

JOURNAL OF THE HOUSE

Fifty-fourth Legislative Assembly

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Bismarck, March 30, 1995

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

The prayer was offered by the Rev. Don Schmid, Bethel Baptist Church, Harvey.

The roll was called and all members were present except Representatives Hagle, Hausauer, D. Henegar, and Rydell.

A quorum was declared by the Speaker.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SCR 4070.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)

MR. SPEAKER: The Senate has adopted the conference committee report and subsequently passed: SB 2037, SB 2044, SB 2072, SB 2143, SB 2204, SB 2463.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)

MR. SPEAKER: The Senate does not concur in the House amendments to SB 2003, SB 2006, and SB 2009 and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2003: Sens. Naaden; Nalewaja; Lindaas

SB 2006: Sens. Streibel; Solberg; Lindaas

SB 2009: Sens. Solberg; Naaden; Redlin

MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

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

SB 2428: Reps. DeWitz; Bateman; Laughlin

MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

MADAM PRESIDENT: The House has concurred in the Senate amendments and subsequently passed: HCR 3009.

MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

MADAM PRESIDENT: The House does not concur in the Senate amendments to HB 1014 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1014: Reps. Howard; Tollefson; Laughlin

MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

MADAM PRESIDENT: The House has amended and subsequently passed: SB 2499.

MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

MADAM PRESIDENT: The House has adopted the conference committee report and subsequently passed: HB 1221, HB 1250.

MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

MADAM PRESIDENT: The House has adopted the conference committee report and subsequently passed: HB 1210, HB 1386.

MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

MADAM PRESIDENT: The House has adopted the conference committee report and subsequently failed to pass: HB 1260.

SIXTH ORDER OF BUSINESS

REP. DORSO MOVED that the amendments on the Sixth order of business to Engrossed SB 2063, Engrossed SB 2008, SB 2019, and SB 2305 be adopted, which motion prevailed.

Engrossed SB 2063, Engrossed SB 2008, SB 2019, and SB 2305, as amended, were placed on the Fourteenth order of business on the calendar.

SECOND READING OF SENATE BILL

SB 2063: A BILL for an Act to create and enact a new section to chapter 15-40.1 of the North Dakota Century Code, relating to per student payments for special education; to amend and reenact subsection 3 of section 15-40.1-06, subsection 6 of section 15-40.2-08, sections 15-59-02.1, 15-59-06, and 15-59-07 of the North Dakota Century Code, relating to school district liability for special needs students; and to provide legislative intent.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 80 YEAS, 16 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Belter; Berg; Bernstein; Boucher; Brown; Byerly; Carlisle; Carlson; Christopherson; Coats; Dalrymple; DeKrey; Delzer; DeWitz; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Gorman; Grosz; Grumbo; Gulleon; Gunter; Hanson; Hausauer; Henegar, K.; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Klein; Koppelman; Kretschmar; Kroeber; Kunkel; Laughlin; Lloyd; Mahoney; Maragos; Martinson; Monson; Mutzenberger; Nicholas; Oban; Olson; Payne; Price; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schimke; Schmidt; Shide; Sitz; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thoreson; Timm; Tollefson; Torgerson; Wald; Walker; Wardner; Wentz; Wilkie; Speaker Martin

NAYS: Austin; Bateman; Boehm; Christenson; Clark; Clayburgh; Delmore; Dobrinski; Glassheim; Gorder; Kliniske; Mickelson; Nichols; Nottestad; Poolman; Thompson

ABSENT AND NOT VOTING: Hagle; Henegar, D.

Engrossed SB 2063, as amended, passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2008: A BILL for an Act to provide an appropriation for defraying the expenses of the public service commission; to provide for a legislative council study; and to amend and reenact section 49-01-05 of the North Dakota Century Code, relating to the salary of public service commissioners.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 77 YEAS, 19 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Austin; Bateman; Belter; Berg; Bernstein; Boehm; Boucher; Brown; Byerly; Carlisle; Carlson; Christopherson; Clark; Clayburgh; Dalrymple; DeKrey; Delmore; DeWitz; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Gorder; Gorman; Gulleon; Gunter; Hausauer; Henegar, K.; Holm; Howard; Huether; Jacobs; Johnson; Keiser; Kelsch; Kempenich; Klein; Kliniske; Koppelman; Kretschmar; Kunkel; Lloyd; Maragos; Martinson; Mickelson; Monson; Nicholas; Nottestad; Olson; Payne; Poolman; Price; Rennerfeldt; Retzer; Rydell; Sabby; Schimke; Shide; Sitz; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson;

Timm; Tollefson; Torgerson; Wald; Walker; Wardner; Wentz; Wilkie; Speaker Martin

NAYS: Aarsvold; Christenson; Coats; Delzer; Dobrinski; Glassheim; Grosz; Grumbo; Hanson; Kaldor; Kerzman; Kroeber; Laughlin; Mahoney; Mutzenberger; Nichols; Oban; Sandvig; Schmidt

ABSENT AND NOT VOTING: Hagle; Henegar, D.

Engrossed SB 2008, as amended, passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2019: A BILL for an Act making an appropriation for the distribution of state aid distribution fund revenue to political subdivisions of the state of North Dakota; and to provide a statement of legislative intent.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 96 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Bateman; Belter; Berg; Bernstein; Boehm; Boucher; Brown; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; DeKrey; Delmore; Delzer; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Gorman; Grosz; Grumbo; Gulleson; Gunter; Hanson; Hausauer; Henegar, K.; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Klein; Kliniske; Koppelman; Kretschmar; Kroeber; Kunkel; Laughlin; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Mutzenberger; Nicholas; Nichols; Nottestad; Oban; Olson; Payne; Poolman; Price; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schimke; Schmidt; Shide; Sitz; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Walker; Wardner; Wentz; Wilkie; Speaker Martin

ABSENT AND NOT VOTING: Hagle; Henegar, D.

SB 2019, as amended, passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2305: A BILL for an Act to amend and reenact sections 6-09.10-02.1, 6-09.10-03, and subsection 1 of section 6-09.10-06 of the North Dakota Century Code, relating to funding of a coordinated farm management delivery system and extension of the expiration date of the agricultural mediation service; to provide a continuing appropriation; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 85 YEAS, 11 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Belter; Berg; Boucher; Brown; Carlisle; Christenson; Christopherson; Clayburgh; Coats; Dalrymple; DeKrey; Delmore; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Gorman; Grumbo; Gulleson; Gunter; Hanson; Hausauer; Henegar, K.; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Klein; Kliniske; Koppelman; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martinson; Mickelson; Monson; Mutzenberger; Nicholas; Nichols; Nottestad; Oban; Olson; Payne;

Poolman; Price; Retzer; Rydell; Sabby; Sandvig; Schimke; Schmidt; Shide; Sitz; Skarphol; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Walker; Wardner; Wentz; Wilkie; Speaker Martin

NAYS: Bateman; Bernstein; Boehm; Byerly; Carlson; Clark; Delzer; Grosz; Lloyd; Rennerfeldt; Soukup

ABSENT AND NOT VOTING: Hagle; Henegar, D.

SB 2305, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

FIRST READING OF SENATE CONCURRENT RESOLUTION

SCR 4068: A concurrent resolution authorizing the retention of sufficient employees of the House and Senate to complete legislative work after the close of the session.

Was read the first time.

MOTION

REP. DORSO MOVED that the rules be suspended, that SCR 4068 not be referred to committee, be read in title only, not be printed in the Journal, and be placed on the calendar for second reading and final passage, which motion prevailed.

Sen. Naaden introduced:

(Approved by the Delayed Bills Committee)

SENATE CONCURRENT RESOLUTION NO. 4068

A concurrent resolution authorizing the retention of sufficient employees of the House and Senate to complete legislative work after the close of the session.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4068: A concurrent resolution authorizing the retention of sufficient employees of the House and Senate to complete legislative work after the close of the session.

ROLL CALL

The question being on the final adoption of the resolution, which has been read, the roll was called and there were 69 YEAS, 1 NAY, 0 EXCUSED, 28 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Belter; Berg; Boehm; Boucher; Brown; Carlson; Christenson; Christopherson; Clark; DeKrey; Delmore; Delzer; Dobrinski; Dorso; Drovdal; Froseth; Galvin; Glassheim; Gorder; Grosz; Grumbo; Gulleson; Gunter; Hanson; Henegar, K.; Holm; Jacobs; Johnson; Keiser; Kelsch; Kempenich; Kerzman; Klein; Kliniske; Koppelman; Kretschmar; Lloyd; Mahoney; Maragos; Mickelson; Monson; Mutzenberger; Nicholas; Nichols; Nottestad; Oban; Olson; Poolman; Price; Rennerfeldt; Retzer; Sabby; Sandvig; Schmidt; Shide; Sitz; Skarphol; Soukup; Svedjan; Sveen; Thompson; Thoreson; Timm; Torgerson; Walker; Wardner; Speaker Martin

NAYS: Coats

ABSENT AND NOT VOTING: Bateman; Bernstein; Byerly; Carlisle; Clayburgh; Dalrymple; DeWitz; Freier; Gerntholz; Gorman; Hagle; Hausauer; Henegar, D.; Howard; Huether; Kaldor; Kroeber; Kunkel; Laughlin; Martinson; Payne; Rydell; Schimke; Stenehjem; Tollefson; Wald; Wentz; Wilkie

SCR 4068 was declared adopted on a recorded roll call vote.

FIRST READING OF SENATE CONCURRENT RESOLUTION

SCR 4070: A concurrent resolution commending Chester E. Nelson, Jr., on 30 years of service to the Legislative Council.
Was read the first time.

MOTION

REP. DORSO MOVED that the rules be suspended, that SCR 4070 not be referred to committee, be read in its entirety, not be printed in the Journal, and be placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4070: A concurrent resolution commending Chester E. Nelson, Jr., on 30 years of service to the Legislative Council.

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

SCR 4070 was declared adopted on a voice vote.

SCR 4064: A concurrent resolution directing the Legislative Council to study the North Dakota Educational Telecommunications Council.

ROLL CALL

The question being on the final adoption of the engrossed resolution which has been read, the roll was called and there were 95 YEAS, 1 NAY, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Bateman; Belter; Berg; Bernstein; Boehm; Boucher; Brown; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; DeKrey; Delmore; Delzer; DeWitz; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Gorman; Grosz; Grumbo; Gulleson; Gunter; Hanson; Hausauer; Henegar, K.; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Klein; Kliniske; Koppelman; Kretschmar; Kroeber; Kunkel; Laughlin; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Mutzenberger; Nicholas; Nichols; Nottestad; Oban; Olson; Payne; Poolman; Price; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schimke; Schmidt; Shide; Sitz; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Walker; Wardner; Wentz; Wilkie; Speaker Martin

NAYS: Dobrinski

ABSENT AND NOT VOTING: Hagle; Henegar, D.

Engrossed SCR 4064 was declared adopted on a roll call vote.

REPORT OF CONFERENCE COMMITTEE

REP. HOLM MOVED that the conference committee report on Engrossed HB 1041 as printed on HJ pages 1506-1507 be adopted, which motion prevailed.

Engrossed HB 1041, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1041: A BILL for an Act to create and enact a new section to chapter 15-22 of the North Dakota Century Code, relating to the duties of county superintendents of schools; and to repeal sections 15-21-10,

15-22-10, 15-22-11, 15-22-13, 15-22-15, 15-22-16, 15-22-20, 15-22-26, 15-35-10, 15-38-02, 15-38-03, 15-38-14, 15-40.1-19, 15-47-17, 15-47-23, and 65-04-07 of the North Dakota Century Code, relating to the duties of county superintendent of schools, filing requirements, contingency funds, disaster drills, teacher registers, and reporting requirements.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 83 YEAS, 13 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Austin; Bateman; Belter; Berg; Bernstein; Boehm; Boucher; Brown; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Clayburgh; Dalrymple; DeKrey; Delmore; Delzer; DeWitz; Dorso; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Gorman; Grosz; Grumbo; Guleson; Gunter; Hanson; Hausauer; Henegar, K.; Holm; Howard; Huether; Jacobs; Kaldor; Keiser; Klein; Kliniske; Koppelman; Kretschmar; Kroeber; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Mutzenberger; Nicholas; Nottestad; Oban; Olson; Payne; Poolman; Price; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schimke; Shide; Sitz; Skarphol; Soukup; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Walker; Wardner; Wentz; Wilkie; Speaker Martin

NAYS: Aarsvold; Coats; Dobrinski; Drovda; Johnson; Kelsch; Kempenich; Kerzman; Kunkel; Laughlin; Nichols; Schmidt; Stenehjem

ABSENT AND NOT VOTING: Hagle; Henegar, D.

Engrossed HB 1041, as amended, passed and the title was agreed to.

MOTION

REP. DORSO MOVED that all bills and the resolution acted upon this morning be messaged to the Senate immediately, which motion prevailed.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)

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

HB 1021: Sens. Goetz; Streibel; Robinson
 HB 1284: Sens. W. Stenehjem; Grindberg; Heinrich
 HB 1317: Sens. Thane; Watne; LaFountain
 HB 1439: Sens. W. Stenehjem; Traynor; C. Nelson

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)

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

HB 1001: Sens. Goetz; Nething; Mushik
 HB 1002: Sens. Nething; Traynor; Tallackson
 HB 1005: Sens. Solberg; Nething; Mushik
 HB 1006: Sens. Naaden; St. Aubyn; Redlin
 HB 1007: Sens. Streibel; Holmberg; Robinson
 HB 1013: Sens. Nething; Nalewaja; Tallackson
 HB 1019: Sens. Holmberg; Naaden; Lindaas

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)

MR. SPEAKER: The Senate has concurred in the House amendments and subsequently passed: SB 2350.

MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

MADAM PRESIDENT: The House has amended, subsequently passed, and the emergency clause carried: SB 2305.

MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

MADAM PRESIDENT: The House has passed unchanged: SCR 4064.

MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

MADAM PRESIDENT: The House has amended and subsequently passed: SB 2008, SB 2019, SB 2063.

MOTION

REP. FREIER MOVED that the House be on the Fifth and Seventh orders of business and at the conclusion of those orders, the House stand in recess until 11:00 a.m., which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

SB 2037, as engrossed: Your conference committee (Sens. B. Stenehjem, Lee, DeMers and Reps. Price, Christopherson, Kerzman) recommends that the **SENATE ACCEDE** to the House amendments on SJ page 931 and place SB 2037 on the Seventh order.

Engrossed SB 2037 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2044, as reengrossed: Your conference committee (Sens. B. Stenehjem, Lee, Mathern and Reps. Price, Galvin, Mutzenberger) recommends that the **SENATE ACCEDE** to the House amendments on SJ page 965 and place SB 2044 on the Seventh order.

Reengrossed SB 2044 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2072, as engrossed: Your conference committee (Sens. Kringstad, Freborg, Heitkamp and Reps. Olson, Brown, Hanson) recommends that the **SENATE ACCEDE** to the House amendments on SJ page 980 and place SB 2072 on the Seventh order.

Engrossed SB 2072 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2143, as engrossed: Your conference committee (Sens. Christmann, Kringstad, Heitkamp and Reps. Carlson, K. Henegar, Hanson) recommends that the **SENATE ACCEDE** to the House amendments on SJ pages 881-882 and place SB 2143 on the Seventh order.

Engrossed SB 2143 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2204: Your conference committee (Sens. Tennefos, Urlacher, Kinnoin and Reps. Grosz, Rennerfeldt, Dobrinski) recommends that the **SENATE ACCEDE** to the House amendments on SJ pages 1038-1041 and place SB 2204 on the Seventh order.

SB 2204 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2463, as reengrossed: Your conference committee (Sens. Traynor, Freborg, Heitkamp and Reps. Wald, Kunkel, Wilkie) recommends that the **SENATE ACCEDE** to the House amendments on SJ page 1047 and place SB 2463 on the Seventh order.

Reengrossed SB 2463 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

HB 1154: Your conference committee (Sens. Grindberg, O'Connell, Wanzek and Reps. Drovdal, Glassheim, Sveen) recommends that the HOUSE ACCEDE to the Senate amendments on HJ pages 1385-1389 and place HB 1154 on the Seventh order.

HB 1154 was placed on the Seventh order of business on the calendar.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)

MR. SPEAKER: The Senate has passed unchanged: HCR 3010, HCR 3013, HCR 3016, HCR 3025, HCR 3030, HCR 3033, HCR 3039, HCR 3040.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1152, HB 1178.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1152

In lieu of the amendments printed on pages 1267-1269 of the Senate Journal, Engrossed House Bill No. 1152 is amended as follows:

Page 1, line 1, remove "subsections 1, 2, 3, 5, and 6 of"

Page 1, line 3, after the second "offenders" insert "and community notification; and to provide a penalty"

Page 1, line 5, replace "Subsections 1, 2, 3, 5, and 6 of section" with "Section"

Page 1, line 6, replace "are" with "is"

Page 1, after line 7, insert:

"12.1-32-15. Offenders against children and sexual offenders - Registration requirement - Penalty."

Page 3, after line 14, insert:

"4. A person who is required to register pursuant to this section who is released on probation or discharged upon payment of a fine must, before the release or discharge, be informed of that person's duty to register under this section by the court in which that person is convicted. The court shall require the person to read and sign a form as required by the attorney general, stating that the duty of the person to register under this section has been explained to that person. The court shall obtain the address where the person expects to reside upon release or discharge and shall report the address to the attorney general within three days. The court shall give one copy of the form to the person and shall send two copies to the attorney general. The attorney general shall forward one copy to the appropriate law enforcement agency having jurisdiction where the person expects to reside upon discharge, parole, or release."

Page 4, after line 12, insert:

"7. A person required to register under this section who violates this section is guilty of a class A misdemeanor. A court may not relieve a person who willfully violates this section from serving a term of at least ninety days in jail and completing probation of one year. A person who violates this section who previously has pled guilty or been found guilty of violating this section is guilty of a class C felony.

8. When a person is released on parole or probation and is required to register pursuant to this section, but fails to do so within the time prescribed, the court shall order the probation, or the parole board shall order the parole, of the person revoked. The statements, photographs, and fingerprints required by this section are open to inspection by the public.
9. If a person required to register pursuant to this section is temporarily sent outside the facility or institution where that person is confined under conviction or sentence, the local law enforcement agency having jurisdiction over the place where that person is being sent must be notified within a reasonable time period before that person is released from the facility or institution. This subsection does not apply to any person temporarily released under guard from the facility or institution in which that person is confined.
10. Relevant and necessary registration information may be disclosed to the public by a law enforcement agency if the agency determines that the individual registered under this section is a public risk and disclosure of the registration information is necessary for public protection. The department, in a timely manner, shall provide law enforcement agencies any information the department determines is relevant concerning individuals required to be registered under this section who are about to be released or placed into the community. A law enforcement agency, its officials, and its employees are not subject to civil or criminal liability for disclosing or for failing to disclose information as permitted by this section. Nonregistration information concerning an offender required to register under this section consisting of the name of the offender, the last known address of the offender, the offense or offenses as defined in subsection 1 to which the offender pled guilty or of which the offender was found guilty, the date of the judgment or order imposing a sentence or probation and the court entering the judgment or order, the sentence or probation imposed upon the offender, and any disposition, if known, of a sentence or probation may be disclosed to the public. The attorney general shall compile nonregistration information concerning offenders required to register under this section from criminal history record information maintained pursuant to chapter 12-60 or from an agency or department of another state or the federal government and shall provide the information upon request at no cost."

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1178

In lieu of the amendments as printed on page 1113 of the Senate Journal, Engrossed House Bill No. 1178 is amended as follows:

Page 1, line 1, after "to" insert "the implementation of weapons policies and"

Page 1, line 12, after the first period insert "Weapons policies -"

Page 1, line 13, after "resolution" insert "implement a policy governing the possession of weapons on school property and at school functions and provide for the punishment of any student found to be in violation."

2. The weapons policy must"

Page 1, line 16, replace "may" with "must", after "include" insert "immediate", replace "or" with "and", and replace "a" with "at least one year"

Page 1, line 17, remove "period up to twelve months" and after the underscored period insert "The policy must authorize the school district superintendent or the school principal if the school district does not have a superintendent to modify an expulsion under this section on a case-by-case basis in accordance with criteria established by the board."

Page 1, line 19, remove "full"

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

Page 2, line 5, replace "911-230" with "91-230"

Page 2, line 6, replace "3" with "4"

Page 2, line 18, replace "1" with "2"

Page 2, line 19, replace "1" with "2"

Renumber accordingly

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)

MR. SPEAKER: The Senate has failed to pass: HCR 3012, HCR 3041.

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

HOUSE ENROSSING AND ENROLLING REPORT

The following bills were engrossed and enrolled: HB 1018, HB 1022, HB 1032, HB 1149, HB 1151, HB 1326, HB 1360, HB 1369, HB 1375, HB 1378, HB 1379, HB 1407, HB 1436, HB 1441, HB 1452, HB 1463, HB 1493, HCR 3006, HCR 3038.

MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

MADAM PRESIDENT: The House has passed unchanged: SCR 4068, SCR 4070.

REPORT OF CONFERENCE COMMITTEE

REP. TIMM MOVED that the conference committee report on HB 1134 as printed on HJ page 1507 be adopted, which motion prevailed.

HB 1134, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1134: A BILL for an Act to provide limitations on production incentives for ethanol plants; to amend and reenact section 57-43.1-03.1 of the North Dakota Century Code and section 6 of chapter 404 of the 1991 Session Laws, relating to reductions of refunds of motor vehicle fuels taxes on fuel used for agricultural purposes and the duration of motor vehicle registration fees; to provide an effective date; to provide an expiration date; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 62 YEAS, 8 NAYS, 0 EXCUSED, 28 ABSENT AND NOT VOTING.

YEAS: Austin; Belter; Berg; Boehm; Brown; Carlson; Christopherson; Clark; Coats; DeKrey; Delmore; Delzer; Dobrinski; Dorso; Drovdal; Froseth; Galvin; Glassheim; Gorder; Grosz; Gulleston; Gunter; Henegar, K.; Holm; Jacobs; Johnson; Keiser; Kelsch; Kempenich; Kerzman; Klein; Kliniske; Koppelman; Kretschmar; Lloyd; Maragos; Mickelson; Monson; Nicholas; Nichols; Nottestad; Olson; Poolman; Price; Rennerfeldt; Retzer; Sabby;

Sandvig; Schmidt; Shide; Sitz; Skarphol; Soukup; Svedjan; Sveen; Thompson; Thoreson; Timm; Torgerson; Walker; Wardner; Speaker Martin

NAYS: Aarsvold; Boucher; Christenson; Grumbo; Hanson; Mahoney; Mutzenberger; Oban

ABSENT AND NOT VOTING: Bateman; Bernstein; Byerly; Carlisle; Clayburgh; Dalrymple; DeWitz; Freier; Gerntholz; Gorman; Hagle; Hausauer; Henegar, D.; Howard; Huether; Kaldor; Kroeber; Kunkel; Laughlin; Martinson; Payne; Rydell; Schimke; Stenehjem; Tollefson; Wald; Wentz; Wilkie

HB 1134, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

MOTION

REP. DORSO MOVED that the House be on the Third, Fifth, and Seventh orders of business and at the conclusion of those orders, the House stand in recess until 1:00 p.m., which motion prevailed.

CORRECTION AND REVISION OF THE JOURNAL

MR. SPEAKER: Your Committee on Correction and Revision of the Journal (Rep. Drovdal, Chairman) has carefully reexamined the Journal of the Fifth-eighth Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 1392, delete lines 6 through 29

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

REPORT OF CONFERENCE COMMITTEE

HB 1016, as engrossed: Your conference committee (Sens. Solberg, Robinson, Holmberg and Reps. Byerly, DeWitz, Huether) recommends that the **SENATE RECEDE** from the Senate amendments on HJ page 1356, adopt amendments as follows, and place HB 1016 on the Seventh order:

That the Senate recede from its amendments as printed on page 1146 of the Senate Journal and page 1356 of the House Journal and that Engrossed House Bill No. 1016 be amended as follows:

Page 1, line 2, remove "; to repeal chapter 54-56 of the"

Page 1, remove line 3

Page 1, line 4, remove "committee; and to provide an effective date"

Page 1, line 16, replace "3,550,00" with "3,550,000"

Page 2, replace lines 15 through 18 with:

"SECTION 5. LEGISLATIVE INTENT - FUNCTION OF REGIONAL AND TRIBAL CHILDREN'S SERVICES COORDINATING COMMITTEES. It is the intent of the legislative assembly that each regional and tribal children's services coordinating committee function as a regional planning committee to monitor and coordinate children's services in each region and that the regional and tribal children's services coordinating committees do not directly provide services or programs unless the services or programs were being provided on January 1, 1995, for the biennium beginning July 1, 1995, and ending June 30, 1997. It is further the intent that any committee directly providing services or programs on January 1, 1995, discontinue directly providing those services or programs by June 30, 1997."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 324 - CHILDREN'S SERVICES COORDINATING COMMITTEE

CONFERENCE COMMITTEE - This amendment includes the section of legislative intent added by the Senate providing that the regional and tribal children's services coordinating committees function as a regional planning committee to monitor and coordinate children's services in each region and precluding the committees from directly providing services or programs unless the services or programs were being provided on January 1, 1995. This amendment expands the section to provide that any committee that was directly providing services or programs on January 1, 1995, is to discontinue directly providing those services or programs by June 30, 1997.

The section added by the House eliminating the Children's Services Coordinating Committee on July 1, 1997, is removed. The Senate also removed this section.

Engrossed HB 1016 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

HB 1138: Your conference committee (Sens. Thane, Urlacher, Mathern and Reps. Koppelman, Jacobs, Glasheim) recommends that the **HOUSE ACCEDE** to the Senate amendments on HJ pages 1274-1275 and place HB 1138 on the Seventh order.

HB 1138 was placed on the Seventh order of business on the calendar.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2067, SCR 4012.

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

MOTION

REP. DORSO MOVED that the House reconsider its action whereby Engrossed SB 2539, as amended, failed to pass.

REQUEST

REP. SANDVIG REQUESTED a recorded roll call vote on the motion to reconsider the action whereby Engrossed SB 2539, as amended, failed to pass, which request was granted.

ROLL CALL

The question being on the motion to reconsider the action whereby Engrossed SB 2539, as amended, failed to pass, the roll was called and there were 66 YEAS, 30 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Belter; Berg; Bernstein; Brown; Byerly; Carlisle; Carlson; Christopherson; Clark; Clayburgh; Dalrymple; DeKrey; Delmore; Delzer; DeWitz; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glasheim; Gorman; Grosz; Gunter; Hausauer; Henegar, K.; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Klein; Koppelman; Kunkel; Laughlin; Mahoney; Martinson; Mickelson; Monson; Mutzenberger; Nicholas; Nottestad; Oban; Olson; Payne; Poolman; Price; Rydell; Schimke; Sitz; Skarphol; Stenehjem; Svedjan; Sveen; Thoreson; Timm; Torgerson; Walker; Wardner

NAYS: Bateman; Boehm; Boucher; Christenson; Coats; Dobrinski; Gorder; Grumbo; Gulleeson; Hanson; Kerzman; Kliniske; Kretschmar; Kroeber; Lloyd; Maragos; Nichols; Rennerfeldt; Retzer; Sabby; Sandvig; Schmidt; Shide; Soukup; Thompson; Tollefson; Wald; Wentz; Wilkie; Speaker Martin

ABSENT AND NOT VOTING: Hagle; Henegar, D.

So the motion to reconsider the action whereby Engrossed SB 2539, as amended, failed to pass, prevailed.

MOTION

REP. DORSO MOVED that Engrossed SB 2539, as amended, be rereferred to the Human Services Committee, which motion prevailed. Pursuant to Rep. Dorso's motion, Engrossed SB 2539, as amended, was rereferred.

MOTION

REP. GALVIN MOVED that the House reconsider its action whereby Engrossed HB 1155 passed, which motion lost on a verification vote.

REPORT OF CONFERENCE COMMITTEE

REP. BOUCHER MOVED that the conference committee report on Engrossed HB 1309 as printed on HJ pages 1507-1508 be adopted, which motion prevailed.

Engrossed HB 1309, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1309: A BILL for an Act to amend and reenact sections 50-25.1-03 and 50-25.1-13 of the North Dakota Century Code, relating to persons required to report child abuse and neglect and accomplice liability; and to provide a penalty.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 88 YEAS, 7 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Bateman; Belter; Berg; Bernstein; Boehm; Boucher; Brown; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; DeKrey; Delmore; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glasheim; Gorder; Gorman; Grosz; Grumbo; Gulleston; Gunter; Hausauer; Henegar, K.; Holm; Howard; Huether; Jacobs; Johnson; Keiser; Keisch; Kempenich; Kerzman; Klein; Kliniske; Koppelman; Kretschmar; Kunkel; Laughlin; Mahoney; Maragos; Martinson; Mickelson; Monson; Mutzenberger; Nichols; Nottestad; Oban; Olson; Payne; Poolman; Price; Rennerfeldt; Retzer; Rydell; Sabby; Schmidt; Shide; Sitz; Skarphol; Soukup; Stenehjelm; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Walker; Wardner; Wentz; Wilkie; Speaker Martin

NAYS: Delzer; Hanson; Kaldor; Kroeber; Lloyd; Sandvig; Schimke

ABSENT AND NOT VOTING: Hagle; Henegar, D.; Nicholas

Engrossed HB 1309, as amended, passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

REP. CARLSON MOVED that the conference committee report on HB 1329 as printed on HJ page 1508 be adopted, which motion prevailed.

HB 1329, as amended, was placed on the Eleventh order of business on the calendar.

SECOND READING OF HOUSE BILL

HB 1329: A BILL for an Act to amend and reenact sections 65-04-12, 65-04-13, 65-04-14, 65-04-19, 65-04-23, 65-04-24, 65-04-26.1, 65-04-27, 65-04-27.1, 65-09-01, 65-09-02, 65-09-03, and 65-09-04 of the North

Dakota Century Code, relating to penalties for failure to obtain workers' compensation coverage and submit payroll reports, penalties for refusal to permit inspection of books, penalties for filing false payroll reports, calculation of premium due, penalties for default in payments to the workers compensation bureau, actions for collection of delinquent premium, corporate officer liability, payment of claims for employees of employers who are in default, and injunctions against employers; and to provide a penalty.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 95 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Bateman; Belter; Berg; Bernstein; Boehm; Boucher; Brown; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; DeKrey; Delmore; Delzer; DeWitz; Dobrinski; Dorso; Drovda; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Gorman; Grosz; Grumbo; Gulleon; Gunter; Hanson; Hausauer; Henegar, K.; Holm; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Klein; Kliniske; Koppelman; Kretschmar; Kroeber; Kunkel; Laughlin; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Mutzenberger; Nicholas; Nichols; Nottestad; Oban; Olson; Payne; Poolman; Price; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schimke; Schmidt; Shide; Sitz; Skarphol; Soukup; Stenehjem; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Walker; Wardner; Wentz; Wilkie; Speaker Martin

ABSENT AND NOT VOTING: Hagle; Henegar, D.; Howard

HB 1329, as amended, passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

REP. POOLMAN MOVED that the conference committee report on Engrossed HB 1367 be adopted.

REQUEST

REP. MUTZENBERGER REQUESTED a recorded roll call vote on the motion to adopt the conference committee report on Engrossed HB 1367, which request was granted.

ROLL CALL

The question being on the motion to adopt the conference committee report on Engrossed HB 1367, the roll was called and there were 26 YEAS, 70 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Berg; Brown; Carlisle; Carlson; Christopherson; DeKrey; Delmore; Delzer; Dorso; Freier; Froseth; Grosz; Henegar, K.; Holm; Jacobs; Maragos; Mickelson; Payne; Poolman; Soukup; Stenehjem; Timm; Tollefson; Wald; Walker; Wardner

NAYS: Aarsvold; Austin; Bateman; Belter; Bernstein; Boehm; Boucher; Byerly; Christenson; Clark; Clayburgh; Coats; Dalrymple; DeWitz; Dobrinski; Drovda; Galvin; Gerntholz; Glassheim; Gorder; Gorman; Grumbo; Gulleon; Gunter; Hanson; Hausauer; Howard; Huether; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Klein; Kliniske; Koppelman; Kretschmar; Kroeber; Kunkel; Laughlin; Lloyd; Mahoney; Martinson; Monson; Mutzenberger; Nicholas; Nichols; Nottestad; Oban; Olson; Price; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schimke; Schmidt; Shide; Sitz; Skarphol; Svedjan; Sveen; Thompson; Thoreson; Torgerson; Wentz; Wilkie; Speaker Martin

ABSENT AND NOT VOTING: Hagle; Henegar, D.

The motion to adopt the conference committee report on Engrossed HB 1367 failed.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2003: Reps. Clayburgh, Tollefson, Kroeber.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2006: Reps. Clayburgh, Martinson, Laughlin.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2009: Reps. Gerntholz, Martinson, Laughlin.

MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

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

SB 2003: Reps. Clayburgh; Tollefson; Kroeber

SB 2006: Reps. Clayburgh; Martinson; Laughlin

SB 2009: Reps. Gerntholz; Martinson; Laughlin

REPORT OF CONFERENCE COMMITTEE

REP. MARAGOS MOVED that the conference committee report on Engrossed SB 2101 as printed on HJ page 1509 be adopted, which motion prevailed.

Engrossed SB 2101, as amended, was placed on the Fourteenth order of business on the calendar.

SECOND READING OF SENATE BILL

SB 2101: A BILL for an Act to adopt the Uniform Correction or Clarification of Defamation Act; and to repeal section 14-02-08 of the North Dakota Century Code, relating to libel suits against newspapers.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 96 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Bateman; Belter; Berg; Bernstein; Boehm; Boucher; Brown; Byerly; Carlisle; Carlson; Christenson; Christopherson; Clark; Clayburgh; Coats; Dalrymple; DeKrey; Delmore; Delzer; DeWitz; Dobrinski; Dorso; Drovdal; Freier; Froseth; Galvin; Gerntholz; Glassheim; Gorde; Gorman; Grosz; Grumbo; Gulleon; Gunter; Hanson; Hausauer; Henegar, K.; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Klein; Kliniske; Koppelman; Kretschmar; Kroeber; Kunkel; Laughlin; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Mutzenberger; Nicholas; Nichols; Nottestad; Oban; Olson; Payne; Poolman; Price; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schimke; Schmidt; Shide; Sitz; Skarphol; Soukup; Stenehjelm; Svedjan; Sveen; Thompson; Thoreson; Timm; Tollefson; Torgerson; Wald; Walker; Wardner; Wentz; Wilkie; Speaker Martin

ABSENT AND NOT VOTING: Hagle; Henegar, D.

Engrossed SB 2101, as amended, passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

REP. NICHOLAS MOVED that the conference committee report on SB 2152 as printed on HJ page 1509 be adopted, which motion prevailed.

SB 2152, as amended, was placed on the Fourteenth order of business on the calendar.

SECOND READING OF SENATE BILL

SB 2152: A BILL for an Act to amend and reenact subsection 4 of section 6-09-15.5 of the North Dakota Century Code, relating to the beginning farmer revolving loan fund interest rate.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 73 YEAS, 22 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Austin; Bateman; Berg; Bernstein; Boehm; Boucher; Byerly; Carlisle; Christenson; Clark; Clayburgh; Coats; Dalrymple; DeKrey; Delmore; DeWitz; Drovdal; Froseth; Galvin; Gerntholz; Glassheim; Gorder; Gorman; Grumbo; Gulleston; Gunter; Hanson; Hausauer; Henegar, K.; Holm; Howard; Huether; Jacobs; Johnson; Keiser; Kelsch; Kempenich; Klein; Kliniske; Koppelman; Kroeber; Kunkel; Laughlin; Lloyd; Mahoney; Maragos; Martinson; Mickelson; Monson; Nicholas; Nottestad; Oban; Olson; Poolman; Price; Rennerfeldt; Retzer; Rydell; Sabby; Sandvig; Schimke; Shide; Sitz; Skarphol; Stenehjem; Svedjan; Thompson; Thoreson; Torgerson; Walker; Wardner; Wentz; Speaker Martin

NAYS: Aarsvold; Belter; Brown; Carlson; Christopherson; Delzer; Dobrinski; Dorso; Freier; Grosz; Kaldor; Kerzman; Kretschmar; Nichols; Payne; Schmidt; Soukup; Sveen; Timm; Tollefson; Wald; Wilkie

ABSENT AND NOT VOTING: Hagle; Henegar, D.; Mutzenberger

SB 2152, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE SENATE

REP. RYDELL MOVED that the House do not concur in the Senate amendments to Engrossed HB 1178 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on Engrossed HB 1178: Reps. Monson, Torgerson, Hanson.

MOTION

REP. DORSO MOVED that the House be on the Fifth and Seventh orders of business and at the conclusion of those orders, the House stand in recess until 4:00 p.m., which motion prevailed.

MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

MADAM PRESIDENT: The House does not concur in the Senate amendments to HB 1178 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1178: Reps. Monson; Torgerson; Hanson

REPORT OF STANDING COMMITTEE

SB 2012, as engrossed: Appropriations Committee (Rep. Dalrymple, Chairman) A MAJORITY of your committee (Reps. Bateman, Bernstein, Byerly, Carlisle, Clayburgh, Dalrymple, DeWitz, Freier, Gerntholz, Gorman, Hausauer, Howard, Kunkel, Martinson, Payne, Tollefson, Wald, Wentz) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS.**

Page 1, line 5, replace "and" with a comma and after "50-06" insert ", and a new subsection to section 50-06-05.1"

Page 1, line 7, remove "and"

Page 1, line 8, after "division" insert ", and to the duties of the department of human services"

Page 1, line 9, replace "and 50-24.5-06" with ", 50-06-14.3, and subsection 5 of section 50-24.4-10"

Page 1, line 12, after the second comma insert "nursing home operating costs,"

Page 1, line 17, replace "an effective date" with "for program reductions if federal programs are terminated or reduced by block grant funding and to report to the budget section"

Page 2, line 5, replace "EXECUTIVE OFFICE" with "MANAGEMENT AND COUNCILS"

Page 2, line 6, replace "623,549" with "7,685,631"

Page 2, line 7, replace "516,562" with "13,391,161"

Page 2, after line 7, insert:

"Grants	667,278
Developmentally disabled facility loan fund	1,840,956"

Page 2, line 8, replace "4,874" with "105,684"

Page 2, line 9, replace "1,144,985" with "23,690,710"

Page 2, line 10, replace "425,248" with "15,890,069"

Page 2, line 11, replace "719,737" with "7,800,641"

Page 2, remove lines 12 through 28

Page 2, line 29, replace "4" with "2"

Page 3, line 2, replace "4,411,704" with "7,583,053"

Page 3, line 3, replace "20,747,136" with "25,275,668"

Page 3, line 4, replace "69,615" with "81,715"

Page 3, line 5, replace "1,724" with "2,543"

Page 3, after line 5, insert:

"Grants - assistance payments	125,291,758"
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Page 3, line 6, after "Grants" insert "- medical assistance" and replace "127,065,685" with "564,901,055"

Page 3, line 7, replace "152,295,864" with "723,135,792"

Page 3, line 8, replace "129,452,250" with "539,122,053"

Page 3, line 9, replace "22,843,614" with "184,013,739"

Page 3, remove lines 10 through 19

Page 3, line 20, replace "6" with "3"

Page 3, line 22, replace "5,355,667" with "9,952,704"

Page 3, line 23, replace "13,533,736" with "17,334,562"

Page 3, line 24, replace "293,185" with "583,968"

Page 3, after line 24, insert:

"Capital improvements 32,618"

Page 3, line 25, replace "78,217,413" with "93,837,526"

Page 3, line 26, replace "97,400,001" with "121,741,378"

Page 3, line 27, replace "68,646,723" with "88,492,065"

Page 3, line 28, replace "28,753,278" with "33,249,313"

Page 3, remove line 29

Page 4, remove lines 1 through 9

Page 4, line 10, replace "8" with "4" and after the period insert "FIELD SERVICES"

Page 4, line 12, replace "58,004,998" with "57,004,695"

Page 4, line 13, replace "10,570,530" with "10,142,411"

Page 4, line 14, replace "649,275" with "647,002"

Page 4, line 15, replace "230,213" with "200,221"

Page 4, line 16, replace "11,668,599" with "9,830,723"

Page 4, line 17, replace "81,123,615" with "77,825,052"

Page 4, line 18, replace "42,015,911" with "40,626,567"

Page 4, line 19, replace "39,107,704" with "37,198,485"

Page 4, remove line 20

Page 4, line 24, replace "352,987" with "352,987"

Page 4, after line 24, insert:

"Capital improvements 1,000,000"

Page 4, line 25, replace "51,697,738" with "52,697,738"

Page 4, line 26, replace "15,880,379" with "17,080,379"

Page 4, line 27, replace "35,817,359" with "35,617,359"

Page 4, remove line 28

Page 5, after line 7, insert:

"Total all funds - subdivision 4	\$168,014,952
Total estimated income - subdivision 4	\$ 84,827,218
Total general fund appropriation - subdivision 4	\$ 83,187,734"

Page 5, line 8, replace "309,011,625" with "308,251,427"

Page 5, line 9, replace "720,244,704" with "728,531,405"

Page 5, line 10, replace "1,029,256,329" with "1,036,782,832"

Page 5, line 13, remove "subdivision 3 of"

Page 5, line 23, remove "subdivision 3 of"

Page 5, line 28, replace "10" with "4"

Page 6, line 4, replace "in subdivisions 8, 9, and 10" with "within subdivision 4"

Page 6, after line 7, insert:

"SECTION 6. TRANSFER OF LAND AUTHORIZED.

1. The state of North Dakota may convey to Community Housing, Inc., two acres of land owned by the state from a parcel of land which is located in Walsh County and described as follows:

Part of Lot 1, Block 1, 7.06 acres, State School First Addition.

2. The conveyance authorized by this section must be made for thirty percent above the average price per acre of the property authorized to be transferred pursuant to section 1 of chapter 561 of the 1991 Session Laws.
3. Any conveyance of the land described in subsection 1 must include a provision that the land and any improvements on the land revert to the state of North Dakota if the land ceases to be used for the housing of seasonal migrant workers.
4. The conveyance authorized by this section is exempt from the provisions of sections 54-01-05.2 and 54-01-05.5.
5. The attorney general shall review and approve as to form and legality all legal documents required for the conveyance authorized by this section, including title opinions.
6. No state general fund moneys may be used for the construction or operation of housing units on this property."

Page 9, after line 2, insert:

"SECTION 13. A new subsection to section 50-06-05.1 of the 1993 Supplement to the North Dakota Century Code is created and enacted as follows:

To provide those services necessary for the department and for county social service boards to comply with the provisions of any law, rule, order, or regulation of the United States or any federal agency or authority requiring civil service or merit standards or classifications as a condition for providing funds administered by the department."

Page 9, line 7, replace "categories and" with "cost centers within salaries and fringe benefits category."

Page 9, remove line 8

Page 9, line 12, after "to" insert "implement and supervise a unified mental health delivery system and to"

Page 9, line 13, replace "human service centers' delivery and operation of" with "the" and replace "is" with "provided by the human service centers, the state hospital, and contracted services are"

Page 9, replace lines 15 through 28 with:

"SECTION 15. AMENDMENT. Section 50-06-14.3 of the 1993 Supplement to the North Dakota Century Code is amended and reenacted as follows:

50-06-14.3. Department of human services to develop basic care facility ratesetting methodology. The department of human services shall develop a ratesetting methodology that provides for rates for all residents of basic care facilities. The methodology may not provide for different rates for similarly situated residents because of the source of payment for any resident's care. The department shall consult with representatives of the basic care industry in this state in developing the ratesetting methodology. Beginning July 1, ~~1995~~ 1997, the department shall establish rates for all residents of basic care facilities in accordance with the ratesetting methodology developed by the department. After June 30, ~~1995~~ 1997, no agency of the state or any political subdivision may make payments to a basic care facility that does not set rates at the levels established by the department.

SECTION 16. AMENDMENT. Subsection 5 of section 50-24.4-10 of the 1993 Supplement to the North Dakota Century Code is amended and reenacted as follows:

5. The department shall ~~establish a composite index or indices by determining the appropriate economic change indicators to be applied~~ apply appropriate economic change indices to specific operating cost categories or combination combinations of operating cost categories. The legislative assembly may determine the appropriate economic change indices."

Page 10, replace lines 7 and 8 with:

"SECTION 18. CORRELATION OF RESOURCES - MENTAL HEALTH SERVICES. Notwithstanding section 4 of this Act, at the request of the mental health division, the director of the department of human services shall transfer appropriation authority which may include authorized positions from subdivision 3 to subdivision 4 of section 1 of this Act to provide mental health services through a unified mental health service delivery system.

SECTION 19. FEDERAL PROGRAM TERMINATIONS - BLOCK GRANT FUNDING REDUCTIONS - RELATED PROGRAM REDUCTIONS - REPORTS TO THE BUDGET SECTION. If the federal government during the 1995-97 biennium terminates funding for any program administered by the department of human services, the department shall terminate the program and not replace the reduction in federal funds with state funds, notwithstanding any other provision of law. If the federal government combines funding for human service programs in a block grant resulting in a reduction in total federal funds available to North Dakota, the department of human services shall use its program budget priority listing, reflecting funding adjustments and priorities of the fifty-fourth legislative assembly, in making programmatic reductions. The department of human services may administer funds available under a new federal block grant or similar measure, consistent with the terms

of that measure, notwithstanding any other provisions of law intended to conform to or implement the provisions of the repealed federal act and shall report any program terminations, reductions, or changes resulting from this section to the budget section."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 325 - DEPARTMENT OF HUMAN SERVICES

HOUSE - The attached schedule details the House changes to Senate Bill No. 2012.

	1995-97 EXECUTIVE BUDGET	TOTAL SENATE CHANGES	SENATE RECOMMENDED AMOUNTS	HOUSE CHANGES	HOUSE VERSION
SUBDIVISION 1 - EXECUTIVE OFFICE					
Salaries and wages	\$ 623,549		\$ 623,549		\$ 623,549
Operating expenses	516,562		516,562		516,562
Equipment	<u>4,874</u>		<u>4,874</u>		<u>4,874</u>
Total all funds	\$ 1,144,985		\$ 1,144,985		\$ 1,144,985
Less estimated income	425,248		425,248		425,248
Total general fund appropriation	\$ 719,737		\$ 719,737		\$ 719,737
FTE positions	5		5		5
SUBDIVISION 2 - DD COUNCIL					
Salaries and wages	\$ 119,695		\$ 119,695		\$ 119,695
Operating expenses	75,614		75,614		75,614
Grants	<u>667,278</u>		<u>667,278</u>		<u>667,278</u>
Total all funds	\$ 862,587		\$ 862,587		\$ 862,587
Less estimated income	840,240		840,240		840,240
Total general fund appropriation	\$ 22,347		\$ 22,347		\$ 22,347
FTE positions	1.5		1.5		1.5
SUBDIVISION 3 - MANAGERIAL SUPPORT					
Salaries and wages	\$ 6,956,881	\$(14,494)	\$ 6,942,387		\$ 6,942,387
Operating expenses	12,573,985	225,000	12,798,985		12,798,985
Equipment	100,810		100,810		100,810
DD loan fund	<u>1,840,956</u>		<u>1,840,956</u>		<u>1,840,956</u>
Total all funds	\$21,472,632	\$210,506	\$21,683,138		\$21,683,138
Less estimated income	14,414,075	210,506	14,624,581		14,624,581
Total general fund appropriation	\$ 7,058,557	\$ 0	\$ 7,058,557		\$ 7,058,557
FTE positions	95.25	(.45)	94.8		94.8

SUBDIVISION 4 - ECONOMIC ASSISTANCE

Salaries and wages	\$ 4,411,704		\$ 4,411,704		\$ 4,411,704
Operating expenses	20,747,136		20,747,136		20,747,136
Equipment	69,615		69,615		69,615
Grants	126,129,922	\$935,763	127,065,685	\$(1,773,927) ¹	125,291,758
Capital improvements	<u>1,724</u>		<u>1,724</u>		<u>1,724</u>
Total all funds	\$151,360,101	\$935,763	\$152,295,864	\$(1,773,927)	\$150,521,937
Less estimated income	129,244,000	208,250	129,452,250	(831,172)	128,621,078
Total general fund appropriation	\$ 22,116,101	\$727,513	\$ 22,843,614	\$ (942,755)	\$ 21,900,859
FTE positions	55.3		55.3		55.3

¹ Removes funding (\$935,763, of which \$727,513 is from the general fund) added by the Senate that would have allowed for basic care rate equalization on July 1, 1995, and would have changed the state's share of the basic care program from 70 percent to 80 percent on January 1, 1996. Statutory changes are also included to defer rate equalization to July 1, 1997, and the statutory provisions changing the state/county share to 80/20 are removed. Also reduces AFDC funding by a total of \$838,164, of which \$215,242 is from the general fund, to reflect a change in the reduction in AFDC caseload from eight per month to 10 per month.

SUBDIVISION 5 - MEDICAL ASSISTANCE

Salaries and wages	\$ 3,171,349		\$ 3,171,349		\$ 3,171,349
Operating expenses	4,528,532		4,528,532		4,528,532
Equipment	12,100		12,100		12,100
Grants	556,349,256	\$1,328,822	557,678,078	\$ 7,222,977 ²	564,901,055
Capital improvements	<u>819</u>		<u>819</u>		<u>819</u>
Total all funds	\$564,062,056	\$1,328,822	\$565,390,878	\$ 7,222,977	\$572,613,855
Less estimated income	403,485,391	849,568	404,334,959	6,166,016	410,500,975
Total general fund appropriation	\$160,576,665	\$ 479,254	\$161,055,919	\$ 1,056,961	\$162,112,880
FTE positions	46		46		46

² This amendment:

Reduces the increase in Medicaid eligibles from 50 per month to zero (savings of \$3,887,653, of which \$1,268,569 is from the general fund);

Adds funds related to House Bill No. 1050 to expand Medicaid eligibility for children born before September 30, 1983, to 100 percent of poverty and to increase the medically needy income levels by nine percent (\$11,110,630, of which \$3,000,451 is from the general fund); and

Reduces state funding for developmental disabilities grants to reflect projected federal financial participation rates (general fund savings \$674,921 - other funds increase \$674,921).

SUBDIVISION 6 - PROGRAM
AND POLICY

Salaries and wages	\$ 4,321,637	\$ 1,034,030	\$ 5,355,667	\$1,000,303	\$ 6,355,970
Operating expenses	12,958,373	575,363	13,533,736	1,140,328 ³	14,674,064
Equipment	269,705	23,480	293,185	2,273	295,458
Grants	56,984,073	21,233,340	78,217,413	2,003,120 ⁴	80,220,533
Aging home/community service	20,031,375	(20,031,375)			
Capital improvements				29,992	29,992
Aging protective service	226,787	(226,787)			
Aging administration	<u>1,266,478</u>	<u>(1,266,478)</u>			
Total all funds	\$96,058,428	\$ 1,341,573	\$97,400,001	\$4,176,016 ⁵	\$101,576,017
Less estimated income	68,610,106	36,617	68,646,723	2,941,201	71,587,924
Total general fund appropriation	\$27,448,322	\$ 1,304,956	\$28,753,278	\$1,234,815	\$ 29,988,093
FTE positions	68.15	(.5)	67.65	15.7	83.35

³ Adds \$712,209 of federal funds for substance abuse assessment.

⁴ Includes removing funding (totaling \$1,201,965 - \$1,141,867 from the general fund) added by the Senate that would have increased service payments for elderly and disabled funding from \$7,261,313 to \$8,463,278, of which \$8,040,114 was from the general fund. Adds funding for foster care rejections (\$1,367,209, of which \$467,463 is from the general fund).

⁵ Also adds funding for SMI partial care, work activity, and psychosocial clubs totaling \$3,298,563, of which \$1,909,219 is from the general fund.

SUBDIVISION 7 - VOCATIONAL
REHABILITATION

Salaries and wages	\$ 3,596,734	\$ 3,596,734		\$ 3,596,734
Operating expenses	2,660,498	2,660,498		2,660,498
Equipment	288,510	288,510		288,510
Grants	13,616,993	13,616,993		13,616,993
Capital improvements	2,626	2,626		2,626
Vocational rehabilitation services	<u>\$20,198,854</u>	<u>(20,198,854)</u>		
Total all funds	\$20,198,854	\$ (33,493)	\$20,165,361	\$20,165,361
Less estimated income	17,033,634	(129,493)	16,904,141	16,904,141
Total general fund appropriation	\$ 3,165,220	\$ 96,000	\$ 3,261,220	\$ 3,261,220
FTE positions	53	(1.5)	51.5	51.5

SUBDIVISION 8 - HUMAN
SERVICE CENTERS

Salaries and wages	\$57,504,807	\$ 500,191	\$58,004,998	\$(1,000,303)	\$57,004,695
Operating expenses	10,475,748	94,782	10,570,530	(428,119)	10,142,411
Equipment	649,275		649,275	(2,273)	647,002
Grants	11,648,079	20,520	11,668,599	(1,837,876)	9,830,723
Capital improvements	230,213		230,213	(29,992)	200,221
Northeast aging services	85,208	(85,208)			
Northeast vocational rehabilitation	<u>798,766</u>	<u>(798,766)</u>			
Total all funds	\$81,392,096	\$ (268,481)	\$81,123,615	\$(3,298,563) ⁶	\$77,825,052
Less estimated income	42,284,392	(268,481)	42,015,911	(1,389,344)	40,626,567
Total general fund appropriation	\$39,107,704	\$ 0	\$39,107,704	\$(1,909,219)	\$37,198,485
FTE positions	817.75	(5)	812.75	(15.7)	797.05

⁶ Removes funding for SMI partial care/work activity/psychosocial clubs transferred to Program and Policy - Mental Health Division. A section is added to allow the appropriation authority to be transferred to the centers as necessary. See the attached schedule detailing the transfer.

SUBDIVISION 9 - STATE
HOSPITAL

Salaries and wages	\$43,941,975	\$ (678,503)	\$43,263,472		\$43,263,472
Operating expenses	8,081,279		8,081,279		8,081,279
Equipment	352,987		352,987		352,987
Capital improvements				\$ 1,000,000	1,000,000
Total all funds	\$52,376,241	\$ (678,503)	\$51,697,738	\$ 1,000,000	\$52,697,738
Less estimated income	17,758,882	(1,878,503)	15,880,379	1,200,000	17,080,379
Total general fund	\$34,617,359	\$ 1,200,000	\$35,817,359	\$ (200,000)	\$35,617,359
appropriation					
FTE positions	639.6	(9.5)	630.1		630.1

This amendment adds \$1 million from the general fund for a capital improvements line item to repair tunnels at the State Hospital (previously included in Senate Bill No. 2030) and replaces the general fund enhancement of \$1.2 million added by the Senate to replace estimated income. Estimated income is increased by \$1.2 million also.

SUBDIVISION 10 -
DEVELOPMENTAL CENTER

Salaries and wages	\$ 29,392,308		\$ 29,392,308		\$ 29,392,308
Operating expenses	7,644,021		7,644,021		7,644,021
Equipment	132,558		132,558		132,558
Capital improvements	323,275		323,275		323,275
Total all funds	\$ 37,492,162		\$ 37,492,162		\$ 37,492,162
Less estimated income	27,120,272		27,120,272		27,120,272
Total general fund	\$ 10,371,890		\$ 10,371,890		\$ 10,371,890
appropriation					
FTE positions	501.8		501.8		501.8

GRAND TOTAL DEPARTMENT OF
HUMAN SERVICES

Salaries and wages	\$ 150,443,905	\$ 4,437,958	\$ 154,881,863		\$ 154,881,863
Operating expenses	77,601,250	3,555,643	81,156,893	\$ 712,209	81,869,102

Equipment	1,591,924	311,990	1,903,914		1,903,914
Grants	751,778,608	37,135,438	788,914,046	5,614,294	794,528,340
DD loan fund	1,840,956		1,840,956		1,840,956
Capital improvements	556,031	2,626	558,657	1,000,000	1,558,657
Other line items/sections	<u>42,607,468</u>	<u>(42,607,468)</u>	<u>200,000*</u>		<u>200,000</u>
Total all funds	\$1,026,420,142	\$ 2,836,187	\$1,029,456,329	\$ 7,326,503	\$1,036,782,832
Less estimated income	721,216,240	(971,536)	720,444,704	8,086,701	728,531,405
Total general fund	\$ 305,203,902	\$ 3,807,723	\$ 309,011,625	\$ (760,198)	\$ 308,251,427
appropriation					
FTE positions	2,283.35	(16.95)	2,266.4		2,266.4

* Represents authority provided to continue \$200,000 appropriation from the lands and minerals trust fund in Section 8 of Engrossed Senate Bill No. 2012.

This amendment also:

Provides for transfer of land at the Developmental Center.

Allows the Department of Human Services to provide merit system services.

Delays basic care rate equalization.

Provides for program reductions in the event of federal program reductions.

Amends Section 50-24.4-10 relating to nursing home reimbursement and inflation index.

Allows for the correlation of resources for mental health services.

After making the above changes the amendment combines the subdivisions as follows:

	ENGROSSED SB 2012	HOUSE CHANGES	HOUSE VERSION
Total funding -			
New Subdivision 1 - Management Council			
Subdivision 1 - Executive Office	\$ 1,144,985		
Subdivision 2 - Developmental Disabilities Council	862,587		
Subdivision 3 - Managerial Support	<u>21,683,138</u>		
Total	\$ 23,690,710	\$ 0	\$ 23,690,710
Total funding - New			
Subdivision 2 - Economic Assistance			
Subdivision 4 - Economic Assistance	\$ 152,295,864		
Subdivision 5 - Medical Assistance	<u>565,390,878</u>		
Total	\$ 717,686,742	\$ 5,449,050	\$ 723,135,792
Total funding - New			
Subdivision 3 - Program and Policy			
Subdivision 6 - Program and Policy	\$ 97,400,001		
Subdivision 7 - Vocational Rehabilitation	<u>20,165,361</u>		
Total	\$ 117,565,362	\$ 4,176,016	\$ 121,741,378
Total funding - New			
Subdivision 4 - Field Services			
Subdivision 8 - Human service center	\$ 81,123,615		
Subdivision 9 - State Hospital	51,697,738		
Subdivision 10 - Developmental Center	<u>37,492,162</u>		
Total	\$ 170,313,515	\$(2,298,563)	\$ 168,014,952
Amount in Section 8	<u>200,000</u>		<u>200,000</u>

of Engrossed Senate Bill No. 2012			
Engrossed Senate Bill No. 2012 - Total funds	\$1,029,456,329	\$ 7,326,503	\$1,036,782,832

The amendment also transfers SMI partial care, work activity, and psychosocial clubhouse from the human service centers to the Mental Health Division as shown on the attached schedule.

TRANSFER FROM HUMAN SERVICE CENTERS TO PROGRAM AND POLICY -
MENTAL HEALTH SERVICES

	PARTIAL CARE	WORK ACTIVITY	PSYCHOSOCIAL CLUBHOUSE	TOTAL
By Line Item				
Salaries and wages	\$ 937,846	\$ 62,457		\$1,000,303
Operating expenses	365,952	62,167		428,119
Equipment	2,273			2,273
Grants	112,876	377,770	\$1,347,230	1,837,876
Capital improvements	<u>29,992</u>			<u>29,992</u>
Total all funds	\$1,448,939	\$502,394	\$1,347,230	\$3,298,563
Less estimated income	<u>894,753</u>	<u>144,705</u>	<u>349,886</u>	<u>1,389,344</u>
General fund	\$ 554,186	\$357,689	\$ 997,344	\$1,909,219
FTE	14.7	1		15.7
By Human Service Center				
Northwest	\$ 227,202		\$ 119,598	\$ 346,800
North Central	312,184		275,000	587,184
Lake Region	0		115,000*	115,000
Northeast	194,603	\$172,624	275,000*	642,227
Southeast	399,190		123,945*	523,135
South Central	66,622	272,650	143,687*	482,959
West Central	115,087	57,120	145,000	317,207
Badlands	<u>134,051</u>		<u>150,000*</u>	<u>284,051</u>
Total all funds	\$1,448,939	\$502,394	\$1,347,230	\$3,298,563
Less estimated income	<u>894,753</u>	<u>144,705</u>	<u>349,886</u>	<u>1,389,344</u>
General fund	\$ 554,186	\$357,689	\$ 997,344	\$1,909,219

TRANSFER FROM HUMAN SERVICE CENTERS TO PROGRAM AND POLICY -
MENTAL HEALTH SERVICES

* Funded entirely from the general fund. Other programs remain as funded between special funds and the general fund as included in the executive budget.

REPORT OF STANDING COMMITTEE

SB 2012, as engrossed: Appropriations Committee (Rep. Dalrymple, Chairman) A MINORITY of your committee (Reps. Huether, Kaldor, Kroeber, Laughlin, Wilkie) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS.

Page 1, line 3, after the semicolon insert "to provide for a transfer from the veterans' postwar trust fund; to provide an exemption from the certificate of need process; to provide an appropriation to the department of veterans' affairs;"

Page 1, line 4, after the semicolon insert "to authorize the state of North Dakota to convey certain state-owned land to Community Housing, Inc.;"

Page 1, line 5, replace "and" with a comma and after "50-06" insert ", and a new subsection to section 50-06-05.1"

Page 1, line 7, remove "and"

Page 1, line 8, after "division" insert ", and to the duties of the department of human services"

Page 1, line 9, replace "and 50-24.5-06" with ", 50-06-14.3, and subsection 5 of section 50-24.4-10"

Page 1, line 12, after the second comma insert "nursing home operating costs,"

Page 1, line 17, replace "an effective date" with "for program reductions if federal programs are terminated or reduced by block grant funding and to report to the budget section"

Page 2, line 5, replace "EXECUTIVE OFFICE" with "MANAGEMENT AND COUNCILS"

Page 2, line 6, replace "623,549" with "7,685,631"

Page 2, line 7, replace "516,562" with "13,391,161"

Page 2, after line 7, insert:

"Grants	667,278
Developmentally disabled facility loan fund	1,840,956"

Page 2, line 8, replace "4,874" with "105,684"

Page 2, line 9, replace "1,144,985" with "23,690,710"

Page 2, line 10, replace "425,248" with "15,890,069"

Page 2, line 11, replace "719,737" with "7,800,641"

Page 2, remove lines 12 through 28

Page 2, line 29, replace "4" with "2"

Page 3, line 2, replace "4,411,704" with "7,583,053"

Page 3, line 3, replace "20,747,136" with "25,275,668"

Page 3, line 4, replace "69,615" with "81,715"

Page 3, line 5, replace "1,724" with "2,543"

Page 3, after line 5, insert:

"Grants - assistance payments 125,291,758"

Page 3, line 6, after "Grants" insert "- medical assistance" and replace "127,065,685" with "564,901,055"

Page 3, line 7, replace "152,295,864" with "723,135,792"

Page 3, line 8, replace "129,452,250" with "539,122,053"

Page 3, line 9, replace "22,843,614" with "184,013,739"

Page 3, remove lines 10 through 19

Page 3, line 20, replace "6" with "3"

Page 3, line 22, replace "5,355,667" with "9,952,704"

Page 3, line 23, replace "13,533,736" with "17,334,562"

Page 3, line 24, replace "293,185" with "583,968"

Page 3, after line 24, insert:

"Capital improvements 32,618"

Page 3, line 25, replace "78,217,413" with "93,837,526"

Page 3, line 26, replace "97,400,001" with "121,741,378"

Page 3, line 27, replace "68,646,723" with "88,492,065"

Page 3, line 28, replace "28,753,278" with "33,249,313"

Page 3, remove line 29

Page 4, remove lines 1 through 9

Page 4, line 10, replace "8" with "4" and after the period insert "FIELD SERVICES"

Page 4, line 12, replace "58,004,998" with "57,004,695"

Page 4, line 13, replace "10,570,530" with "10,142,411"

Page 4, line 14, replace "649,275" with "647,002"

Page 4, line 15, replace "230,213" with "200,221"

Page 4, line 16, replace "11,668,599" with "9,830,723"

Page 4, line 17, replace "81,123,615" with "77,825,052"

Page 4, line 18, replace "42,015,911" with "40,626,567"

Page 4, line 19, replace "39,107,704" with "37,198,485"

Page 4, remove line 20

Page 4, line 24, replace "352,987" with "352,987"

Page 4, after line 24, insert:

"Capital improvements 1,000,000"

Page 4, line 25, replace "51,697,738" with "52,697,738"

Page 4, line 26, replace "15,880,379" with "17,080,379"

Page 4, line 27, replace "35,817,359" with "35,617,359"

Page 4, remove line 28

Page 5, after line 7, insert:

"Total all funds - subdivision 4	\$168,014,952
Total estimated income - subdivision 4	\$ 84,827,218
Total general fund appropriation - subdivision 4	\$ 83,187,734"

Page 5, line 8, replace "309,011,625" with "308,251,427"

Page 5, line 9, replace "720,244,704" with "729,781,405"

Page 5, line 10, replace "1,029,256,329" with "1,038,032,832"

Page 5, line 13, remove "subdivision 3 of"

Page 5, line 23, remove "subdivision 3 of"

Page 5, line 28, replace "10" with "4"

Page 6, line 4, replace "in subdivisions 8, 9, and 10" with "within subdivision 4"

Page 6, after line 7, insert:

"SECTION 6. TRANSFER OF LAND AUTHORIZED.

1. The state of North Dakota may convey to Community Housing, Inc., two acres of land owned by the state from a parcel of land which is located in Walsh County and described as follows:

Part of Lot 1, Block 1, 7.06 acres, State School First Addition.

2. The conveyance authorized by this section must be made for thirty percent above the average price per acre of the property authorized to be transferred pursuant to section 1 of chapter 561 of the 1991 Session Laws.
3. Any conveyance of the land described in subsection 1 must include a provision that the land and any improvements on the land revert to the state of North Dakota if the land ceases to be used for the housing of seasonal migrant workers.
4. The conveyance authorized by this section is exempt from the provisions of sections 54-01-05.2 and 54-01-05.5.
5. The attorney general shall review and approve as to form and legality all legal documents required for the conveyance authorized by this section, including title opinions.
6. No state general fund moneys may be used for the construction or operation of housing units on this property.

SECTION 7. TRANSFER - APPROPRIATION - LOAN. Notwithstanding the provisions of section 37-14-14, there is hereby appropriated and the state treasurer shall transfer, upon request, for the biennium beginning July 1, 1995, and ending June 30, 1997, the sum of

\$1,250,000, from the principal balance of the veterans' postwar trust fund to the department of veterans' affairs for the purpose of constructing a veterans' home. The veterans' home is to make payments to the veterans' postwar trust fund, from its patient receipts, until the fund has been reimbursed for the \$1,250,000 used to construct the new veterans' home. Prior to the commencement of any activity to construct a new veterans' home in North Dakota, the veterans' coordinating council, with the approval of the administrative committee on veterans' affairs, shall present a resolution, unanimously supported by the council, to the budget section stating the location of a new veterans' home, the size and scope of operations, and a finance plan demonstrating the long-term need and viability of the home.

SECTION 8. CERTIFICATE OF NEED - EXEMPTION. The veterans' home, authorized subject to the provisions of section 7 of this Act, is not subject to the certificate of need process under chapter 23-17.2."

Page 9, after line 2, insert:

"**SECTION 15.** A new subsection to section 50-06-05.1 of the 1993 Supplement to the North Dakota Century Code is created and enacted as follows:

To provide those services necessary for the department and for county social service boards to comply with the provisions of any law, rule, order, or regulation of the United States or any federal agency or authority requiring civil service or merit standards or classifications as a condition for providing funds administered by the department."

Page 9, line 7, replace "categories and" with "cost centers within salaries and fringe benefits category."

Page 9, remove line 8

Page 9, line 12, after "to" insert "implement and supervise a unified mental health delivery system and to"

Page 9, line 13, replace "human service centers' delivery and operation of" with "the" and replace "is" with "provided by the human service centers, the state hospital, and contracted services are"

Page 9, replace lines 15 through 28 with:

"**SECTION 17. AMENDMENT.** Section 50-06-14.3 of the 1993 Supplement to the North Dakota Century Code is amended and reenacted as follows:

50-06-14.3. Department of human services to develop basic care facility ratesetting methodology. The department of human services shall develop a ratesetting methodology that provides for rates for all residents of basic care facilities. The methodology may not provide for different rates for similarly situated residents because of the source of payment for any resident's care. The department shall consult with representatives of the basic care industry in this state in developing the ratesetting methodology. Beginning July 1, ~~1995~~ 1997, the department shall establish rates for all residents of basic care facilities in accordance with the ratesetting methodology developed by the department. After June 30, ~~1995~~ 1997, no agency of the state or any political subdivision may make payments to a basic care facility that does not set rates at the levels established by the department.

SECTION 18. AMENDMENT. Subsection 5 of section 50-24.4-10 of the 1993 Supplement to the North Dakota Century Code is amended and reenacted as follows:

5. The department shall ~~establish a composite index or indices by determining the appropriate economic change indicators to be applied~~ apply appropriate economic change indices to specific operating cost categories or combination combinations of operating cost categories. The legislative assembly may determine the appropriate economic change indices."

Page 10, replace lines 7 and 8 with:

"SECTION 20. CORRELATION OF RESOURCES - MENTAL HEALTH SERVICES. Notwithstanding section 4 of this Act, at the request of the mental health division, the director of the department of human services shall transfer appropriation authority which may include authorized positions from subdivision 3 to subdivision 4 of section 1 of this Act to provide mental health services through a unified mental health service delivery system.

SECTION 21. FEDERAL PROGRAM TERMINATIONS - BLOCK GRANT FUNDING REDUCTIONS - RELATED PROGRAM REDUCTIONS - REPORTS TO THE BUDGET SECTION. If the federal government during the 1995-97 biennium terminates funding for any program administered by the department of human services, the department shall terminate the program and not replace the reduction in federal funds with state funds, notwithstanding any other provision of law. If the federal government combines funding for human service programs in a block grant resulting in a reduction in total federal funds available to North Dakota, the department of human services shall use its program budget priority listing, reflecting funding adjustments and priorities of the fifty-fourth legislative assembly, in making programmatic reductions. The department of human services may administer funds available under a new federal block grant or similar measure, consistent with the terms of that measure, notwithstanding any other provisions of law intended to conform to or implement the provisions of the repealed federal act and shall report any program terminations, reductions, or changes resulting from this section to the budget section."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 325 - DEPARTMENT OF HUMAN SERVICES

HOUSE - The attached schedule details the House changes to Senate Bill No. 2012.

	1995-97 EXECUTIVE BUDGET	TOTAL SENATE CHANGES	SENATE RECOMMENDED AMOUNTS	HOUSE CHANGES	HOUSE VERSION
SUBDIVISION 1 - EXECUTIVE OFFICE					
Salaries and wages	\$ 623,549		\$ 623,549		\$ 623,549
Operating expenses	516,562		516,562		516,562
Equipment	<u>4,874</u>		<u>4,874</u>		<u>4,874</u>
Total all funds	\$ 1,144,985		\$ 1,144,985		\$ 1,144,985
Less estimated income	425,248		425,248		425,248
Total general fund	\$ 719,737		\$ 719,737		\$ 719,737
appropriation					
FTE positions	5		5		5
SUBDIVISION 2 - DD COUNCIL					
Salaries and wages	\$ 119,695		\$ 119,695		\$ 119,695
Operating expenses	75,614		75,614		75,614
Grants	<u>667,278</u>		<u>667,278</u>		<u>667,278</u>
Total all funds	\$ 862,587		\$ 862,587		\$ 862,587
Less estimated income	840,240		840,240		840,240
Total general fund	\$ 22,347		\$ 22,347		\$ 22,347
appropriation					
FTE positions	1.5		1.5		1.5
SUBDIVISION 3 - MANAGERIAL SUPPORT					
Salaries and wages	\$ 6,956,881	\$ (14,494)	\$ 6,942,387		\$ 6,942,387
Operating expenses	12,573,985	225,000	12,798,985		12,798,985
Equipment	100,810		100,810		100,810
DD loan fund	<u>1,840,956</u>		<u>1,840,956</u>		<u>1,840,956</u>
Total all funds	\$21,472,632	\$210,506	\$21,683,138		\$21,683,138
Less estimated income	14,414,075	210,506	14,624,581		14,624,581
Total general fund	\$ 7,058,557	\$ 0	\$ 7,058,557		\$ 7,058,557
appropriation					
FTE positions	95.25	(.45)	94.8		94.8
SUBDIVISION 4 - ECONOMIC ASSISTANCE					
Salaries and wages	\$ 4,411,704		\$ 4,411,704		\$ 4,411,704
Operating expenses	20,747,136		20,747,136		20,747,136
Equipment	69,615		69,615		69,615
Grants	126,129,922	\$935,763	127,065,685	\$ (1,773,927) ¹	125,291,758
Capital improvements	<u>1,724</u>		<u>1,724</u>		<u>1,724</u>
Total all funds	\$151,360,101	\$935,763	\$152,295,864	\$ (1,773,927)	\$150,521,937
Less estimated income	129,244,000	208,250	129,452,250	(831,172)	128,621,078
Total general fund	\$ 22,116,101	\$727,513	\$ 22,843,614	\$ (942,755)	\$ 21,900,859
appropriation					
FTE positions	55.3		55.3		55.3

¹ Removes funding (\$935,763, of which \$727,513 is from the general fund) added by the Senate that would have allowed for basic care rate equalization on July 1, 1995, and would have changed the state's share of the basic care program from 70 percent to 80 percent on January 1, 1996. Statutory changes are also included to defer rate equalization to July 1, 1997, and the statutory provisions changing the state/county share to 80/20 are removed. Also reduces AFDC funding by a total of \$838,164, of which \$215,242 is from the general fund, to reflect a change in the reduction in AFDC caseload from eight per month to 10 per month.

SUBDIVISION 5 - MEDICAL ASSISTANCE					
Salaries and wages	\$ 3,171,349		\$ 3,171,349		\$ 3,171,349
Operating expenses	4,528,532		4,528,532		4,528,532
Equipment	12,100		12,100		12,100
Grants	556,349,256	\$ 1,328,822	557,678,078	\$ 7,222,977 ²	564,901,055
Capital improvements	819		819		819
Total all funds	\$564,062,056	\$ 1,328,822	\$565,390,878	\$ 7,222,977	\$572,613,855
Less estimated income	403,485,391	849,568	404,334,959	6,166,016	410,500,975
Total general fund appropriation	\$160,576,665	\$ 479,254	\$161,055,919	\$ 1,056,961	\$162,112,880
FTE positions	46		46		46

² This amendment:

Reduces the increase in Medicaid eligibles from 50 per month to zero (savings of \$3,887,653, of which \$1,268,569 is from the general fund);

Adds funds related to House Bill No. 1050 to expand Medicaid eligibility for children born before September 30, 1983, to 100 percent of poverty and to increase the medically needy income levels by nine percent (\$11,110,630, of which \$3,000,451 is from the general fund); and

Reduces state funding for developmental disabilities grants to reflect projected federal financial participation rates (general fund savings \$674,921 - other funds increase \$674,921).

SUBDIVISION 6 - PROGRAM AND POLICY					
Salaries and wages	\$ 4,321,637	\$ 1,034,030	\$ 5,355,667	\$ 1,000,303	\$ 6,355,970
Operating expenses	12,958,373	575,363	13,533,736	1,140,328 ³	14,674,064
Equipment	269,705	23,480	293,185	2,273	295,458
Grants	56,984,073	21,233,340	78,217,413	2,003,120 ⁴	80,220,533
Aging home/community service	20,031,375	(20,031,375)			
Capital improvements				29,992	29,992
Aging protective service	226,787	(226,787)			
Aging administration	1,266,478	(1,266,478)			
Total all funds	\$96,058,428	\$ 1,341,573	\$97,400,001	\$4,176,016 ⁵	\$101,576,017
Less estimated income	68,610,106	36,617	68,646,723	2,941,201	71,587,924
Total general fund appropriation	\$27,448,322	\$ 1,304,956	\$28,753,278	\$ 1,234,815	\$ 29,988,093
FTE positions	68.15	(.5)	67.65	15.7	83.35

³ Adds \$712,209 of federal funds for substance abuse assessment.

⁴ Includes removing funding (totaling \$1,201,965 - \$1,141,867 from the general fund) added by the Senate that would have increased service payments for elderly and disabled funding from \$7,261,313 to \$8,463,278, of which \$8,040,114 was from the general fund. Adds funding for foster care rejections (\$1,367,209, of which \$467,463 is from the general fund).

⁵ Also adds funding for SMI partial care, work activity, and psychosocial clubs totaling \$3,298,563, of which \$1,909,219 is from the general fund.

SUBDIVISION 7 - VOCATIONAL

REHABILITATION

Salaries and wages	\$ 3,596,734		\$ 3,596,734		\$ 3,596,734
Operating expenses	2,660,498		2,660,498		2,660,498
Equipment	288,510		288,510		288,510
Grants	13,616,993		13,616,993		13,616,993
Capital improvements	2,626		2,626		2,626
Vocational rehabilitation services	<u>\$20,198,854</u>	<u>(20,198,854)</u>			
Total all funds	\$20,198,854	\$ (33,493)	\$20,165,361		\$20,165,361
Less estimated income	17,033,634	(129,493)	16,904,141		16,904,141
Total general fund	\$ 3,165,220	\$ 96,000	\$ 3,261,220		\$ 3,261,220
appropriation					
FTE positions	53	(1.5)	51.5		51.5

SUBDIVISION 8 - HUMAN SERVICE

CENTERS

Salaries and wages	\$57,504,807	\$ 500,191	\$58,004,998	\$ (1,000,303)	\$57,004,695
Operating expenses	10,475,748	94,782	10,570,530	(428,119)	10,142,411
Equipment	649,275		649,275	(2,273)	647,002
Grants	11,648,079	20,520	11,668,599	(1,837,876)	9,830,723
Capital improvements	230,213		230,213	(29,992)	200,221
Northeast aging services	85,208	(85,208)			
Northeast vocational rehabilitation	<u>798,766</u>	<u>(798,766)</u>			
Total all funds	\$81,392,096	\$ (268,481)	\$81,123,615	\$ (3,298,563) ⁶	\$77,825,052
Less estimated income	42,284,392	(268,481)	42,015,911	(1,389,344)	40,626,567
Total general fund	\$39,107,704	\$ 0	\$39,107,704	\$ (1,909,219)	\$37,198,485
appropriation					
FTE positions	817.75	(5)	812.75	(15.7)	797.05

⁶ Removes funding for SMI partial care/work activity/psychosocial clubs transferred to Program and Policy - Mental Health Division. A section is added to allow the appropriation authority to be transferred to the centers as necessary. See the attached schedule detailing the transfer.

SUBDIVISION 9 - STATE HOSPITAL

Salaries and wages	\$43,941,975	\$ (678,503)	\$43,263,472		\$43,263,472
Operating expenses	8,081,279		8,081,279		8,081,279
Equipment	352,987		352,987		352,987
Capital improvements				<u>\$ 1,000,000</u>	<u>1,000,000</u>
Total all funds	\$52,376,241	\$ (678,503)	\$51,697,738	\$ 1,000,000	\$52,697,738
Less estimated income	17,758,882	(1,878,503)	15,880,379	1,200,000	17,080,379

Total general fund appropriation	\$34,617,359	\$ 1,200,000	\$35,817,359	\$ (200,000)	\$35,617,359
FTE positions	639.6	(9.5)	630.1		630.1

This amendment adds \$1 million from the general fund for a capital improvements line item to repair tunnels at the State Hospital (previously included in Senate Bill No. 2030) and replaces the general fund enhancement of \$1.2 million added by the Senate to replace estimated income. Estimated income is increased by \$1.2 million also.

SUBDIVISION 10 - DEVELOPMENTAL

CENTER

Salaries and wages	\$ 29,392,308		\$ 29,392,308		\$ 29,392,308
Operating expenses	7,644,021		7,644,021		7,644,021
Equipment	132,558		132,558		132,558
Capital improvements	<u>323,275</u>		<u>323,275</u>		<u>323,275</u>
Total all funds	\$ 37,492,162		\$ 37,492,162		\$ 37,492,162
Less estimated income	27,120,272		27,120,272		27,120,272
Total general fund appropriation	\$ 10,371,890		\$ 10,371,890		\$ 10,371,890
FTE positions	501.8		501.8		501.8

GRAND TOTAL DEPARTMENT OF HUMAN

SERVICES

Salaries and wages	\$ 150,443,905	\$ 4,437,958	\$ 154,881,863		\$ 154,881,863
Operating expenses	77,601,250	3,555,643	81,156,893	\$ 712,209	81,869,102
Equipment	1,591,924	311,990	1,903,914		1,903,914
Grants	751,778,608	37,135,438	788,914,046	5,614,294	794,528,340
DD loan fund	1,840,956		1,840,956		1,840,956
Capital improvements	556,031	2,626	558,657	1,000,000	1,558,657
Other line items/sections	<u>42,607,468</u>	<u>(42,607,468)</u>	<u>200,000*</u>		<u>200,000</u>
Total all funds	\$1,026,420,142	\$ 2,836,187	\$1,029,456,329	\$ 7,326,503	\$1,036,782,832**
Less estimated income	721,216,240	(971,536)	720,444,704	8,086,701	728,531,405**
Total general fund appropriation	\$ 305,203,902	\$ 3,807,723	\$ 309,011,625	\$ (760,198)	\$ 308,251,427
FTE positions	2,283.35	(16.95)	2,266.4		2,266.4

* Represents authority provided to continue \$200,000 appropriation from the lands and minerals trust fund in Section 8 of Engrossed Senate Bill No. 2012.

** In addition, this amendment appropriates \$1,250,000 of loan proceeds from the veterans' postwar trust fund to the Department of Veterans' Affairs for the construction of a veterans' home at an undetermined location.

This amendment also:

Provides for transfer of land at the Developmental Center.

Allows the Department of Human Services to provide merit system services.

Delays basic care rate equalization.

Provides for program reductions in the event of federal program reductions.

Amends Section 50-24.4-10 relating to nursing home reimbursement and inflation index.

Allows for the correlation of resources for mental health services.

After making the above changes the amendment combines the subdivisions as follows:

	ENGROSSED SB 2012	HOUSE CHANGES	HOUSE VERSION
Total funding -			
New Subdivision 1 -			
Management Council			
Subdivision 1 -	\$ 1,144,985		
Executive Office			
Subdivision 2 -	862,587		
Developmental			
Disabilities			
Council			
Subdivision 3 -	<u>21,683,138</u>		
Managerial Support			
Total	\$ 23,690,710	\$ 0	\$ 23,690,710
Total funding - New			
Subdivision 2 -			
Economic Assistance			
Subdivision 4 -	\$ 152,295,864		
Economic Assistance			
Subdivision 5 -	<u>565,390,878</u>		
Medical Assistance			
Total	\$ 717,686,742	\$ 5,449,050	\$ 723,135,792
Total funding - New			
Subdivision 3 -			
Program and Policy			
Subdivision 6 -	\$ 97,400,001		
Program and			
Policy			
Subdivision 7 -	<u>20,165,361</u>		
Vocational			
Rehabilitation			
Total	\$ 117,565,362	\$ 4,176,016	\$ 121,741,378
Total funding - New			
Subdivision 4 -			
Field Services			
Subdivision 8 -	\$ 81,123,615		
Human service center			
Subdivision 9 -	51,697,738		
State Hospital			
Subdivision 10 -	<u>37,492,162</u>		
Developmental			
Center			
Total	\$ 170,313,515	\$(2,298,563)	\$ 168,014,952
Amount in Section 8	<u>200,000</u>		<u>200,000</u>

of Engrossed Senate Bill No. 2012			
Engrossed Senate Bill No. 2012 - Total funds	\$1,029,456,329	\$ 7,326,503	\$1,036,782,832

The amendment also transfers SMI partial care, work activity, and psychosocial clubhouse from the human service centers to the Mental Health Division as shown on the attached schedule.

TRANSFER FROM HUMAN SERVICE CENTERS TO PROGRAM AND POLICY -
MENTAL HEALTH SERVICES

61st DAY

THURSDAY, MARCH 30, 1995

1553

	PARTIAL CARE	WORK ACTIVITY	PSYCHOSOCIAL CLUBHOUSE	TOTAL
By Line Item				
Salaries and wages	\$ 937,846	\$ 62,457		\$1,000,303
Operating expenses	365,952	62,167		428,119
Equipment	2,273			2,273
Grants	112,876	377,770	\$1,347,230	1,837,876
Capital improvements	<u>29,992</u>			<u>29,992</u>
Total all funds	\$1,448,939	\$502,394	\$1,347,230	\$3,298,563
Less estimated income	<u>894,753</u>	<u>144,705</u>	<u>349,886</u>	<u>1,389,344</u>
General fund	\$ 554,186	\$357,689	\$ 997,344	\$1,909,219
FTE	14.7	1		15.7
By Human Service Center				
Northwest	\$ 227,202		\$ 119,598	\$ 346,800
North Central	312,184		275,000	587,184
Lake Region	0		115,000*	115,000
Northeast	194,603	\$172,624	275,000*	642,227
Southeast	399,190		123,945*	523,135
South Central	66,622	272,650	143,687*	482,959
West Central	115,087	57,120	145,000	317,207
Badlands	<u>134,051</u>		<u>150,000*</u>	<u>284,051</u>
Total all funds	\$1,448,939	\$502,394	\$1,347,230	\$3,298,563
Less estimated income	<u>894,753</u>	<u>144,705</u>	<u>349,886</u>	<u>1,389,344</u>
General fund	\$ 554,186	\$357,689	\$ 997,344	\$1,909,219

TRANSFER FROM HUMAN SERVICE CENTERS TO PROGRAM AND POLICY -
MENTAL HEALTH SERVICES

* Funded entirely from the general fund. Other programs remain as funded between special funds and the general fund as included in the executive budget.

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

REPORT OF STANDING COMMITTEE

SB 2080, as reengrossed: Appropriations Committee (Rep. Dalrymple, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (23 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed SB 2080 was placed on the Sixth order on the calendar.

In lieu of the amendments to Reengrossed Senate Bill No. 2080 as printed on pages 1082 and 1083 of the House Journal, Reengrossed Senate Bill No. 2080 is amended as follows:

Page 1, line 1, after "enact" insert "a new subsection to section 21-10-06 and"

Page 1, line 2, after the first "to" insert "investment of funds by the state investment board and to"

Page 1, line 6, after the semicolon insert "to suspend sections 15-10-17.2, 32-12.1-15, and 54-14-03.2 of the North Dakota Century Code, relating to claims against the state;"

Page 1, line 8, after the second semicolon insert "to provide for a legislative council study;"

Page 1, line 9, after the semicolon insert "to provide an expiration date;"

Page 7, after line 29, insert:

"SECTION 2. A new subsection to section 21-10-06 of the 1993 Supplement to the North Dakota Century Code is created and enacted as follows:

State risk management fund."

Page 11, line 5, after the second comma insert "public nonprofit corporations,"

Page 11, line 15, remove the overstrike over "6-"

Page 11, line 16, after "~~government~~" insert "Public nonprofit corporation" means a nonprofit corporation that performs a governmental function and is funded, entirely or partly, by the state, a city, county, park district, school district, or township" and remove the overstrike over the overstruck period

Page 15, line 23, after "3." insert ""Occurrence" means an accident, including continuous or repeated exposure to a condition, which results in an injury.

4."

Page 15, line 26, replace "4" with "5"

Page 15, line 28, replace "5" with "6"

Page 16, line 1, replace "6" with "7"

Page 16, line 4, replace "7" with "8"

Page 16, after line 5, insert:

"9. "State institution" means the state hospital, the developmental center at Grafton, the state penitentiary, the Missouri River correctional center, the North Dakota industrial school, the school for the blind, and the school for the deaf."

Page 16, line 24, replace "judgement" with "judgment"

Page 16, line 25, replace "limits" with "seven hundred fifty thousand dollar limit"

Page 16, line 28, replace "judgement" with "judgment", replace "commissioner" with "director", and replace "insurance" with "the office of management and budget"

Page 16, line 29, remove "commissioner's" and after "budget" insert "for the office of management and budget"

Page 17, line 1, replace "limits" with "limit"

Page 18, line 9, replace "medical or" with "institution"

Page 18, line 10, remove "corrections facility"

Page 18, line 13, replace "at" with "of"

Page 18, after line 16, insert:

"m. A claim resulting from environmental contamination, except to the extent that federal environmental law permits the claim.

n. A claim resulting from a natural disaster, an act of God, a military action, or an action or omission taken as part of a disaster relief effort."

Page 19, line 24, replace "commissioner" with "director" and replace "insurance" with "the office of management and budget"

Page 20, line 6, replace "The commissioner" with "Within two working days after receipt of notice of a claim, the director" and replace "insurance" with "the office of management and budget"

Page 20, line 9, replace "commissioner of insurance" with "director"

Page 20, line 13, after "approved" insert "and signed"

Page 20, line 14, remove "as to its form and legality"

Page 20, line 19, replace "commissioner" with "director" and replace "insurance" with "the office of management and budget"

Page 20, line 25, after "insurance" insert "- Reinsurance" and replace "commissioner" with "director"

Page 20, line 26, replace the first "insurance" with "the office of management and budget" and after "state" insert "may participate in a government self-insurance pool or"

Page 20, line 28, replace "for which coverage is not provided by the state risk management fund" with ", The director shall limit participation in government self-insurance pools and the purchase of insurance to exposures determined to cause an excessive financial risk to the state risk management fund including exposures reasonably expected to deplete"

the fund and have a significant detrimental impact on the state's budget"

Page 21, line 3, after "or" insert "coverage may be provided"

Page 21, line 4, replace "commissioner" with "director", replace the first "insurance" with "the office of management and budget", and after "policy" insert "or memorandum of coverage"

Page 21, line 5, replace "five" with "three" and after the underscored period insert "The director may procure an excess loss reinsurance contract for the state."

Page 21, line 7, replace "commissioner" with "director" and replace "insurance" with "the office of management and budget"

Page 21, line 8, replace "insurance" with "self-insurance"

Page 21, line 10, remove "insurance"

Page 21, line 11, replace "commissioner of insurance" with "director"

Page 21, line 13, replace "commissioner" with "director" and replace "insurance" with "the office of management and budget"

Page 21, line 16, after the underscored period insert "The state investment board shall invest the fund in accordance with chapter 21-10." and after "entities" insert "and interest and income received on investments"

Page 21, line 19, replace "commissioner" with "director" and replace "insurance" with "the office of management and budget"

Page 21, line 26, after "purchases" insert "or government self-insurance pool participation"

Page 22, line 1, after "fund" insert "or contract for a third-party administrator"

Page 22, line 2, replace "commissioner" with "director" and replace the first "insurance" with "the office of management and budget"

Page 22, line 3, after "or" insert "government self-insurance pools or" and after "and" insert "government self-insurance pools and"

Page 22, line 4, after "carriers" insert "or memorandums of coverage with government self-insurance pools"

Page 22, line 5, after "insurance" insert "or coverage"

Page 22, line 7, replace the first "commissioner" with "director", replace "insurance" with "the office of management and budget", and replace the second "commissioner" with "director"

Page 22, line 8, replace "insurance" with "the office of management and budget"

Page 22, line 9, after the first "insurance" insert "or coverage", replace "commissioner" with "director", and after "company" insert "or government self-insurance pool"

Page 22, line 10, after "policy" insert "or memorandum of coverage"

Page 24, after line 4, insert:

"SECTION 12. SUSPENSION. Section 15-10-17.2 of the North Dakota Century Code and sections 32-12.1-15 and 54-14-03.2 of the 1993 Supplement to the North Dakota Century Code are suspended upon the effective date of this Act. If Senate Concurrent Resolution No. 4014, as adopted by the fifty-fourth legislative assembly, is approved by the voters, the suspension of sections 15-10-17.2, 32-12.1-15, and 54-14-03.2 ceases and those sections become effective as they existed immediately before the effective date of this Act."

Page 24, replace lines 10 through 20 with:

"SECTION 15. APPROPRIATION - OFFICE OF MANAGEMENT AND BUDGET. The funds provided in this section, or so much of the funds as may be necessary, are hereby appropriated out of any moneys in the state risk management fund in the state treasury, not otherwise appropriated, to the office of management and budget for the purpose of administering the state risk management fund and providing for the defense of the state or an employee of the state pursuant to chapter 32-12.2, for the period beginning with the effective date of this Act and ending June 30, 1997, as follows:

Administration - risk management fund	\$ 679,000
Legal defense services	<u>528,000</u>
Total special funds appropriation	<u>\$1,207,000"</u>

Page 26, replace lines 2 and 3 with:

"University of North Dakota	246,196	246,196"
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Page 28, line 20, replace "1,803,235" with "2,049,431", replace "1,572,245" with "1,569,799", and replace "3,375,480" with "3,619,230"

Page 28, after line 20, insert:

"SECTION 17. PENDING CASES. A state agency may pay, from its 1995-97 biennium operating budget appropriation, settlements or judgments resulting from court decisions affecting state agency liability for claims accruing before the effective date of this Act, subject to written approval of the attorney general, for the biennium beginning July 1, 1995, and ending June 30, 1997. Any state agency that pays a settlement or judgment may request, if necessary, a deficiency appropriation from the fifty-fifth legislative assembly.

SECTION 18. LEGISLATIVE COUNCIL STUDY. The legislative council shall consider studying the impact of the North Dakota supreme court decision abolishing the doctrine of sovereign immunity during the 1995-96 interim."

Page 28, line 22, after the period insert "If this Act becomes ineffective pursuant to section 21 of this Act, any claim that accrues during the period during which the Act is effective is governed by this Act. If this Act becomes ineffective, any funds in the state risk management fund must be maintained in the fund to pay any judgments or settled claims after the Act becomes ineffective."

Page 28, line 23, replace "This" with "Sections 1 through 12 and sections 14 through 19 of this" and replace "becomes" with "become"

Page 28, line 24, after the period insert "If Senate Concurrent Resolution No. 4014, as approved by the fifty-fourth legislative assembly, is not approved by the voters, section 13 of this Act becomes effective upon the official certification by the secretary of state that the measure was not approved."

SECTION 21. EXPIRATION DATE. If Senate Concurrent Resolution No. 4014 is approved by the fifty-fourth legislative assembly and the measure is approved by the voters, sections 1 through 10 and section 14 of this Act become ineffective on the date that measure becomes effective."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 110 - OFFICE OF MANAGEMENT AND BUDGET

HOUSE - Provides that the risk management fund be administered by the Office of Management and Budget rather than the Commissioner of Insurance. The \$400,000 appropriation from the risk management fund for Insurance Department administrative costs is removed and \$1,207,000 from the risk management fund is provided to the Office of Management and Budget for administrative costs of the fund and defense costs of the state and its employees as follows:

Salaries and wages	\$ 254,000	(1 FTE risk manager and 1 FTE support position)
Operating expenses	135,000	
Claims management	290,000	
Legal defense services	<u>528,000¹</u>	
Total	<u>\$1,207,000</u>	

¹ This funding is provided for the Office of Management and Budget to purchase legal services from the Attorney General or other entity. If necessary, the Attorney General may request Emergency Commission approval under section 54-16-04.2 of the North Dakota Century Code to receive and spend collections from the Office of Management and Budget for providing legal services.

Provides \$246,196 from the general fund for estimated liability insurance premium costs for the University of North Dakota. This amount was inadvertently excluded from the Senate version.

Removes the \$2,446 from special funds for estimated liability insurance premium costs for the UND Rehabilitation Hospital because the hospital has been leased to United Hospital of Grand Forks.

A section is added authorizing state agencies to pay settlements or judgments resulting from court decisions in liability cases against the agency from their 1995-97 operating budget appropriations. The section allows an agency that pays a settlement or judgment during the 1995-97 biennium to request a deficiency appropriation, if necessary, from the 1997 Legislative Assembly.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)

MR. SPEAKER: The President has signed: HB 1051, HB 1243, HB 1252, HB 1286, HB 1318, HB 1337, HB 1355.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)

MR. SPEAKER: The President has signed and your signature is respectfully requested on: SB 2014, SB 2026, SB 2192, SB 2202, SB 2239, SB 2359, SB 2506.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)

MR. SPEAKER: The Senate has adopted the conference committee report and subsequently passed: SB 2035, SB 2066, SB 2087, SB 2088, SB 2133, SB 2149, SB 2159, SB 2195, SB 2198, SB 2207, SB 2247, SB 2332, SB 2338, SB 2391.

REPORT OF CONFERENCE COMMITTEE

SB 2035, as engrossed: Your conference committee (Sens. Lee, Thane, DeMers and Reps. Byerly, Bateman, Huether) recommends that the HOUSE RECEDE from the House amendments on SJ page 964, adopt amendments as follows, and place SB 2035 on the Seventh order:

That the House recede from its amendments as printed on page 964 of the Senate Journal and pages 1013 and 1014 of the House Journal and that Engrossed Senate Bill No. 2035 be amended as follows:

Page 1, line 5, after "council" insert "and budget section"

Page 2, line 12, remove "or local government"

Page 2, line 14, after the period insert "Local government agencies within the demonstration project counties are encouraged to cooperate with the department."

Page 2, line 20, replace "legislative council or an" with "budget section and another"

Page 2, line 25, replace "legislative council or an" with "budget section and any other"

Renumber accordingly

Engrossed SB 2035 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2066, as engrossed: Your conference committee (Sens. Krebsbach, Sand, Heinrich and Reps. Klein, Austin, Schmidt) recommends that the **HOUSE RECEDE** from the House amendments on SJ page 965, adopt amendments as follows, and place SB 2066 on the Seventh order:

That the House recede from its amendments as printed on page 965 of the Senate Journal and page 1014 of the House Journal and that Engrossed Senate Bill No. 2066 be amended as follows:

Page 2, line 7, replace "\$12,000" with "\$46,000"

Renumber accordingly

Engrossed SB 2066 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2087, as engrossed: Your conference committee (Sens. Bowman, Lee, DeMers and Reps. Christopherson, Thoreson, Mutzenberger) recommends that the **HOUSE RECEDE** from the House amendments on SJ page 856, adopt amendments as follows, and place SB 2087 on the Seventh order:

That the House recede from its amendments as printed on page 856 of the Senate Journal and page 881 of the House Journal and that Engrossed Senate Bill No. 2087 be amended as follows:

Page 1, line 13, replace "from whom the" with "who is acting within the provider's legal scope of practice in providing appropriate care or assistance to a"

Page 1, line 14, after "adult" insert "who" and replace "receiving services" with "the patient or client of the licensed health care provider"

Renumber accordingly

Engrossed SB 2087 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2088, as engrossed: Your conference committee (Sens. Christmann,

Kringstad, Heitkamp and Reps. Gorder, Torgerson, Aarsvold) recommends that the **HOUSE RECEDE** from the House amendments on SJ pages 871-872, adopt amendments as follows, and place SB 2088 on the Seventh order:

That the House recede from its amendments as printed on pages 871 and 872 of the Senate Journal and pages 895 and 896 of the House Journal and that Engrossed Senate Bill No. 2088 be amended as follows:

Page 1, line 1, replace "subsection" with "subsections 6 and"

Page 1, line 2, after "shotgun" insert "and a handgun"

Page 1, line 4, replace "Subsection" with "Subsections 6 and"

Page 1, line 5, replace "is" with "are"

Page 1, after line 6, insert:

- "6. "Handgun" means any firearm having that is not designed to be fired from the shoulder, which has a barrel less than sixteen inches [40.64 centimeters] long that is not designed to be fired from the shoulder, and which is capable of firing, by the energy of an explosive in a fixed metallic cartridge, an exposed projectile through a rifled bore. The term includes the Thompson contender forty-five caliber single-shot center-fire with a pistol grip or similar firearm, if in compliance with the National Firearms Act [26 U.S.C. 5801-5872]."

Page 1, line 7, remove the overstrike over the comma and remove "or"

Page 1, line 8, remove the overstrike over "~~and intended to be fired~~" and after "using" insert "with one hand below or behind and one hand in front of the breach,"

Page 1, line 10, after "smooth" insert "or a rifled"

Re-number accordingly

Engrossed SB 2088 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2133, as engrossed: Your conference committee (Sens. Andrist, Sand, Langley and Reps. Carlson, Delzer, Schmidt) recommends that the **HOUSE RECEDE** from the House amendments on SJ page 856, adopt amendments as follows, and place SB 2133 on the Seventh order:

That the House recede from its amendments as printed on page 856 of the Senate Journal and page 881 of the House Journal and that Engrossed Senate Bill No. 2133 be amended as follows:

Page 1, line 8, remove the overstrike over "~~, no person~~"

Page 1, line 10, overstrike the comma, remove "a journeyman, class B, or", and overstrike "master electrician"

Page 1, line 16, remove the first "not", after "advertise" insert "to contract", after "services" insert "without being licensed as or being associated with a class B or master electrician unless", remove "the", and replace "is not" with "intends to contract the electrical services with a licensed electrical contractor"

Page 1, line 17, remove "licensed to perform"

Renumber accordingly

Engrossed SB 2133 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2159: Your conference committee (Sens. Wanzek, Grindberg, Heinrich and Reps. Sveen, Schimke, Nichols) recommends that the **HOUSE RECEDE** from the House amendments on SJ page 804, adopt amendments as follows, and place SB 2159 on the Seventh order:

That the House recede from its amendments as printed on page 804 of the Senate Journal and page 820 of the House Journal and that Senate Bill No. 2159 be amended as follows:

Page 1, line 2, remove "15-47-33,"

Page 1, line 7, remove "length of school term,"

Page 10, remove lines 8 through 21

Renumber accordingly

SB 2159 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2195, as engrossed: Your conference committee (Sens. Andrist, Wanzek, Tomac and Reps. Shide, Thompson, Boucher) recommends that the **HOUSE RECEDE** from the House amendments on SJ page 912, adopt amendments as follows, and place SB 2195 on the Seventh order:

That the House recede from its amendments as printed on page 912 of the Senate Journal and pages 930 and 931 of the House Journal and that Engrossed Senate Bill No. 2195 be amended as follows:

Page 3, line 23, replace "eleven" with "twelve"

Page 3, line 24, after "[45.36 kilograms]" insert "after June 30, 1995, and before July 1, 1997,"

Page 3, line 25, after the period insert "The board shall levy an assessment of not more than thirteen cents per hundredweight [45.36 kilograms] after June 30, 1997, and before July 1, 1999, and not more than fourteen cents per hundredweight [45.36 kilograms] after June 30, 1999."

Renumber accordingly

Engrossed SB 2195 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2198, as engrossed: Your conference committee (Sens. Andrist, Krebsbach, Krauter and Reps. Poolman, Keiser, Schmidt) recommends that the **HOUSE RECEDE** from the House amendments on SJ page 981, adopt amendments as follows, and place SB 2198 on the Seventh order:

That the House recede from its amendments as printed on page 981 of the Senate Journal and page 1028 of the House Journal, and that Engrossed Senate Bill No. 2198 be amended as follows:

Page 1, line 2, remove "5-03-03,"

Page 1, line 3, after "pubs" insert "; and to repeal section 5-03-03 of the North Dakota Century Code, relating to bonding of beer or liquor wholesalers"

Page 3, line 16, replace "All beer sold for" with "Licenses under this section entitle the microbrew pub to sell beer manufactured on the premises for offpremise consumption, in brewery-sealed containers of not less than one-half gallon and not more than three gallons. This section may not be superseded under chapters 11-09.1 and 40-05.1"

Page 3, remove line 17

Page 3, line 18, remove "containers"

Page 3, remove lines 19 through 25

Page 4, after line 4, insert:

"SECTION 5. REPEAL. Section 5-03-03 of the North Dakota Century Code is repealed."

Renumber accordingly

Engrossed SB 2198 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2207: Your conference committee (Sens. Tennefos, Christmann, Heitkamp and Reps. Poolman, Maragos, Delmore) recommends that the **HOUSE RECEDE** from the House amendments on SJ page 817, adopt amendments as follows, and place SB 2207 on the Seventh order:

That the House recede from its amendments as printed on page 817 of the Senate Journal and page 839 of the House Journal and that Senate Bill No. 2207 be amended as follows:

Page 1, line 10, replace "to recover rental" with ". Admission" and after "fees" insert "collected for a leased exhibition must be deposited in a special account in the special revolving fund established under section 55-02-04, and may be used only to pay the associated costs of the exhibition. Any admission fees collected in excess of the costs of a leased exhibition must be deposited in the state general fund"

Renumber accordingly

SB 2207 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2247: Your conference committee (Sens. B. Stenehjem, Schobinger, O'Connell and Reps. Kempenich, Delzer, Mahoney) recommends that the **HOUSE RECEDE** from the House amendments on SJ page 872, adopt amendments as follows, and place SB 2247 on the Seventh order:

That the House recede from its amendments as printed on page 872 of the Senate Journal and page 897 of the House Journal and that Senate Bill No. 2247 be amended as follows:

Page 1, line 16, overstrike "to stop or"

Page 1, line 18, after "person" insert "negligently" and remove "to stop or"

Page 1, line 20, after "involving" insert "serious personal injury or"

Renumber accordingly

SB 2247 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2332, as engrossed: Your conference committee (Sens. W. Stenehjem, Traynor, C. Nelson and Reps. Froseth, Gunter, Coats) recommends that the **HOUSE RECEDE** from the House amendments on SJ page 981, adopt amendments as follows, and place SB 2332 on the Seventh order:

That the House recede from its amendments as printed on page 981 of the Senate Journal and page 1029 of the House Journal and that Engrossed Senate Bill No. 2332 be amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for political committee registration and corporate political contributions; to amend and reenact sections 15-28-10, 16.1-05-01, subsections 2 and 3 of section 16.1-05-03, sections 16.1-05-05, 16.1-06-15, 16.1-06-18, 16.1-07-05, 16.1-07-12, 16.1-08.1-01, 16-08.1-02, 16.1-08.1-03, 16.1-08.1-03.1, 16.1-08.1-06, 16.1-08.1-07, and 16.1-12-04 of the North Dakota Century Code, relating to campaign contribution statements, election workers, testing election equipment, ballots, political advertisements, and independent candidates; and to repeal chapter 16.1-08 and sections 16.1-11-14 and 16.1-11-17 of the North Dakota Century Code, relating to political committee registration, corporate political contributions, affidavits of candidacy, and filling vacancies in slates of candidates.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 15-28-10 of the North Dakota Century Code is amended and reenacted as follows:

15-28-10. Duties of election officials - Other statutes applicable. ~~Sections 16.1-08-02, Section 14 of this Act and sections 16.1-10-01, 16.1-10-06, 16.1-10-06.1, 16.1-10-07, 16.1-10-08, 16.1-13-22, 16.1-13-23, 16.1-13-30, 16.1-15-01, 16.1-15-04, and 16.1-16-04~~ apply to elections held under sections 15-28-06 and 15-28-09. All expenses of elections held by a school district must be paid by the district.

SECTION 2. AMENDMENT. Section 16.1-05-01 of the 1993 Supplement to the North Dakota Century Code is amended and reenacted as follows:

16.1-05-01. Election officers. At each primary, general, and special statewide or legislative district election, and at county elections, each polling place must have an election board in attendance. The election board must consist of an election inspector and at least two election judges.

1. The election inspector must be selected in the following manner:
 - a. In all precincts established by the governing body of an incorporated city pursuant to chapter 16.1-04, the governing body shall appoint the election inspectors for those precincts and fill all vacancies occurring in those offices.
 - b. In all other precincts, the county auditor, with the approval of the majority of the board of county commissioners, shall appoint the election inspectors and fill all vacancies occurring in those offices. The selection must be made on the basis of the inspector's knowledge of the election procedure.

- c. The election inspector shall serve until a successor is named. If an inspector fails to appear for any training session without excuse, the office is deemed vacant and the auditor shall appoint an individual to fill the vacancy.

Except in the case of special elections, all appointments required to be made under this section must be made at least twenty-one days preceding an election.

2. The election judges and poll clerks for each precinct ~~are the precinct committeemen receiving the largest number of votes at the precinct caucus at which they were elected, and must be appointed by the district chairmen~~ representing the two parties that cast the largest ~~and next largest~~ number of votes in the state at the last general election. ~~If for any reason a precinct committeeman does not wish to serve as an election judge, the district party chairman for that committeeman's party shall appoint from the committeeman's precinct a member of the committeeman's party to serve as election judge.~~ Each election judge and poll clerk must be given a certificate of appointment signed by the chairman of the district committee of the judge's party. In voting precincts or districts in which over one thousand votes are cast in any election, the county auditor may request each district party chairman to appoint an additional election judge. In voting precincts or districts in which over three hundred votes are cast in any election the district party chairmen may each appoint additional poll clerks as determined by the county auditor. The district party chairman shall notify the county auditor of the counties in which the precincts are located of the appointment of the election judges and poll clerks at least twenty-one days before the primary, general, or special election. If this notice is not received within the time specified in this section, the county auditor shall appoint the judges and poll clerks. If at any time before or during an election, it shall be made to appear to an election inspector, by the affidavit of two or more qualified electors of the precinct, that any election judge or poll clerk is disqualified under this chapter, the inspector shall remove that judge or clerk at once and shall fill the vacancy by appointing a qualified person of the same political party as that of the judge or clerk removed. If the disqualified judge or clerk had taken the oath of office as prescribed in this chapter, the inspector shall place the oath or affidavit before the state's attorney of the county.
- 3- ~~Poll clerks must be appointed by the district party chairmen. Each district party chairman may appoint one poll clerk. However, in voting precincts or districts in which over three hundred votes are cast in any election, the district party chairmen may each appoint additional poll clerks as determined by the county auditor. The appointment of poll clerks by the district party chairmen must be made on the basis of the prospective clerks' knowledge of the election procedure and ability to write legibly.~~

SECTION 3. AMENDMENT. Subsections 2 and 3 of section 16.1-05-03 of the 1993 Supplement to the North Dakota Century Code are amended and reenacted as follows:

2. ~~At least three days before~~ Before each primary and general election, each county auditor or the auditor's designated representative shall conduct training sessions on election

laws and election procedures for election officials in the county and may conduct training sessions ~~at least three days~~ before any special statewide or legislative district election. The session or sessions must be conducted at such place or places throughout the county as the county auditor determines to be necessary. Attendance at the session is mandatory for members of the election board and for poll clerks unless the board of county commissioners determines that the poll clerks in that county may not attend. The county auditor shall notify the members of the election boards, poll clerks if applicable, and the state's attorney of the time and place of the session. The state's attorney shall attend all sessions to give advice on election laws. The county auditor shall invite the district chairman in that county representing any political party casting at least five percent of the total votes cast for governor at the last election to attend the session at the chairman's own expense. On the date of such course or courses, the county auditor may deliver to all election inspectors at such meeting the official ballots and all other materials as provided in chapter 16.1-06. Except as otherwise provided in this section, each person attending the course or courses must be compensated as provided in section 16.1-05-05.

3. An election official, at the option of the county auditor, may be ~~required to attend only two~~ excused from attending a third training sessions session on election laws within a twelve-month period. If an election official has attended a training session within the six months preceding ~~an a special~~ election, the election official must be compensated at the pay appropriate for those having attended a training session, as provided in section 16.1-05-05, for that election.

SECTION 4. AMENDMENT. Section 16.1-05-05 of the 1993 Supplement to the North Dakota Century Code is amended and reenacted as follows:

~~16.1-05-05. Compensation of election officers — Commissioner of labor to certify minimum wage applicable to election officials — Secretary of state to certify amount to county auditors. The state commissioner of labor, thirty days before each statewide primary, general, or special election, shall determine the state minimum wage applicable to election inspectors, election judges, poll clerks, or any other private individual who performs duties in the election process, and shall certify the amounts to the secretary of state. The secretary of state shall then certify the amounts to the county auditors. The county auditors shall pay at least the amounts so determined state minimum wage to the relevant election officials. Members of the election board and poll clerks who attend the training sessions provided by section 16.1-05-03 must be paid at least the state minimum wage determined by the state commissioner of labor for the hours in attendance in the session in addition to necessary expenses and mileage. State, county, or other election officials who are required to incur expenses while performing duties in the election process may be reimbursed only for their actual and necessary expenses and mileage in the performance of those duties, in accordance with sections 54-06-09, 44-08-04, and 11-10-15. Other persons performing election duties must also be paid for expenses and mileage in like manner and amounts. Members of election boards who attend the training sessions provided by section 16.1-05-03 must be paid at least twenty-five percent more than the state minimum wage determined in this section, during the time spent in the performance of their election duties.~~

SECTION 5. AMENDMENT. Section 16.1-06-15 of the North Dakota Century Code is amended and reenacted as follows:

16.1-06-15. Mandatory testing of electronic voting systems before election and before and after tabulation of ballots. All electronic voting systems used in this state must be tested to ascertain whether the automatic tabulating equipment will accurately count the votes cast for all offices and measures. The testing must be conducted prior to each election at which the system will be used, and before and after the counting of the ballots at each election. The testing must be done by the county auditor or his designee, and after each test, the testing materials, programs, and preaudited ballots must be sealed and retained in the same manner as paper ballots after an election. The test must be conducted by processing a preaudited group of ballot cards on which are recorded a predetermined number of valid votes for each candidate and measure, and must include for each office one or more ballots which have votes in excess of the number allowed by law in order to test the ability of the automatic tabulating equipment to reject such votes. During the test a different number of valid votes must be assigned to each candidate for an office, and for and against each measure. If an error is detected, the cause of it must be ascertained and corrected, and an errorless count must be secured and filed as provided in this section. The test that is conducted before the election must be conducted at least one week before the election, and the district chairman of each political party having a candidate on the ballot must be sent notice of the test by the county auditor by ~~certified mail~~ at least one week before the test. The notice must state the time, place, and date of the test or tests, and that the district chairman or his designee may attend.

SECTION 6. AMENDMENT. Section 16.1-06-18 of the 1993 Supplement to the North Dakota Century Code is amended and reenacted as follows:

16.1-06-18. Delivery of ballots - Official stamp delivered. At the meeting provided for in section 16.1-05-03, the county auditors shall deliver, or cause to be delivered, by mail or other reliable method, to the inspector of elections in each precinct the official ballots, if available. The ballots must be delivered in sealed packages marked plainly on the outside designating the number of ballots enclosed and the precinct for which the ballots are intended. The county auditor shall deliver or cause to be delivered to the inspector, or if that is impracticable, to one of the election judges of the precinct, a stamp and inkpadd for the purpose of stamping each ballot with the words "official ballot" and the name or number of the precinct, the name of the county, the date of the election, and providing for a blank line preceded by the word "initials" for the purpose of providing a space where the judge or inspector shall initial the ballot. The stamp and inkpadd are not required if that information is preprinted on the ballot. If the information is preprinted on the ballot, the name or number of the precinct may be replaced by the word "precinct" followed by a blank line where the judge or inspector shall write in the name or number of the precinct. The county auditor shall deliver or cause to be delivered a suitable seal for the purpose of wrapping and sealing the stamp and inkpadd at the close of the voting but before the counting of the ballots if a stamp is required. The county auditor also shall deliver or cause to be delivered a suitable seal, which has the name of the county inscribed thereon, for the purpose of sealing the wrapper containing the ballots as provided in section 16.1-15-08.

SECTION 7. AMENDMENT. Section 16.1-07-05 of the North Dakota Century Code is amended and reenacted as follows:

16.1-07-05. Time for applying for ballot. At any time in an election year, any qualified elector expecting to be absent on election day as provided in section 16.1-07-01 may apply to the county auditor, the auditor or clerk of the city, or the business manager of the school district, as the case may be, by facsimile or otherwise, for an

official ballot to be voted at that election. A voter may obtain an application form for an absent voter's ballot for a general, special, primary, or county election from either the county auditor or a city auditor. The application form, for a member of the United States armed forces or the United States merchant marine or for a qualified elector living outside the United States, must include a space for the applicant to indicate whether the application is for all statewide elections in the calendar year or only for the election that is immediately after the date of the application. An applicant who is a member of the United States armed forces or the United States merchant marine or is a qualified elector living outside the United States, may apply for and vote by facsimile if otherwise qualified to apply for and vote by absentee ballot. An auditor, clerk, or business manager may send and receive facsimile absentee ballot applications and facsimile absentee ballots to those electors eligible to apply for and vote by facsimile under this section. No auditor or clerk may issue ballots for absentee voters on the day of the election.

SECTION 8. AMENDMENT. Section 16.1-07-12 of the North Dakota Century Code is amended and reenacted as follows:

16.1-07-12. Opening ballot - Voting or rejecting - Depositing in ballot box - Preserving. At any time between the opening and closing of the polls on election day, the election judges of the relevant precinct first shall open the outer envelope and compare the signature on such application for an absent voter's ballot with the signature on the statement provided for in section 16.1-07-08. If the judges find that the statement is sufficient and that the signatures correspond, and that the applicant is then a duly qualified elector of such precinct and has not voted at the election, they shall open the absent voter's envelope in such manner as not to destroy the statement thereon. They shall take out the ballot or ballots contained therein without unfolding the same, or permitting the same to be opened or examined, and after ~~endorsing~~ stamping and initialing or initialing the same as other ballots are ~~endorsed stamped and initialed or initialed~~, they shall deposit the ballot in the proper ballot box and show in the pollbook of the election that the elector has voted. If the statement is found to be insufficient, or that the signatures do not correspond, or that the applicant is not then a duly qualified elector of the precinct, the vote may not be allowed, but without opening the absent voter's envelope, the election inspector or election judge shall mark across the face thereof "rejected as defective" or "rejected as not an elector", as the case may be. The subsequent death of an absentee voter after having voted by absentee ballot does not constitute grounds for rejecting such ballot.

SECTION 9. AMENDMENT. Section 16.1-08.1-01 of the 1993 Supplement to the North Dakota Century Code is amended and reenacted as follows:

16.1-08.1-01. Definitions. As used in this chapter, unless the context otherwise plainly requires:

1. "Association" means any club, association, union, brotherhood, fraternity, organization, or group of any kind of two or more persons, including labor unions, trade associations, professional associations, or governmental associations, which is united for any purpose, business, or object and which assesses any dues, membership fees, or license fees in any amount, or which maintains a treasury fund in any amount. The term does not include corporations, cooperative corporations, limited liability companies, political committees, or political parties.

2. "Candidate" means an individual whose name is presented for who seeks nomination for election or election to public office at any primary election whether the individual is actually nominated or not; an individual whose name is printed as a candidate on an official ballot used at any election; an individual who seeks election through write in votes; an individual who is soliciting or accepting campaign contributions for the individual's own political purpose; or an individual who has sought election to office and who is soliciting or accepting contributions to pay off any campaign debt or to raise money for any political purpose.
- 2- 3. "Contribution" means a gift, subscription, loan, advance, or deposit of money, made for the purpose of influencing the nomination for election, or election, of any person to public office, of aiding or opposing the circulation or passage of a statewide initiative or referendum petitions, petition or of promoting passage or defeat of a statewide initiated or referred measure. Contribution also means a contract, promise, or agreement, express or implied, whether or not legally enforceable, to make a contribution for any of the above purposes, and includes funds received by a political committee which are transferred to that committee from another political committee or other source. This definition does not include:
- a. A loan of money from a bank or other lending institution made in the regular course of business.
 - b. Time spent by volunteer campaign or political party workers.
 - c. Money spent by a candidate on the candidate's own behalf.
 - d. Any money received from a district or state committee of a political party, as established pursuant to sections 16.1-03-06 and 16.1-03-08, except for contributions reported pursuant to section 16.1-08.1-03.
- 3- 4. "Cooperative corporations", "corporations", and "limited liability companies" are as defined in this code.
5. "Expenditure" means a purchase, payment, distribution, loan, advance, deposit, or gift of money or property, except a loan of money from a bank or other lending institution made in the regular course of business, made for the purpose of influencing the nomination for election, or election, of any person to office. The term also means a contract, promise, or agreement, express or implied, whether or not legally enforceable, to make any expenditure and includes the transfer of funds by a political committee to another political committee.
6. "Patron" means a person who owns equity interest in the form of stock, shares, or membership or maintains similar financial rights in a cooperative corporation.
7. "Person" means an individual, partnership, committee, association, corporation, cooperative corporation, limited liability company, or other organization or group of persons.
- 4- 8. "Political committee" means any committee, club, association, or other group of persons which receives contributions or makes expenditures primarily for political purposes.

- 5- 9. "Political party" means any association, committee, or organization which nominates a candidate for election to any office which may be filled by a vote of the electors of this state or any of its political subdivisions and whose name appears on the election ballot as the candidate of such association, committee, or organization.
- 6- 10. "Political purpose" ~~or "political purposes"~~ means any activity undertaken in support of or in opposition to the election or nomination of a candidate to public office whether the activity is undertaken by a candidate, a political committee, a political party, or any person.
- 7- 11. "Public office" means every statewide or legislative office to which persons can be elected by vote of the people under the laws of this state.

SECTION 10. Political committee registration. A political committee, other than a political party, and a person aiding or opposing a measure to be voted upon by the voters of the state shall register its name, address, and its agent's name and address with the secretary of state each year in which it receives any contribution. The registration must be completed within five days of the receipt of any contribution and must be submitted with a registration fee of five dollars.

SECTION 11. AMENDMENT. Section 16.1-08.1-02 of the 1993 Supplement to the North Dakota Century Code is amended and reenacted as follows:

16.1-08.1-02. ~~Statement~~ Contributions statement required of candidates ~~Contents~~ ~~Additional statements~~. Any candidate for a public office or any candidate who sought a public office or is seeking a public office and who is soliciting or accepting contributions for any political purpose, shall make and file a statement in accordance with this section. The statement must contain a detailed statement of all contributions received from each individual or political committee which exceed one hundred dollars.

The candidate shall include in the statement ~~must include~~ the name and mailing address of all contributors listed. In determining the amount of individual contributions from any contributor, all amounts received from the same contributor during the reporting period must be aggregated for the purposes of the statements required by this chapter who contributed in excess of one hundred dollars to the candidate.

The statement required of a candidate ~~must be filed with the secretary of state shall file the statement~~ no later than five p.m. on the twelfth day prior to before the date of the election in which the candidate's name appears on the ballot or in which the candidate seeks election through write-in votes complete from the beginning of that calendar year or, if applicable, from the cutoff date for the previous statement, through the twentieth day prior to before the date of the election. A The candidate shall file a complete statement for the entire calendar year ~~must be filed~~ no later than five p.m. on the thirty-first day of January of the following year, regardless of whether the candidate's name appeared on the ballot for any office during that calendar year or whether the candidate did not seek election at any election through write-in votes. ~~If the filing date falls on a Saturday or Sunday or a holiday on which the office of the secretary of state is closed, the report must be filed no later than five p.m. on the next business day on which the office of the secretary of state is open.~~

The form of all statements required by this chapter must be as prescribed by the secretary of state. Statements of a legislative candidate must be filed in the office of the county auditor of the candidate's county of residence under the same limitations as apply to the filing of statements with the secretary of state. Statements of state office candidates and any other required statements must be filed in the office of the secretary of state.

No candidate may be required to file any statement required by this chapter if the candidate has not received any contributions in excess of one hundred dollars during the calendar year.

SECTION 12. AMENDMENT. Section 16.1-08.1-03 of the 1993 Supplement to the North Dakota Century Code is amended and reenacted as follows:

16.1-08.1-03. Contributions statement required of political parties. Any political party that receives contributions in excess of one hundred dollars and contributes money to a candidate in excess of one hundred dollars shall ~~do one of the following:~~

- 1- ~~File a statement listing the total amount contributed to or expended on behalf of a candidate or candidates.~~
- 2- ~~File~~ file a statement containing a detailed list of all contributions received from an individual or political committee which exceed one hundred dollars in amount. The statement must include the name and mailing address of all contributors listed.

A yearend statement covering the entire calendar year must be filed with the secretary of state no later than ~~five p.m. on~~ the thirty-first day of January of the following year. A preelection statement must be filed no later than ~~five p.m. on~~ the twelfth day before any election at which the party has endorsed or will nominate a candidate and must be complete ~~for~~ from the beginning of that calendar year or, if applicable, from the cutoff date for the previous statement, through the twentieth day before the election. If the filing date falls on a Saturday or Sunday or a holiday on which the office of the secretary of state is closed, the statement must be filed on the next available day on which the office of the secretary of state is open.

SECTION 13. AMENDMENT. Section 16.1-08.1-03.1 of the 1993 Supplement to the North Dakota Century Code is amended and reenacted as follows:

16.1-08.1-03.1. ~~Statement~~ Contributions statement required of persons promoting passage or defeat of initiated or referred measure - Contents. Any person who is soliciting or accepting contributions for the purpose of aiding or opposing the circulation or passage of a statewide initiative or referendum ~~petitions~~ petition or of promoting passage or defeat of any statewide initiated or referred measure at any election shall file a statement in accordance with this section if the person has received any contributions from a person in excess of one hundred dollars.

The statement must include the name and mailing address of all contributors listed. ~~In determining the amount of individual contributions from any contributor, all amounts received from the same contributor during the reporting period must be aggregated for the purposes of the statements required by this section~~ who contributed in excess of one hundred dollars to the person.

The statement required of a person must be filed with the secretary of state no later than ~~five p.m. on~~ the twelfth day prior to

the date of the election in which the measure appears or would have appeared on the ballot complete from the beginning of that calendar year through the twentieth day prior to the date of the election. A complete statement for the entire calendar year must be filed no later than five p.m. on the thirty-first day of January of the following year. ~~If the filing date falls on a Saturday or Sunday or a holiday on which the office of the secretary of state is closed, the report must be filed no later than five p.m. on the next business day on which the office of the secretary of state is open.~~

~~The secretary of state shall prescribe the form of all statements required by this section.~~

SECTION 14. Campaign contributions by corporations, cooperative corporations, limited liability companies, and associations prohibited - Violation - Penalty.

1. A corporation, cooperative corporation, limited liability company, or association may not make a direct contribution:

 - a. To aid any political party, political committee, or organization.
 - b. To aid any corporation, limited liability company, or association organized or maintained for political purposes.
 - c. To aid any candidate for political office or for nomination to political office.
 - d. For any political purpose or the reimbursement or indemnification of any person for money or property so used.
 - e. For the influencing of any measure before the legislative assembly, except in accordance with chapter 54-05.1.
2. This section does not prohibit the establishment, administration, and solicitation of contributions to a separate and segregated fund to be utilized for political purposes by a corporation, cooperative corporation, limited liability company, or association. It is unlawful for:

 - a. The person or persons controlling the fund to make contributions or expenditures utilizing money or anything of value secured by physical force, job discrimination, financial reprisals, or the threat of them; or utilize money from dues, fees, treasury funds, or other money required as a condition of membership in an association, or as a condition of employment; or utilize money obtained in any commercial transaction. Moneys from fees, dues, treasury funds, or money obtained in a commercial transaction may, however, be used to pay costs of administration of the fund.
 - b. Any person soliciting an employee, stockholder, patron, or member for a contribution to the fund to fail to inform the employee or member of the political purposes of the fund at the time of the solicitation or of the general political philosophy intended to be advanced through committee activities.
 - c. Any person soliciting an employee or member for a contribution to the fund to fail to inform the employee

- or member, at the time of the solicitation, of the right to refuse to contribute without any reprisal.
- d. Any contribution to be accepted without keeping an accurate record of the contributor and amount contributed, and of amounts expended for political purposes.
- e. Any contribution to be accepted from any person who is not an employee, stockholder, patron, or member of the corporation, cooperative corporation, limited liability company, or association maintaining the political committee.
- f. Any expenditure, except a contract, promise, or agreement, express or implied, to make any expenditure, made for political purposes to be reported under this section before control of the expenditure has been released by the political committee.
3. All political committees formed for the purpose of administering the segregated fund provided for in this section shall file a statement showing the name and mailing address of each contributor of an amount in excess of two hundred dollars in the aggregate for the reporting period and a listing of all expenditures of an amount in excess of one hundred dollars in the aggregate made for political purposes with the secretary of state. A yearend statement covering the entire calendar year must be filed no later than the thirty-first day of the following year. A preelection statement must be filed no later than the twelfth day before any primary, special, or general election and must be complete from the beginning of the calendar year or, if applicable, from the cutoff date for the previous statement through the twentieth day before the election.
4. A person may not make a payment of that person's money or of another person's money to any other person for a political purpose in any name other than that of the person who supplies the money and a person may not knowingly receive the payment nor enter nor cause the payment to be entered in that person's account or record in any name other than that of the person by whom it actually was furnished.
5. If an officer, employee, agent, attorney, or other representative of a corporation, cooperative corporation, limited liability company, or association makes any contribution prohibited by this section out of corporate, cooperative corporation, limited liability company, or association funds or otherwise violates this section, it is prima facie evidence of a violation by the corporation, cooperative corporation, limited liability company, or association.
6. A violation of this section may be prosecuted in the county where the contribution is made or in any county in which it has been paid or distributed.
7. It is a class A misdemeanor for an officer, director, stockholder, manager, governor, member, attorney, agent, or representative of any corporation, cooperative corporation, limited liability company, or association to violate this section, or to counsel or consent to any violation. Any person who solicits or knowingly receives any contribution in violation of this section is guilty of a class A misdemeanor.

8. Any officer, director, stockholder, manager, governor, member, attorney, agent, or representative who makes, counsels, or consents to the making of a contribution in violation of this section is liable to the company, corporation, limited liability company, or association for the amount so contributed.

SECTION 15. Person not excused from testifying as to violation - Prosecution or penalty waived upon testifying. No person may be excused from attending and testifying or producing any books, papers, or other documents before any court upon any investigation, proceeding, or trial for a violation of any of the provisions of this chapter, upon the grounds that the testimony or evidence, documentary or otherwise, required of the person may tend to incriminate or degrade the person. No person may be prosecuted nor subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which the person may testify or produce evidence, documentary or otherwise, and no testimony so given or produced may be used against the person in any criminal investigation or proceeding.

SECTION 16. Expenditures for other purposes - Report required. Nothing in this chapter may be construed to prohibit the exercise by corporations, cooperative corporations, limited liability companies, and associations of the right to make expenditures and contributions for the purpose of promoting passage or defeat of initiated or referred measures, or for promoting any general political philosophy or belief deemed in the best interest of the employees, stockholders, patrons, or members of the corporation, cooperative corporation, limited liability company, or association other than a "political purpose" as defined by this chapter. Any corporation, cooperative corporation, limited liability company, or association that spends money for the purpose of promoting passage or defeat of initiated or referred measures, other than a contribution to another person promoting passage or defeat of an initiated or referred measure, shall file a statement listing the total amount of money spent for that purpose. The statement must be filed with the secretary of state no later than the twelfth day prior to the date of the election in which the measure appears or would have appeared on the ballot complete from the beginning of that calendar year through the twentieth day prior to the date of the election.

SECTION 17. AMENDMENT. Section 16.1-08.1-06 of the North Dakota Century Code is amended and reenacted as follows:

16.1-08.1-06. ~~Requirements~~ Contribution statement requirements. A statement required by this chapter to be filed with the secretary of state or county auditor must be:

1. Verified by the oath or affirmation of the person filing the statement, taken before any officer authorized to administer oaths.
2. Deemed properly filed when deposited in an established post office within the prescribed time, postage affixed, and directed to the secretary of state or county auditor, but in the event it is not received, a duplicate of the statement must be promptly filed upon notice by the secretary of state or county auditor of its nonreceipt.
3. Preserved by the secretary of state or county auditor for a period of four years from the date of filing. The statement is to be considered a part of the public records of ~~his~~ the secretary of state's or county auditor's office and must be open to public inspection.

If the filing date falls on a Saturday or Sunday or a holiday on which the office of the secretary of state or county auditor is closed, the statement must be filed on the next available day on which the office of the secretary of state or county auditor is open. In determining the amount of individual contributions from any contributor, all amounts received from the same contributor during the reporting period must be aggregated for the purposes of the statements required by this chapter.

SECTION 18. AMENDMENT. Section 16.1-08.1-07 of the North Dakota Century Code is amended and reenacted as follows:

16.1-08.1-07. Penalty. Any Except as otherwise provided, any person who willfully violates any provision of this chapter is guilty of an infraction.

SECTION 19. AMENDMENT. Section 16.1-12-04 of the North Dakota Century Code is amended and reenacted as follows:

16.1-12-04. Certificates of nomination - Time and place of filing.

1. ~~The following certificates of nomination must be filed with the secretary of state, with written notice of that filing filed with the county auditor of each county included within the district wherein the offices are to be elected:~~
 - a. ~~Certificates of nomination for nominees for offices to be filled by the qualified electors of the entire state-~~
 - b. ~~Certificates of nomination for nominees for offices to be filled by the qualified electors of any district greater than a county.~~
 - c. ~~Certificates of nomination for nominees for legislative offices must be filed with the secretary of state.~~
2. Certificates of nomination for nominees for county offices and legislative offices must be filed with the county auditor of the respective counties in which the officers are to be elected county in which the candidate resides. When a legislative district is composed of more than one county, the county auditor shall certify to the county auditors of the other counties comprising the legislative district the names of the candidates filing the certificates of nomination.
3. ~~Certificates of nomination required to be filed with the secretary of state must, without regard to the means of delivery, be filed and in the actual possession of the secretary of state appropriate officer not later than four p.m. on the sixtieth day prior to the general day of election day.~~
4. ~~Certificates of nomination required to be filed with the county auditor must, without regard to the means of delivery, be filed and in the actual possession of the county auditor not later than four p.m. on the sixtieth day prior to the general election day.~~
5. ~~In the case of special elections called to fill vacancies, certificates of nomination must be filed and in the actual possession of the appropriate officer, regardless of the means of delivery, not later than four p.m. on the sixtieth day prior to the day of election.~~

- 6- The secretary of state and the several county auditors shall keep on file for six months all certificates of nomination filed with them under this chapter, and all certificates of nomination must be open to public inspection during regular business hours.

SECTION 20. REPEAL. Chapter 16.1-08 and sections 16.1-11-14 and 16.1-11-17 of the North Dakota Century Code are repealed."

Renumber accordingly

Engrossed SB 2332 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2338: Your conference committee (Sens. Traynor, Watne, LaFountain and Reps. Klein, Sabby, Mahoney) recommends that the **HOUSE RECEDE** from the House amendments on SJ page 857, adopt amendments as follows, and place SB 2338 on the Seventh order:

That the House recede from its amendments as printed on page 857 of the Senate Journal and page 882 of the House Journal, and that Senate Bill No. 2338 be amended as follows:

Page 1, line 10, remove "before", overstrike "January 1,", and remove "1990"

Page 1, line 11, overstrike the comma and after "hereby" insert "for a period of five years or more."

Renumber accordingly

SB 2338 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2391: Your conference committee (Sens. Tennefos, Kringstad, Tomac and Reps. Lloyd, Timm, Dobrinski) recommends that the **HOUSE RECEDE** from the House amendments on SJ page 1167, adopt amendments as follows, and place SB 2391 on the Seventh order:

That the House recede from its amendments as printed on page 1167 of the Senate Journal and page 1184 of the House Journal, and that Senate Bill No. 2391 be amended as follows:

Page 1, line 3, after "agencies" insert "; and to provide for the development of a plan to implement a uniform employer reporting system between the workers compensation bureau, job service North Dakota, and the state tax commissioner"

Page 1, line 10, after the period insert "The procedures must address the measures that are necessary to maintain the confidentiality of information protected by federal or state law."

Page 1, line 11, after the period insert "If the original information is keyed, entered, provided, compiled, or submitted by any political subdivision, the fees must be shared by the state and the political subdivision based on their proportional costs to make the data available."

Page 1, after line 14, insert:

"SECTION 2. DEVELOPMENT OF A UNIFORM EMPLOYER REPORTING SYSTEM. The workers compensation bureau, job service North Dakota, and the state tax commissioner shall develop a plan to implement an employer reporting system to provide a single form for the submission of employer information. The workers compensation bureau is the lead

agency in charge of the development of the plan. The workers compensation bureau, job service North Dakota, and the state tax commissioner shall present any legislation necessary to implement this system to the fifty-fifth legislative assembly."

Renumber accordingly

SB 2391 was placed on the Seventh order of business on the calendar.

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

MOTION

REP. DORSO MOVED that the House Conference Committee on Engrossed HB 1367 be dissolved and that a new conference committee be appointed, which motion prevailed.

THE SPEAKER APPOINTED as a new Conference Committee on Engrossed HB 1367: Reps. Froseth, Maragos, Delmore.

REPORT OF CONFERENCE COMMITTEE

REP. PRICE MOVED that the conference committee report on Engrossed SB 2037 be adopted, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

REP. PRICE MOVED that the conference committee report on Engrossed SB 2044 be adopted, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

REP. OLSON MOVED that the conference committee report on Engrossed SB 2072 be adopted, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

REP. CARLSON MOVED that the conference committee report on Engrossed SB 2143 be adopted, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

REP. GROSZ MOVED that the conference committee report on SB 2204 be adopted, which motion prevailed.

SIGNING OF BILLS AND RESOLUTIONS

The Speaker signed the following enrolled bills and resolutions: HB 1018, HB 1022, HB 1032, HB 1149, HB 1151, HB 1326, HB 1360, HB 1369, HB 1375, HB 1378, HB 1379, HB 1407, HB 1436, HB 1441, HB 1452, HB 1463, HB 1493, HCR 3006, HCR 3038.

MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

MADAM PRESIDENT: The Speaker has signed and your signature is respectfully requested on: HB 1018, HB 1022, HB 1032, HB 1149, HB 1151, HB 1326, HB 1360, HB 1369, HB 1375, HB 1378, HB 1379, HB 1407, HB 1436, HB 1441, HB 1452, HB 1463, HB 1493, HCR 3006, HCR 3038.

MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

MADAM PRESIDENT: The House has adopted the conference committee report and subsequently passed: HB 1041, HB 1134, HB 1309, HB 1329.

MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

MADAM PRESIDENT: The House has adopted the conference committee report on: SB 2037, SB 2044, SB 2072, SB 2143, SB 2204.

ANNOUNCEMENT AND REQUEST

REP. DORSO ANNOUNCED that the members of the Appropriations Committee were in committee and requested that the Journal reflect that they were excused, which request was granted.

MOTION

REP. DORSO MOVED that the House be on the Fifth and Seventh orders of business and at the conclusion of those orders, the House stand in recess until 5:30 p.m., which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

HB 1009, as engrossed: Your conference committee (Sens. Naaden, Nalewaja, Tallackson and Reps. Byerly, Carlisle, Huether) recommends that the SENATE RECEDE from the Senate amendments on HJ pages 1271-1273, adopt amendments as follows, and place HB 1009 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1057 and 1058 and pages 1123 and 1124 of the Senate Journal and pages 1271-1273 of the House Journal and that Engrossed House Bill No. 1009 be amended as follows:

Page 1, line 13, replace "4,262,842" with "4,297,842"

Page 1, line 15, replace "82,500" with "92,500"

Page 1, line 16, replace "448,401" with "1,054,801"

Page 1, line 17, replace "6,259,363" with "6,910,763"

Page 1, line 18, replace "4,297,440" with "4,938,840"

Page 1, line 19, replace "1,961,923" with "1,971,923"

Page 2, line 1, replace "339,076" with "390,670"

Page 2, line 2, replace "76,731" with "102,731"

Page 2, after line 2, insert:

"Grants	<u>100,000</u>
Total all funds	\$ 593,401
Less estimated income	<u>177,594"</u>

Page 2, line 4, replace "2,377,730" with "2,387,730"

Page 2, line 5, replace "4,297,440" with "5,116,434"

Page 2, line 6, replace "6,675,170" with "7,504,164"

Page 2, after line 10, insert:

"SECTION 3. VETERANS' POSTWAR TRUST FUND - TRANSFER. The estimated income line item included in subdivision 2 of section 1 of this Act includes \$177,594, or so much of the sum as may be necessary, to be transferred to the department of veterans affairs as requested from the interest earnings of the veterans' postwar trust fund for the biennium beginning July 1, 1995, and ending June 30, 1997."

ReNUMBER accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 313 - VETERANS HOME

CONFERENCE COMMITTEE - The conference committee agrees with the Senate changes as follows:

HOUSE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION
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Salaries and wages	\$4,262,842	\$ 35,000 ¹	\$4,297,842
Operating expenses	1,465,620		1,465,620
Equipment	82,500	10,000 ²	92,500
Capital improvements	<u>448,401</u>	<u>606,400³</u>	<u>1,054,801</u>
Total	\$6,259,363	\$651,400	\$6,910,763
Less estimated income	<u>4,297,440</u>	<u>641,400</u>	<u>4,938,840</u>
General fund	\$1,961,923	\$ 10,000	\$1,971,923
FTE	77.71	0	77.71

¹ Adds \$35,000 for workers' compensation premiums from other funds.

² Adds \$10,000 from the general fund for equipment.

³ Adds \$606,400 from other funds to provide funding for an air-conditioning system and window replacement previously funded in Senate Bill No. 2030.

The capital improvements line item, as amended, is summarized as follows:

Air-conditioning system	\$ 447,000
Window replacement	159,400
Bond payments	266,901
Roof repairs	42,000
Nurses' station renovation	54,000
Draperies - Basic care	34,000
Whirlpool	29,000
Garage	10,000
Other	<u>12,500</u>
Total	\$1,054,801

DEPARTMENT 321 - VETERANS AFFAIRS

CONFERENCE COMMITTEE - This amendment makes the following changes:

	HOUSE VERSION	CONFERENCE COMMITTEE CHANGES ¹	CONFERENCE COMMITTEE VERSION
Salaries and wages	\$339,076	\$ 51,594	\$390,670
Operating expenses	76,731	26,000	102,731
Grants	<u>0</u>	<u>100,000</u>	<u>100,000</u>
Total	\$415,807	\$177,594	\$593,401
Less estimated income	<u>0</u>	<u>177,594</u>	<u>177,594</u>
General fund	\$415,807	\$ 0	\$415,807
FTE	5	1	6

¹ The conference committee changes are as follows:

Agrees to Senate addition funding 1 FTE grant administrator	\$ 51,594
Adds funding for the grants program	100,000
Adds funding for operating expenses, consisting of legal fees - \$20,000, mileage - \$2,000, and travel for the chairman of the administrative committee - \$4,000	<u>26,000</u>
Total addition from the interest earnings of the veterans' postwar trust fund	\$177,594

A section is added to the bill to transfer this funding from the interest earnings of the veterans' postwar trust fund to the Department of Veterans Affairs.

Engrossed HB 1009 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

HB 1423: Your conference committee (Sens. Grindberg, W. Stenehjem, C. Nelson and Reps. Stenehjem, Clark, Christenson) recommends that the **SENATE RECEDE** from the Senate amendments on HJ page 1357 and place HB 1423 on the Seventh order.

HB 1423 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

HB 1488, as engrossed: Your conference committee (Sens. Grindberg, Heinrich, Wanzenk and Reps. Boehm (refused to sign), Gorder, Hanson) recommends that the **HOUSE ACCEDE** to the Senate amendments on HJ page 1357 and place HB 1488 on the Seventh order.

Engrossed HB 1488 was placed on the Seventh order of business on the calendar.

REPORT OF STANDING COMMITTEE

SB 2059, as engrossed: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 8 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2059 was placed on the Sixth order on the calendar.

In lieu of the amendments adopted by the House as printed on page 1181 of the House Journal, Engrossed Senate Bill No. 2059 is amended as follows:

Page 3, line 16, overstrike "There" and insert immediately thereafter "During the 1995-96 school year, there"

Page 3, line 18, remove the overstrike over "~~, and to school districts~~"

Page 3, remove the overstrike over lines 19 through 22

Page 3, line 23, remove the overstrike over "~~school the student is enrolled is located,~~"

Page 4, line 1, remove the overstrike over "~~living outside the~~"

Page 4, line 2, remove the overstrike over "~~city limits~~"

Page 4, remove the overstrike over lines 3 through 5

Page 4, line 6, remove the overstrike over "~~located, a sum equal to~~", after "~~one-half~~" insert "forty", and remove the overstrike over "~~cents per~~" and insert immediately thereafter "day for each public school"

Page 4, line 7, remove the overstrike over "~~student~~", after "~~trip~~" insert "who is transported", and remove the overstrike over "~~. However, no payment may be made~~"

Page 4, remove the overstrike over lines 8 and 9

Page 4, line 22, overstrike "in" and insert immediately thereafter "during the 1995-96 school year,"

Page 4, line 28, after the period insert:

"The amount received by a school district during the 1995-96 school year must be based upon the information reported by the district for the 1994-95 school year and may be used in the manner that best meets the needs of the school district.

4. Beginning with the 1996-97 school year, each school district is entitled to receive:
- a. An amount equal to that received by the district during the 1995-96 school year for the provision of transportation services to students; and
 - b. An amount equal to seventy dollars times the number by which the students in average daily membership exceeds the number of students in average daily membership during the 1994-95 school year.

5." and remove "develop, and require"

Page 4, remove line 29

Page 5, line 1, remove "calculate and", remove the overstrike over "and", and remove "in this"

Page 5, line 2, remove "section. The superintendent"

Page 5, line 3, remove the overstrike over "that may be"

Page 5, line 15, remove the overstrike over "During the", after "1994-95" insert "1995-96", remove the overstrike over "school year, no", and remove "No"

Page 5, line 16, overstrike "incurs" and insert immediately thereafter "incurred"

Page 5, line 17, overstrike the period

Page 5, line 24, after "subsection" insert "during the 1994-95 school year" and remove the overstrike over the period

Renumber accordingly

REPORT OF STANDING COMMITTEE

SCR 4063: Transportation Committee (Rep. Belter, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (10 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING). SCR 4063 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "require" with "encourage"

Page 1, line 3, after "all" insert "new or refurbished"

Page 1, line 4, remove the first "of"

Page 1, line 5, replace "a train" with "trains", remove the second "a", and replace "crossing" with "crossings"

Page 1, line 6, replace "tape" with "material"

Page 1, line 10, replace "tape" with "material"

Page 1, line 14, replace "require" with "to encourage"

Page 1, line 15, after "all" insert "new or refurbished"

Renumber accordingly

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

MOTION

REP. DORSO MOVED that with reference to Engrossed HB 1155, that House Rule 346 be suspended, which motion prevailed.

MOTION

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

MOTION

REP. FREIER MOVED that the House be on the Seventh, Twelfth, Thirteenth, and Sixteenth orders of business and at the conclusion of those orders, the House stand adjourned until 8:00 a.m., Friday, March 31, 1995, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

SB 2288: Your conference committee (Sens. Streibel, Naaden, Mushik and Reps. Clayburgh, Dalrymple, Kaldor) recommends that the HOUSE RECEDE from the House amendments on SJ pages 1165-1167, adopt amendments as follows, and place SB 2288 on the Seventh order:

That the House recede from its amendments as printed on pages 1165-1167 of the Senate Journal and pages 1182-1184 of the House Journal and that Senate Bill No. 2288 be amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact sections 54-16-01, 54-16-04, 54-16-04.1, and 54-16-04.2 of the North Dakota Century Code, relating to emergency commission membership and authority to authorize line item transfers and expenditures of gifts, grants, and federal funds.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 54-16-01 of the North Dakota Century Code is amended and reenacted as follows:

54-16-01. Emergency commission - Members - Organization - Quorum - Meetings —Duties. The emergency commission shall ~~consist~~ consists of the governor, the ~~commissioner of agriculture~~ chairman of the legislative council, and the secretary of state, except when the membership is expanded as herein provided. Whenever, during the biennium, an allocation or allocations out of the state contingency fund, a transfer of money between funds and line items, or an approval to spend federal funds in excess of ten thousand dollars is to be made to any institution or department of government, and the chairman ~~chairmen~~ of the senate appropriations committee and the chairman of the ~~and~~ house of representatives appropriations committee must be members of the commission committees. The aggregate total of transfers from the state contingency fund, within the limits of legislative appropriations, can exceed five hundred thousand dollars only to the extent that requests for transfers from the state contingency fund have been approved by the budget section of the legislative council. If the chairman of either an appropriations committee should die or resign ceases to be a member of the legislative assembly, the vice chairman of that committee shall ~~become a member of~~ succeeds to that position on the commission. A ~~An~~ appropriations committee vice chairman may also serve in the place of the appropriations committee chairman as a member of the commission at the request of the appropriate appropriations committee chairman, if the appropriations committee chairman is unable to attend a particular commission meeting. ~~Two~~ Four members of the commission constitute a quorum, except when the membership is expanded, in which case four members constitute a quorum. The governor must be is the chairman of the commission, and the secretary of state must be is the secretary of the commission. The commission shall meet upon at the call of the chairman. The commission shall exercise the powers and perform the duties imposed upon it by law.

SECTION 2. AMENDMENT. Section 54-16-04 of the North Dakota Century Code is amended and reenacted as follows:

54-16-04. May order transfer of moneys between funds - Line item transfers - Order may draw from state treasury. Whenever it is made to appear A state officer may present to the emergency commission by an itemized, verified petition of any board, commission, or officer authorized to expend public funds, and after receiving requesting approval of a transfer of spending authority from the state contingencies appropriation, a transfer of money or spending authority between funds or line items, or expenditure of federal funds. The emergency commission shall request and receive information from the director of the office of management and budget, regarding the petition. If the emergency commission finds that an emergency exists, the emergency commission shall assume that an emergency exists and may order money or spending authority transferred from one fund or line item to another fund or line item belonging to or appropriated from for the same institution or board or the same state enterprise, may order a transfer of spending authority from the state contingencies appropriation, may authorize expenditure of federal funds, or in an extremity may authorize money to be drawn from the state treasury to meet the emergency until such time as the legislative assembly can make an appropriation available therefor. The term "emergency" is limited to calamities or unforeseen happenings subsequent to the time such appropriation was made and which were clearly not within the contemplation of the legislative assembly and the governor. The following transfers may not be authorized by the emergency commission without approval by the budget section of the legislative council.

1. A transfer of spending authority from the state contingencies appropriation after the aggregate amount transferred from that appropriation during the biennium exceeds five hundred thousand dollars.
2. A transfer of moneys or spending authority which would eliminate or make impossible the accomplishment of a program or objective funded by the legislative assembly.
3. A transfer exceeding fifty thousand dollars from one fund or line item to another fund or line item, unless the transfer is necessary to comply with a court order or to avoid:
 - a. An imminent threat to the safety of people or property due to a natural disaster or war crisis; or
 - b. An imminent financial loss to the state.

SECTION 3. AMENDMENT. Section 54-16-04.1 of the North Dakota Century Code is amended and reenacted as follows:

54-16-04.1. May authorize acceptance and disbursement of certain moneys federal funds. The emergency commission with the advice and counsel of the executive office of the budget may authorize the state treasurer to receive, between legislative sessions, any moneys for new programs or continuation of existing programs not appropriated by the legislative assembly that which are made available by the any federal government, or any agency thereof, and which the legislative assembly has not indicated an intent to reject. The emergency commission may authorize pass-through federal funds from one state agency to another state agency. The emergency commission, with approval of the budget section of the legislative council, may authorize any state agency, department, board, or institution officer to expend such federal moneys from the date such moneys become available until July first June thirtieth following the next regular legislative session, provided such. The expenditures must be consistent with state law and with the

terms of the grant, and ~~provided, further, that~~ the program may not commit the legislative assembly for matching funds ~~for in the~~ future bienniums unless the program has first been approved by the legislative assembly. ~~No department, institution, or agency~~ A state officer may ~~not~~ expend funds received from the federal government which have not been specifically appropriated by the legislative assembly except as provided in this chapter. A state officer shall submit an expenditure plan with a request for approval under this section of expenditure of federal funds combined with or as part of a block grant for a new or existing program.

SECTION 4. AMENDMENT. Section 54-16-04.2 of the 1993 Supplement to the North Dakota Century Code is amended and reenacted as follows:

54-16-04.2. Commission may authorize acceptance and expenditure of moneys ~~between sessions.~~ The emergency commission, upon the advice of the office of management and budget, with approval of the budget section of the legislative council, and within the limits of legislative appropriation for approval under this section, may authorize a state agencies, institutions, or departments, between legislative sessions, officer to receive and accept moneys from gifts, grants, donations, or other sources, not otherwise appropriated by the legislative assembly, for new or existing programs if the legislative assembly has not indicated an intent to reject the moneys or the program. The emergency commission may authorize the state agency, institution, or department officer to expend money received under this section from the date the money becomes available until June thirtieth following the next regular legislative session."

Renumber accordingly

SB 2288 was placed on the Seventh order of business on the calendar.

MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

MADAM PRESIDENT: The House has adopted the conference committee report and subsequently passed: SB 2101, SB 2152.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)

MR. SPEAKER: The Senate has adopted the conference committee report and subsequently passed: SB 2103, SB 2142, SB 2430, SB 2439, SB 2480, SB 2520, SB 2524, SCR 4046, SCR 4049.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)

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

HB 1014: Sens. Solberg; Nething; Tallackson

SIGNING OF BILLS AND RESOLUTIONS

The Speaker signed the following enrolled bills and resolutions: HB 1228, HB 1473, HB 1478, HB 1489, HB 1492, HB 1500, HB 1502, HCR 3001, HCR 3004, HCR 3005, HCR 3019, HCR 3021, HCR 3026, HCR 3043.

MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

MADAM PRESIDENT: The Speaker has signed and your signature is respectfully requested on: HB 1228, HB 1473, HB 1478, HB 1489, HB 1492, HB 1500, HB 1502, HCR 3001, HCR 3004, HCR 3005, HCR 3019, HCR 3021, HCR 3026, HCR 3043.

SIGNING OF BILLS AND RESOLUTIONS

The Speaker signed the following enrolled bill: HB 1194.

MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

MADAM PRESIDENT: The Speaker has signed and your signature is respectfully requested on: HB 1194.

SIGNING OF BILLS AND RESOLUTIONS

The Speaker signed the following enrolled bills: SB 2014, SB 2026, SB 2192, SB 2202, SB 2239, SB 2359, SB 2506.

MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

MADAM PRESIDENT: The Speaker has signed: SB 2014, SB 2026, SB 2192, SB 2202, SB 2239, SB 2359, SB 2506.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)

MR. SPEAKER: The Senate has adopted the conference committee report and subsequently passed: SB 2288.

FIRST READING OF SENATE BILL

SB 2067: A BILL for an Act to provide for recognition of tribal-state gaming compacts, to create an open records exception for tribal gaming financial information submitted to a state agency, and to provide for approval of amendments to tribal-state gaming compacts.

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

FIRST READING OF SENATE CONCURRENT RESOLUTION

SCR 4012: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of legislation governing the future negotiation, amendment, and renewal of tribal-state gaming compacts.

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

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

ROY GILBREATH, Chief Clerk