1990, revised 2010. If a multiple unit building does not have a primary exterior public entrance, an individual unit within that building is not required to include an automatic door or power-assisted manual door unless that individual unit is in excess of seven thousand five hundred square feet [696.77 square meters]."

Renumber accordingly

Engrossed SB 2129 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2330: Your conference committee (Sens. Miller, Campbell, Dotzenrod and Reps. Owens, Klein, S. Kelsh) recommends that the **SENATE ACCEDE** to the House amendments as printed on SJ page 899 and place SB 2330 on the Seventh order.

SB 2330 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

HB 1157: Your conference committee (Sens. J. Lee, Anderson, Dotzenrod and Reps. Beadle, Klein, Hanson) recommends that the **HOUSE ACCEDE** to the Senate amendments as printed on HJ pages 897-898 and place HB 1157 on the Seventh order.

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

REPORT OF CONFERENCE COMMITTEE

HB 1080: Your conference committee (Sens. Laffen, Sorvaag, Sinner and Reps. Ruby, Frantsvog, Gruchalla) recommends that the **HOUSE ACCEDE** to the Senate amendments as printed on HJ page 1202 and place HB 1080 on the Seventh order.

HB 1080 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

HB 1163: Your conference committee (Sens. Andrist, Klein, Murphy and Reps. Ruby, Keiser, M. Nelson) recommends that the **HOUSE ACCEDE** to the Senate amendments as printed on HJ page 1149 and place HB 1163 on the Seventh order.

HB 1163 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

HB 1251, as engrossed: Your conference committee (Sens. Unruh, Sorvaag, Murphy and Reps. Vigesaa, Beadle, Boschee) recommends that the **HOUSE ACCEDE** to the Senate amendments as printed on HJ pages 1169-1170 and place HB 1251 on the Seventh order.

Engrossed HB 1251 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

HB 1227, as engrossed: Your conference committee (Sens. Miller, Luick, Heckaman and Reps. Wall, Rust, M. Nelson) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1018-1019, adopt amendments as follows, and place HB 1227 on the Seventh order:

That the Senate recede from its amendments as printed on page 1018 of the House Journal and page 772 of the Senate Journal and that Engrossed House Bill No. 1227 be amended as follows:

Page 1, line 3, remove "19-20.1-03.3,"

Page 1, line 7, after the first comma insert "19-20.1-03.3,"

Page 1, line 7, remove "and"

Page 1, line 7, after "19-20.1-07" insert ", and 19-20.2-11"

Page 1, line 8, after "commissioner" insert ", protected information, rulemaking,"

Page 6, remove lines 10 through 31

Page 7, remove lines 1 and 2

Page 17, line 11, after the first comma insert "19-20.1-03.3,"

Page 17, line 11, remove "and"

Page 17, line 11, after "19-20.1-07" insert ", and 19-20.2-11"

Renumber accordingly

Engrossed HB 1227 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

HCR 3016, as engrossed: Your conference committee (Sens. Laffen, Burckhard, Murphy and Reps. Vigesaa, Drovdal, Delmore) recommends that the **HOUSE ACCEDE** to the Senate amendments as printed on HJ page 1202 and place HCR 3016 on the Seventh order.

Engrossed HCR 3016 was placed on the Seventh order of business on the calendar.

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

William R. Horton, Secretary