

JOURNAL OF THE HOUSE

Fifty-third Legislative Assembly

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Bismarck, February 18, 1993

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

The prayer was offered by Rep. Jim Coats, Chaplain of American Legion Post #40, Mandan.

The roll was called and all members were present except Representatives Allmaras, Dorso, Henegar, Poolman, Price, and Thorpe.

A quorum was declared by the Speaker.

CORRECTION AND REVISION OF THE JOURNAL

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

Page 734, line 8, delete "the rules be suspended and that"

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

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

MADAM PRESIDENT: The House has passed and your favorable consideration is requested on: HB 1193, HB 1218, HB 1275, HB 1304, HB 1347, HB 1356, HB 1360, HB 1376, HB 1399, HB 1416, HB 1422, HB 1437, HB 1449, HB 1452, HB 1462, HB 1474, HB 1483, HB 1509, HCR 3013, HCR 3022, HCR 3028, HCR 3029, HCR 3033, HCR 3034, HCR 3036, HCR 3039, HCR 3043, HCR 3044, HCR 3045, HCR 3046, HCR 3052.

HOUSE ENGROSSING AND ENROLLING REPORT

The following bills and resolution were engrossed: HB 1001, HB 1005, HB 1007, HB 1010, HB 1013, HB 1014, HB 1017, HB 1054, HB 1180, HB 1326, HB 1391, HB 1413, HB 1504, HCR 3037.

The following bill was reengrossed: HB 1064.

SIXTH ORDER OF BUSINESS

HB 1003: REP. DALRYMPLE (Appropriations Committee) MOVED that the amendments on HJ pages 766-773 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

MOTION

REP. FREIER MOVED that HB 1003, as amended, be placed at the head of the Eleventh order, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1003: A BILL for an Act to provide an appropriation for defraying the expenses of the department of public instruction, the school for the deaf, the school for the blind, and the state library; to provide an exemption from the provisions of section 54-44.1-11; and to provide for an appropriation of funds from the displaced homemaker fund.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 90 YEAS, 1 NAY, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Bateman; Belter; Berg, J.; Bernstein; Bodine; Boehm; Boucher; Brodshaug; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Cleary; Coats; Dalrymple; DeWitz; Dobrinski; Drovdal; Freier; Froseth; Gates; Gerntholz; Glassheim; Goffe; Gorder; Gorman; Grosz; Grumbo; Gulleson; Hagle; Hanson; Hausauer; Hokana; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martin; Martinson; Monson; Mutzenberger; Nelson; Ness; Nicholas; Nichols; Oban; Olsen, D.; Olson, A.; Payne; Porter; Pyle; Rennerfeldt; Ring; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenehjem; Stenson; Svedjan; Sveen; Timm; Torgerson; Wald; Wanzek; Wardner; Wentz; Wilkie; Speaker R. Berg

NAYS: Holm

ABSENT AND NOT VOTING: Allmaras; Dorso; Henegar; Poolman; Price; Thorpe; Tollefson

Engrossed HB 1003 passed and the title was agreed to.

SIXTH ORDER OF BUSINESS

SB 2176: REP. GATES (Education Committee) MOVED that the amendments on HJ page 728 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1007: A BILL for an Act to provide an appropriation for defraying the expenses of the adjutant general; and to provide an appropriation for the North Dakota veterans' cemetery.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of **DO PASS**, the roll was called and there were 86 YEAS, 4 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Bateman; Belter; Berg, J.; Bernstein; Boehm; Boucher; Brodshaug; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Cleary; Dalrymple; DeWitz; Dobrinski; Drovdal; Freier; Froseth; Gates; Gerntholz; Glassheim; Goffe; Gorder; Gorman; Grosz; Grumbo; Gulleson; Hagle; Hanson; Hausauer; Hokana; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Maragos; Martin; Monson; Mutzenberger; Nelson; Ness; Nicholas; Nichols; Oban; Olsen, D.; Olson, A.; Payne; Porter; Pyle; Rennerfeldt; Ring; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenehjem; Stenson; Svedjan; Sveen; Timm; Torgerson; Wald; Wanzek; Wardner; Wentz; Wilkie; Speaker R. Berg

NAYS: Bodine; Coats; Kilichowski; Mahoney

ABSENT AND NOT VOTING: Allmaras; Dorso; Henegar; Martinson; Poolman; Price; Thorpe; Tollefson

Engrossed HB 1007 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1013: A BILL for an Act to provide an appropriation for defraying the expenses of the state historical society.

ROLL CALL

The question being on the final passage of the amended bill, which has been

read, and has committee recommendation of DO PASS, the roll was called and there were 90 YEAS, 1 NAY, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Bateman; Belter; Berg, J.; Bernstein; Bodine; Boehm; Boucher; Brodshaug; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Cleary; Coats; Dalrymple; DeWitz; Dobrinski; Drovdal; Freier; Froseth; Gates; Gerntholz; Glassheim; Goffe; Gorder; Gorman; Grosz; Grumbo; Gullerson; Hagle; Hanson; Hausauer; Hokana; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martin; Martinson; Monson; Mutzenberger; Nelson; Ness; Nicholas; Nichols; Oban; Olsen, D.; Olson, A.; Payne; Porter; Rennerfeldt; Ring; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenehjem; Stenson; Svedjan; Sveen; Timm; Torgerson; Wald; Wanzek; Wardner; Wentz; Wilkie; Speaker R. Berg

NAYS: Pyle

ABSENT AND NOT VOTING: Allmaras; Dorso; Henegar; Poolman; Price; Thorpe; Tollefson

Engrossed HB 1013 passed and the title was agreed to.

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

MADAM PRESIDENT: The House has passed and your favorable consideration is requested on: HB 1001, HB 1005, HB 1010, HB 1017, HB 1054, HB 1064, HB 1180, HB 1504.

SECOND READING OF HOUSE BILL

HB 1014: A BILL for an Act to provide an appropriation for defraying the expenses of the parks and tourism department; to provide for an appropriation from the snowmobile fund and the trail tax transfer fund; 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 90 YEAS, 1 NAY, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Bateman; Belter; Berg, J.; Bernstein; Bodine; Boehm; Boucher; Brodshaug; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Cleary; Coats; Dalrymple; DeWitz; Dobrinski; Drovdal; Freier; Froseth; Gates; Gerntholz; Glassheim; Gorder; Gorman; Grosz; Grumbo; Gullerson; Hagle; Hanson; Hausauer; Hokana; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martin; Martinson; Monson; Mutzenberger; Nelson; Ness; Nicholas; Nichols; Oban; Olsen, D.; Olson, A.; Payne; Porter; Pyle; Rennerfeldt; Ring; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenehjem; Stenson; Svedjan; Sveen; Timm; Torgerson; Wald; Wanzek; Wardner; Wentz; Wilkie; Speaker R. Berg

NAYS: Goffe

ABSENT AND NOT VOTING: Allmaras; Dorso; Henegar; Poolman; Price; Thorpe; Tollefson

Engrossed HB 1014 passed and the title was agreed to.

MOTION

REP. FREIER MOVED that the House waive the reading of the titles to HB 1326 and HB 1413, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1326: A BILL for an Act to require the department of human services to further the development of partnerships with the private sector in the delivery of all mental health and drug and alcohol abuse diagnostic and treatment services through private providers, to provide solicitation requirements, and to provide for approval by the budget section of the legislative council; and to repeal section 54-38-07 of the North Dakota Century Code, relating to facilities for treatment of alcoholism and drug dependent persons.

MOTION

REP. PAYNE MOVED the previous question, which motion prevailed.

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 57 YEAS, 33 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

YEAS: Austin; Bateman; Belter; Bernstein; Boehm; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Coats; Dalrymple; DeWitz; Drowdal; Freier; Froseth; Gates; Gerntholz; Gorman; Hagle; Hausauer; Holm; Jacobs; Johnson; Keiser; Kelsch; Kempenich; Klein; Kretschmar; Kunkel; Mahoney; Maragos; Martinson; Monson; Nicholas; Olsen, D.; Olson, A.; Payne; Porter; Rennerfeldt; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenehjem; Svedjan; Sveen; Timm; Torgerson; Wald; Wanzek; Wardner; Speaker R. Berg

NAYS: Aarsvold; Berg, J.; Bodine; Boucher; Brodshaug; Brown; Cleary; Dobrinski; Glassheim; Goffe; Gorder; Grosz; Grumbo; Gulleon; Hanson; Hokana; Howard; Huether; Kaldor; Kerzman; Kilichowski; Kroeber; Martin; Mutzenberger; Nelson; Ness; Nichols; Oban; Pyle; Ring; Stenson; Wentz; Wilkie

ABSENT AND NOT VOTING: Allmaras; Dorso; Henegar; Laughlin; Poolman; Price; Thorpe; Tollefson

Engrossed HB 1326 passed and the title was agreed to.

MOTION

REP. MARTINSON MOVED that HCR 3037 be placed on the Consent Calendar, which motion prevailed.

MOTION

REP. MARTINSON MOVED that the House be on the Fifth order of business and then stand in recess until 10:30 a.m., which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1002: Appropriations Committee (Rep. Dalrymple, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (21 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1002 was placed on the Sixth order on the calendar.

Page 1, line 4, remove "and"

Page 1, line 5, after "institutions" insert "; to create and enact a new section to chapter 50-06.2 and a new chapter to title 50 of the North Dakota Century Code, relating to payment of services by county and state matching funds and to a basic care assistance program; to amend and reenact section 50-01-01 and subsection 5 of section 57-15-56 of

the North Dakota Century Code, relating to state assistance for county poor relief costs and to matching funds for senior citizen services; to repeal sections 50-01-09.2 and 50-06-14.2 of the North Dakota Century Code, relating to state assistance for county poor relief costs and to rates payable to basic care facilities to provide for a review of the clubhouse project; to require budget section approval of alternative programs at the state hospital; to require the department of human services to develop basic care ratesetting methodology; and to provide an effective date"

Page 1, line 16, replace "473,604" with "248,253"

Page 1, line 17, replace "47,534" with "39,096"

Page 1, remove line 18

Page 1, line 19, replace "528,029" with "287,349"

Page 1, line 20, replace "138,838" with "80,243"

Page 1, line 21, replace "389,191" with "207,106"

Page 2, line 2, replace "5,844,054" with "5,753,241"

Page 2, line 3, replace "1,166,252" with "1,049,627"

Page 2, line 4, replace "3,923,664" with "5,837,971"

Page 2, remove line 6

Page 2, line 8, replace "13,546,672" with "14,526,541"

Page 2, line 9, replace "7,359,644" with "8,778,363"

Page 2, line 10, replace "6,187,028" with "5,748,178"

Page 2, line 13, replace "3,896,431" with "3,883,824"

Page 2, line 14, replace "6,286,929" with "5,680,732"

Page 2, line 15, replace "10,508,951" with "10,671,501"

Page 2, line 16, replace "119,095" with "48,735"

Page 2, line 17, replace "135,666,782" with "135,451,189"

Page 2, line 18, replace "156,478,188" with "155,735,981"

Page 2, line 19, replace "134,277,590" with "136,218,731"

Page 2, line 20, replace "22,200,598" with "19,517,250"

Page 2, line 23, replace "2,557,949" with "2,487,891"

Page 2, line 24, replace "1,801,951" with "1,621,756"

Page 2, line 26, replace "13,800" with "8,000"

Page 2, line 27, replace "520,461,706" with "497,360,828"

Page 2, line 28, replace "527,104,415" with "503,747,484"

Page 2, line 29, replace "425,316,610" with "367,582,266"

Page 3, line 1, replace "101,787,805" with "136,165,218"

Page 3, line 4, replace "3,142,092" with "3,062,029"

Page 3, line 5, replace "391,904" with "352,714"

Page 3, line 9, replace "16,209,813" with "16,090,560"

Page 3, line 10, replace "14,297,421" with "14,218,072"

Page 3, line 11, replace "1,912,392" with "1,872,488"

Page 3, line 14, replace "4,837,660" with "4,707,028"

Page 3, line 15, replace "1,013,608" with "912,247"

Page 3, line 16, replace "9,243,897" with "7,831,897"

Page 3, line 18, replace "53,985,679" with "53,912,186"

Page 3, line 19, replace "69,238,740" with "67,521,254"

Page 3, line 20, replace "43,429,044" with "44,253,471"

Page 3, line 21, replace "25,809,696" with "23,267,783"

Page 3, line 24, replace "50,814,471" with "49,425,282"

Page 3, line 25, replace "914,580" with "523,122"

Page 3, line 27, replace "509,826" with "409,826"

Page 3, line 29, replace "23,598,040" with "23,841,692"

Page 4, line 1, replace "85,837,910" with "84,200,915"

Page 4, line 2, replace "34,210,943" with "34,032,943"

Page 4, line 3, replace "51,626,967" with "50,167,972"

Page 4, line 6, replace "43,124,452" with "41,207,571"

Page 4, line 7, replace "877,470" with "789,723"

Page 4, line 8, replace "7,018,682" with "7,060,840"

Page 4, line 11, replace "51,720,782" with "49,758,312"

Page 4, line 12, replace "29,891,383" with "29,722,065"

Page 4, line 13, replace "21,829,399" with "20,036,247"

Page 4, line 16, replace "30,787,280" with "31,116,026"

Page 4, line 17, replace "410,806" with "369,725"

Page 4, line 18, replace "8,041,892" with "8,290,360"

Page 4, line 21, replace "39,388,065" with "39,924,198"

Page 4, line 22, replace "27,530,514" with "27,916,631"

Page 4, line 23, replace "11,857,551" with "12,007,567"

Page 4, line 26, replace "229,094" with "221,459"

Page 4, line 27, replace "5,200" with "4,680"

Page 5, line 2, replace "1,185,833" with "1,177,678"

Page 5, line 3, replace "938,763" with "1,138,683"

Page 5, line 4, replace "247,070" with "38,995"

Page 5, line 5, replace "243,847,697" with "269,028,804"

Page 5, line 6, replace "717,390,750" with "663,941,468"

Page 5, line 7, replace "961,238,447" with "932,970,272"

Page 5, line 8, replace "APPROPRIATION" with "LANDS AND MINERALS TRUST FUND"

Page 5, line 16, replace "APPROPRIATION" with "DEVELOPMENTAL DISABILITIES REVOLVING LOAN FUND"

Page 6, replace lines 11 through 15 with:

"SECTION 7. AMENDMENT. Section 50-01-01 of the 1991 Supplement to the North Dakota Century Code is amended and reenacted as follows:

50-01-01. County obligated to support poor - Eligibility for assistance - Transfer of property as security for assistance. Within the limits of the county human services appropriation therefor, ~~and utilizing reimbursement under section 50-01-09.2,~~ each county in this state is obligated, upon receipt of a written application on a form prescribed by the department of human services, to relieve and support persons who are residents of the county and who are in need of poor relief. To be eligible for such relief, the applicant:

1. May not at any time before or after making application for county poor relief have made an assignment or transfer of property for the purpose of rendering ~~himself~~ the applicant eligible for assistance under this chapter.
2. Shall comply with the written eligibility standards for county poor relief established by the county social service board. A copy of the written standards must be available upon request. Pursuant to this requirement, the ownership of real or personal property by an applicant for county poor relief, or by the spouse of ~~such~~ the applicant, either individually or jointly, or of insurance on the life of the applicant does not preclude the granting of ~~such~~ the relief if the applicant is without funds for ~~his~~ the applicant's support. However, as a condition to the granting of county poor relief, the applicant may be required to transfer such property in trust by appropriate instrument as security for relief the applicant may thereafter receive, unless the property consists of one of the following:
 - a. A homestead.
 - b. A life insurance policy having a cash surrender value of less than three hundred dollars.
 - c. Personal property of a value less than three hundred dollars, not including household goods, wearing apparel, and personal effects, such as money.
 - d. Property selected by the applicant having a value of less than three hundred dollars.

- e. Real or personal property held in trust for the applicant by the federal government.
- f. Real or personal property on which the taking of security may be prohibited through legislation enacted by the Congress of the United States.

SECTION 8. A new section to chapter 50-06.2 of the North Dakota Century Code is created and enacted as follows:

County share of service payments to elderly and disabled. Each county in this state shall reimburse the department of human services for amounts expended for service payments to the elderly and disabled in that county in excess of the amount provided by the federal government, in the amount of ten percent.

SECTION 9. A new chapter to title 50 of the North Dakota Century Code is created and enacted as follows:

Definitions. In this chapter, unless the context otherwise requires:

1. "Aged" means at least sixty-five years of age.
2. "Basic care facility" means a facility defined in section 23-09.3-01 which is not owned or operated by the state.
3. "Blind" has the same meaning as the term has when used by the social security administration in the supplemental security income program under title XVI of the Social Security Act [42 U.S.C. 1381 et seq.].
4. "County agency" means the county social service board.
5. "Department" means the department of human services.
6. "Disabled" has the same meaning as the term has when used by the social security administration in the supplemental security income program under title XVI of the Social Security Act [42 U.S.C. 1381 et seq.].
7. "Eligible beneficiary" means a resident of this state who:
 - a. (1) Is aged; or
(2) Is at least eighteen years of age and is disabled or blind;
 - b. Is eligible to receive cash benefits under title XVI of the Social Security Act [42 U.S.C. 1381 et seq.] or would be eligible to receive the cash benefits except for income;
 - c. Based on a functional assessment, is not severely impaired in any of the activities of daily living of toileting, transferring to or from a bed or chair, or eating and:
 - (1) Has health, welfare, or safety needs, including a need for supervision or a structured environment, which require care in a licensed adult family foster care home or a licensed basic care facility, or
 - (2) Is impaired in three of the following four instrumental activities of daily living: preparing

meals, doing housework, taking medicine, and doing laundry; and

- d. Is determined to be eligible pursuant to rules adopted by the department.
8. "Institution" means an establishment that makes available some treatment or services beyond food or shelter to four or more persons who are not related to the proprietor.
9. "Remedial care" means services that produce the maximum reduction of an eligible beneficiary's physical or mental disability and the restoration of an eligible beneficiary to the beneficiary's best possible functional level.
10. "Would be eligible to receive the cash benefits except for income" refers to a person whose countable income, less the cost of necessary remedial care that may be provided under this chapter, does not exceed an amount equal to the cash benefit under title XVI of the Social Security Act [42 U.S.C. 1381 et seq.] which the person would receive if the person had no income, plus forty-five dollars.

Powers and duties of the department. The department shall:

1. Administer a basic care assistance program and supervise and direct county agencies in the administration of the basic care assistance program.
2. Supplement, within the limits of legislative appropriation, the income of an eligible beneficiary receiving necessary adult family foster care services to the extent that the eligible beneficiary lacks income sufficient to meet the cost of that care provided at rates determined by the department.
3. Supplement, within the limits of legislative appropriation, the income of an eligible beneficiary receiving necessary basic care services to the extent that the eligible beneficiary lacks income sufficient to meet the cost of that care, provided at rates determined by the department.
4. Establish an individualized care rate for each eligible beneficiary receiving adult family foster care services.
5. Issue payment to basic facilities and adult family foster care facilities for services provided to an eligible beneficiary.
6. Take action and give directions necessary to implement this chapter.

Powers and duties of county agencies. Each county agency shall:

1. Administer a basic care assistance program at the county level under the direction and supervision of the department, pursuant to state requirements.
2. Determine eligibility for benefits under this chapter and periodically redetermine eligibility of persons receiving benefits pursuant to this chapter.
3. Conduct initial and ongoing functional assessments of applicants in cooperation with basic care facilities.

4. Submit an annual budget to the board of county commissioners containing an estimate and supporting data, setting forth the county funds needed to carry out this chapter.

Services provided - Limit on cost. Services provided under this chapter must be treated as necessary remedial care to the extent those services are not covered under the medical assistance program. The cost of the services provided under this chapter to a person residing in a basic care or adult family foster care facility for which the rate charged includes room and board is limited to the rate set for services in that facility, plus forty-five dollars, less that person's total income.

Applicant's or guardian's duty to establish eligibility. The applicant or guardian of the applicant shall provide information sufficient to establish eligibility for benefits, including a social security number and proof of age, identity, residence, blindness, disability, functional limitation, and financial eligibility for each month for which benefits are sought.

Appropriation of county funds - Reimbursement by department. The board of county commissioners of each county annually shall appropriate and make available to the human services fund an amount sufficient to pay the local expenses of administration of this chapter. Upon certification of the costs of administration by each county, the department shall reimburse each county for one-half of the county's costs of administration.

Residency. For purposes of this chapter:

1. A person is a resident of this state if:
 - a. The person is not living in an institution and is living in this state:
 - (1) With intent to remain in this state permanently or for an indefinite period; or
 - (2) Without intent if the person is incapable of stating intent.
 - b. The person is living in an institution outside this state and was receiving a benefit under chapter 50-01 upon the effective date of this Act.
 - c. The person was placed in an out-of-state institution by a county agency or the department while the person was incapable of indicating intent.
 - d. The person is living in an in-state institution, has lived in that institution for at least thirty days, and was not placed in that institution by another state. A person placed in an institution by another state is a resident of the state making the placement. Any action beyond providing information to the person and the person's family constitutes arranging or making a state placement. However, the following actions do not constitute state placement:
 - (1) Providing basic information about this chapter and information about the availability of this chapter; or

(2) Assisting a person in locating an institution in this state, if the person is capable of indicating intent and independently decides to move.

2. A person who is a resident of this state is a resident of the county in which the person is living.

SECTION 10. AMENDMENT. Subsection 5 of section 57-15-56 of the 1991 Supplement to the North Dakota Century Code is amended and reenacted as follows:

5. The department of human services shall provide matching funds for the amounts levied by counties and cities for senior citizen services and programs operated pursuant to this section. The grants must be made on or before March first of each year and must be equal to the amount levied for the previous taxable year by each county or city within the limitations of legislative appropriations, provided that no such grant may be made for the purpose of defraying the cost of utilities and maintenance of facilities unless such facilities are being used for the provision of services funded under the Older Americans Act of 1965 [42 U.S.C. 3001, et seq.], and provided that no such grant may be made to any county or city which has not filed with the department of human services a required written report verifying that grant funds received in the previous year under this subsection have been budgeted for the same purposes permitted for the expenditure of proceeds of a tax levied under this section. The written report must be received by the department of human services on or before February first of each year following a year in which the reporting county or city received grant funds under this subsection.

SECTION 11. DEPARTMENT OF HUMAN SERVICES TO DEVELOP BASIC CARE FACILITY RATESSETTING 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, 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, 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 12. REPORT TO LEGISLATIVE COUNCIL. No later than July 1, 1994, the department of human services shall report to the legislative council or an interim committee designated by the legislative council on the development of the ratesetting methodology required by section 2 of this Act. The report may include any legislation recommended by the department as necessary or appropriate to the establishment of the ratesetting methodology.

SECTION 13. CLUBHOUSE MODEL - DEPARTMENT REVIEW - REPORT TO LEGISLATIVE COUNCIL. The department of human services during the 1993-95 biennium shall conduct or contract for a review of the clubhouse project in Minot to determine the effectiveness of the program. By July 1, 1994, the department shall report to the legislative council, or a committee designated by the legislative council, on the effectiveness of the program and provide recommendations regarding the continuation or expansion of funding for the clubhouse project for the 1995-97 biennium.

SECTION 14. STATE HOSPITAL ALTERNATIVE USES - BUDGET SECTION APPROVAL. The department of human services, during the 1993-95 biennium shall review the financial and other impacts of alternative programs at the state hospital, including the development of a psychiatric skilled nursing facility and subject to budget section approval begin such optional uses it determines appropriate.

SECTION 15. REPEAL. Section 50-01-09.2 of the North Dakota Century Code is repealed.

SECTION 16. REPEAL. Section 50-06-14.2 of the North Dakota Century Code is repealed.

SECTION 17. EFFECTIVE DATE. Section 8 of this Act becomes effective on January 1, 1994. Section 16 of this Act becomes effective July 1, 1995."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 326 - EXECUTIVE OFFICE

HOUSE - Subdivision 1 - This amendment makes the following changes to Governor Sinner's executive budget recommendation to reflect Governor Schafer's recommended appropriations:

-- The salaries and wages line item is reduced as follows:

	GENERAL FUND	OTHER FUNDS	TOTAL
Health insurance adjustment	\$ (1,728)	\$ (192)	\$ (1,920)
Reduction for Governor	(9,465)	(1,052)	(10,517)
Schafer's salary increase recommendation			
3 FTEs removed related to the Internal Audit Function	(159,415)	(53,499)	(212,914)
	<hr/>	<hr/>	<hr/>
Total	\$ (170,608)	\$ (54,743)	\$ (225,351)

-- Operating expenses are reduced by \$8,438 and equipment by \$6,891 related to the deletion of the Internal Audit Function for a total reduction of \$15,329, of which \$11,477 is from the general fund.

Section 7 providing legislative intent regarding the internal audit division is also removed. In total, \$240,680 is removed from the recommended appropriation including \$182,085 from the general fund and \$58,595 of other funds.

DEPARTMENT 327 - MANAGERIAL SUPPORT

HOUSE - Subdivision 2 - This amendment makes the following changes to Governor Sinner's executive budget recommendation to reflect Governor Schafer's recommended appropriations:

-- The salaries and wages line item is reduced as follows:

	GENERAL FUND	OTHER FUNDS	TOTAL
Add funds for 1 FTE research analyst for SMI data collection	\$ 68,275		\$ 68,275
Health insurance adjustment	(19,968)	\$(10,752)	(30,720)
Reduction for Governor Schafer's salary increase recommendation	(83,439)	(44,929)	(128,368)
Total	<u>\$ (35,132)</u>	<u>\$ (55,681)</u>	<u>\$ (90,813)</u>

-- Reduce the information services line item:

	<u>\$(85,904)</u>	<u>\$(30,721)</u>	<u>\$(116,625)</u>
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-- The operating expense line item is adjusted as follows:

Reduce funds for data processing study	\$ (90,000)	\$ (60,000)	\$ (150,000)
Allow funds for legal services billing in operating rather than separate line item	290,589		290,589
Add funds for indirect payment of cost allocation and merit system fees to the Office of Management and Budget	508,597	1,265,121	1,773,718
Total	<u>\$ 709,186</u>	<u>\$ 1,205,121</u>	<u>\$ 1,914,307</u>

-- Eliminate the interagency legal fees line item:

	<u>\$(727,000)</u>		<u>\$(727,000)</u>
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-- Change the funding sources by increasing other funds and decreasing general fund moneys to reflect anticipated savings from vacant positions:

	<u>\$(300,000)</u>	<u>\$ 300,000</u>	<u>\$ 0</u>
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Total changes subdivision 2	\$ (438,850)	\$ 1,418,719	\$ 979,869
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In addition, additional general fund turnback of \$1,500,000 is anticipated on June 30, 1993, which will increase general fund revenues for the 1993-95 biennium.

DEPARTMENT 328 - ECONOMIC ASSISTANCE

HOUSE - Subdivision 3 - This amendment makes the following changes to Governor Sinner's executive budget recommendation to reflect Governor Schafer's recommended appropriations:

-- The salaries and wages line item is reduced as follows:

	GENERAL FUND	OTHER FUNDS	TOTAL
Add 1 FTE for basic care program	\$ 92,852		\$ 92,852
Health insurance adjustment	(15,264)	\$(5,088)	(20,352)
Reduction for Governor Schafer's salary increase recommendation	(63,830)	(21,277)	(85,107)
Total	<u>\$ 13,758</u>	<u>\$(26,365)</u>	<u>\$(12,607)</u>

-- Increase operating expenses for basic care:

	<u>\$162,550</u>		<u>\$ 162,550</u>
-- Adjust the information services line item:			
Basic care program	\$ 22,496		\$ 22,496
10 percent reduction	<u>(83,632)</u>	<u>\$(545,061)</u>	<u>(628,693)</u>
Total	<u>\$(61,136)</u>	<u>\$(545,061)</u>	<u>\$(606,197)</u>
-- Adjust equipment line item:			
Basic care program	\$ 4,640		\$ 4,640
Reduction	<u>(31,198)</u>	<u>\$(43,802)</u>	<u>(75,000)</u>
Total	<u>\$(26,558)</u>	<u>\$(43,802)</u>	<u>\$(70,360)</u>
-- Reduce grant line item for caseload reprojections:			
AFDC - Basic	\$ (599,509)	\$ 630,717	\$ 31,208
AFDC - Unemployed parent	(172,917)	(229,459)	(402,376)
JOBS program	(1,586)	81,048	79,462
Transitional AFDC child care	<u>(243,151)</u>	<u>(425,937)</u>	<u>(669,088)</u>
Subtotal	\$(1,017,163)	\$ 56,369	\$ (960,794)
Reduce grants to reduce Indian county allocations	<u>(124,460)</u>	<u>0</u>	<u>(124,460)</u>
Add funds for a total of 70 percent of basic care program	<u>869,661</u>		<u>869,661</u>
Total grants change	<u>\$(271,962)</u>	<u>\$ 56,369</u>	<u>\$(215,593)</u>
-- Change funding sources by increasing other funds and decreasing general fund moneys to reflect:			
Anticipated savings from vacant positions	\$ (100,000)	\$ 100,000	\$ 0
Additional federal low income home energy assistance program funds	<u>(2,400,000)</u>	<u>2,400,000</u>	<u>0</u>
Total funding source change	<u>(2,500,000)</u>	<u>2,500,000</u>	<u>0</u>
Total changes subdivision 3	\$(2,683,348)	\$1,941,141	\$(742,207)

DEPARTMENT 329 - MEDICAL ASSISTANCE

HOUSE - Subdivision 4 - This amendment makes the following changes to Governor Sinner's executive budget recommendation to reflect Governor Schafer's recommended appropriations:

-- The salaries and wages line item is reduced as follows:

	GENERAL FUND	OTHER FUNDS	TOTAL
Health insurance adjustment	\$ (5,107)	\$ (9,485)	\$ (14,592)
Reduction for Governor Schafer's salary increase recommendation	(19,413)	(36,053)	(55,466)
Total	<u>\$(24,520)</u>	<u>\$(45,538)</u>	<u>\$(70,058)</u>

-- Reduce the information services line item:

	\$ (47,969)	\$ (132,226)	\$ (180,195)
-- Reduce equipment line item:			
	\$ (2,559)	\$ (3,241)	\$ (5,800)
-- Adjust the grants line item as follows:			
For Governor Schafer's recommendations, increased general fund appropriations and reduced special funds	\$38,105,000	\$(52,015,000)	\$(13,910,000)
Limit Medicaid inflation to 3 percent per year	(1,600,000)	(4,700,000)	(6,300,000)
Restore funding for selected optional services as follows: (Even though these restorations are specific they are not intended to preclude the department from allocating funds among Medicaid services)			
Chiropractic - 25% restored	27,214	79,722	106,936
Durable medical equipment - 50% restored	365,206	1,069,824	1,435,030
Occupational therapy - 100% restored	4,676	13,688	18,364
Physical therapy - 50% restored	10,509	30,781	41,290
Psychological services - 25% restored	111,540	326,755	438,295
Private duty nursing - 100% restored	4,580	13,401	17,981
Remedial blind - 50% restored	22,884	0	22,884
Speech and hearing - 25% restored	70,089	205,312	275,401
AIDS insurance premiums - 100% restored	44,916	0	44,916
Special education	0	946,920	946,920
Subtotal - optional services restored	\$ 661,614	\$ 2,686,403	\$ 3,348,017
Reduce costs to implement provider tax no longer required for long-term care and hospitals	(3,518,957)	(10,280,874)	(13,799,831)
Add funds for additional developmentally disabled caseloads	904,804	6,656,132	7,560,936
Total grants line item changes	\$34,552,461	\$(57,653,339)	\$(23,100,878)
-- Change funding sources by increasing other funds and decreasing general fund moneys to reflect anticipated savings from vacant positions:			
	\$ (100,000)	\$ 100,000	\$ 0
Total changes subdivision 4	\$34,377,413	\$(57,734,344)	\$(23,356,931)

DEPARTMENT 330 - VOCATIONAL REHABILITATION

HOUSE - Subdivision 5 - This amendment makes the following changes to Governor Sinner's executive budget recommendation to reflect Governor Schafer's recommended appropriations:

- The salaries and wages line item is reduced as follows:

	GENERAL FUND	OTHER FUNDS	TOTAL
Health insurance adjustment	\$ (6,758)	\$ (10,138)	\$ (16,896)
Reduction for Governor	(25,267)	(37,900)	(63,167)
Schafer's salary increase recommendation	_____	_____	_____
Total	<u>\$ (32,025)</u>	<u>\$ (48,038)</u>	<u>\$ (80,063)</u>
-- Reduce the information services line item:			
	<u>\$ (7,879)</u>	<u>\$ (31,311)</u>	<u>\$ (39,190)</u>
Total changes subdivision 5	\$ (39,904)	\$ (79,349)	\$ (119,253)

DEPARTMENT 331 - OFFICE OF FIELD SERVICES

HOUSE - Subdivision 6 - This amendment makes the following changes to Governor Sinner's executive budget recommendation to reflect Governor Schafer's recommended appropriations:

-- The salaries and wages line item is reduced as follows:

	GENERAL FUND	OTHER FUNDS	TOTAL
Health insurance adjustment	\$ (21,082)	\$ (2,342)	\$ (23,424)
Reduction for Governor	(96,487)	(10,721)	(107,208)
Schafer's salary increase recommendation	_____	_____	_____
Total	<u>\$ (117,569)</u>	<u>\$ (13,063)</u>	<u>\$ (130,632)</u>

-- Reduce information services line item:

	<u>\$ (61,641)</u>	<u>\$ (39,720)</u>	<u>\$ (101,361)</u>
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-- Reduce operating expenses:

	<u>\$ (197,680)</u>	<u>\$ (1,214,320)</u>	<u>\$ (1,412,000)</u>
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-- Adjust grants line item:

Increase funds for corporate guardianship to \$537,503	\$ 80,000		\$ 80,000
Grant rejections	(477,130)	1,497,982	1,020,852
Reduce mill levy match from \$1,620,000 to \$1,332,000	(288,000)		(288,000)
Reduce SPED funding		(475,000)	(475,000)
Provide 10% county match on remaining SPED funds of \$5,717,000 from general fund, effective January 1, 1994	(428,781)	428,781	
Reduce grant funds for Family Focused Services	(411,345)		(411,345)
Total	<u>\$ (1,525,256)</u>	<u>\$ 1,451,763</u>	<u>\$ (73,493)</u>

-- Changes funding source in salaries and wages and information services:

	<u>\$ (439,767)</u>	<u>\$ 439,767</u>
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-- Change funding sources by increasing other funds and decreasing general fund moneys to reflect anticipated savings from vacant positions:

	\$ (200,000)	\$ 200,000	\$ _____ 0
Total changes subdivision 6	\$(2,541,913)	\$ 824,427	\$(1,717,486)

DEPARTMENT 332 - HUMAN SERVICE CENTERS

HOUSE - Subdivision 7 - This amendment makes the following changes to Governor Sinner's executive budget recommendation to reflect Governor Schafer's recommended appropriations:

- The salaries and wages line item is reduced as follows:

	GENERAL FUND	OTHER FUNDS	TOTAL
Health insurance adjustment	\$ (228,250)	\$ (57,062)	\$ (285,312)
Reduction for Governor Schafer's salary increase recommendation	(883,102)	(220,775)	(1,103,877)
	_____	_____	_____
Total	<u>\$(1,111,352)</u>	<u>\$(277,837)</u>	<u>\$(1,389,189)</u>

- Reduce equipment:

	\$ (72,200)	\$ (27,800)	\$ (100,000)
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- Reduce information services line item:

Telephone switch reductions	\$ (196,500)	\$ (103,500)	\$ (300,000)
10 percent reduction	(59,943)	(31,515)	(91,458)
	_____	_____	_____
Total	<u>\$(256,443)</u>	<u>\$(135,015)</u>	<u>\$(391,458)</u>

- Increase grants line item:

Fund all psychosocial clubs at 90% of current level for all eight regions	\$ 31,000	\$ 62,652	\$ 93,652
Fund Clubhouse project in Minot	150,000	0	150,000
	_____	_____	_____
Total	<u>\$ 181,000</u>	<u>\$ 62,652</u>	<u>\$ 243,652</u>

- Change funding sources by increasing other funds and decreasing general fund moneys to reflect anticipated savings from vacant positions:

	\$ (200,000)	\$ 200,000	\$ _____ 0
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Total changes subdivision 7	\$(1,458,995)	\$(178,000)	\$(1,636,995)
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DEPARTMENT 333 - STATE HOSPITAL

HOUSE - Subdivision 8 - This amendment makes the following changes to Governor Sinner's executive budget recommendation to reflect Governor Schafer's recommended appropriations:

- The salaries and wages line item is reduced as follows:

	GENERAL FUND	OTHER FUNDS	TOTAL
Health insurance adjustment	\$ (185,760)	\$ (61,920)	\$ (247,680)
Reduction for Governor Schafer's salary increase recommendation	(689,401)	(229,800)	(919,201)
	_____	_____	_____
Savings from vacant positions	<u>(750,000)</u>	_____	<u>(750,000)</u>
Total	<u>\$(1,625,161)</u>	<u>\$(291,720)</u>	<u>\$(1,916,881)</u>

-- Adjust funds to operating expenses:

Increase for indirect cost allocation payments to the Office of Management and Budget	\$ 98,956	\$ 143,202	\$ 242,158
Other operating expense reductions	(179,200)	(20,800)	(200,000)
Total	<u>\$ (80,244)</u>	<u>\$ 122,402</u>	<u>\$ 42,158</u>

-- Reduce information services line item:

	<u>\$ (87,747)</u>		<u>\$ (87,747)</u>
Total changes subdivision 8	\$(1,793,152)	\$(169,318)	\$(1,962,470)

DEPARTMENT 334 - DEVELOPMENTAL CENTER

HOUSE - Subdivision 9 - This amendment makes the following changes to Governor Sinner's executive budget recommendation to reflect Governor Schafer's recommended appropriations:

-- The salaries and wages line item is adjusted as follows:

	GENERAL FUND	OTHER FUNDS	TOTAL
Add funds for 20 FTE	\$ 342,000	\$ 827,955	\$1,169,955
Health insurance adjustment	(61,517)	(143,539)	(205,056)
Reduction for Governor Schafer's salary increase recommendation	(190,846)	(445,307)	(636,153)
Total	<u>\$ 89,637</u>	<u>\$ 239,109</u>	<u>\$ 328,746</u>

-- Adds funds to operating expenses for indirect cost allocation payments to the Office of Management and Budget:

	\$ 74,806	\$ 173,662	\$ 248,468
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-- Reduce information services line item:

	<u>\$ (14,427)</u>	<u>\$ (26,654)</u>	<u>\$ (41,081)</u>
Total changes subdivision 9	\$ 150,016	\$ 386,117	\$ 536,133

DEPARTMENT 335 - DEVELOPMENTALLY DISABLED COUNCIL AND GOVERNOR'S COUNCIL

HOUSE - Subdivision 10 - This amendment makes the following changes to Governor Sinner's executive budget recommendation to reflect Governor Schafer's recommended appropriations:

-- The salaries and wages line item is reduced as follows:

	GENERAL FUND	OTHER FUNDS	TOTAL
Health insurance adjustment	\$ (1,152)		\$ (1,152)
Reduction for Governor Schafer's salary increase recommendation	(6,453)		(6,453)
Total	<u>\$ (7,635)</u>		<u>\$ (7,635)</u>

-- Reduce information services line item:

\$ (440) \$ (80) \$ (520)

-- Change funding source to recognize the use of handicapped parking fees in lieu of general fund moneys:

	\$ (200,000)	\$ 200,000	\$ _____ 0
Total changes subdivision 10	\$ (208,075)	\$ 199,920	\$ (8,155)
Total changes HB 1002	\$25,181,107	\$(53,449,282)	\$(28,268,175)

In total, the Department of Human Services 1993-95 appropriation in House Bill No. 1002 is adjusted as follows:

	GENERAL FUND	OTHER FUNDS	TOTAL
Original HB 1002	\$243,847,697	\$717,390,750	\$961,238,447
HB 1002 - House amendments	<u>269,028,804</u>	<u>663,941,468</u>	<u>932,970,272</u>
Proposed changes in House amendment	\$ 25,181,107 ¹	\$(53,449,282)	\$(28,268,175)
Schafer proposed HB 1002	\$274,814,795	\$665,569,194	\$940,383,989
Schafer proposed changes to HB 1002	\$ 30,967,098	\$(51,821,556)	\$(20,854,458)
House amendments compared to Schafer amendments to HB 1002	\$ (5,785,991) ¹	\$ (1,627,726)	\$ (7,413,717)

¹ In addition, this amendment anticipates an additional general fund turnback of \$1,500,000 on June 30, 1993, which will increase general fund revenues for the 1993-95 biennium.

Summary of House amendments compared to Schafer amendments:

Schafer general fund appropriation	\$274,814,795
House recommended level	<u>269,028,804</u>
Reductions	(5,785,991)
Additional general fund turnback reflected as general fund revenue	(1,500,000)
Cost allocation and merit system fees which will result in general fund revenue or reductions in other budgets	(682,359) ¹
Total general fund effect of House amendments	\$ (7,968,350)

¹ In addition, \$1,581,985 of federal funds will be paid to the general fund related to cost allocation and merit system fees.

In addition, this amendment adds sections that:

1. Amend Section 57-15-56 to provide senior citizen mill levy grant funds may not be spent on utilities and maintenance of facilities.
2. Require counties to pay 10 percent of SPED program costs, effective January 1, 1994.
3. Provide for a review of the clubhouse project at Minot and reporting to the Legislative Council.
4. Provide that the Department of Human Services review alternative uses of the State Hospital and requiring Budget Section approval prior to implementation.

5. Provide that the Department of Human Services develop a basic care facility ratesetting methodology during the 1993-95 biennium and report to the Legislative Council. This amendment allows state funding of 70 percent of estimated basic care costs.

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

POINT OF PERSONAL PRIVILEGE

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

Monday, January 18, 1993, was Martin Luther King Day and Monday, February 15, 1993, was George Washington's Birthday, both official state holidays. Although both days were paid holidays for most state employees, Legislative Assembly employees were required to work on both days. The Legislative Assembly will be in recess on Monday and Tuesday, February 22-23, 1993. Legislative Assembly employees will be paid for those two days in lieu of the two holidays that other state employees had.

Friday will also be a paid day for House and Senate employees for uncompensated overtime that the employees have put in since the beginning of the session and that they will put in toward the end of the session.

SECOND READING OF HOUSE BILL

HB 1391: A BILL for an Act to amend and reenact section 54-44.2-02.5 of the North Dakota Century Code, relating to a grant program to assist counties in developing a communications, uniform accounting, and records maintenance system; and to provide an appropriation.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 87 YEAS, 0 NAYS, 0 EXCUSED, 11 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Bateman; Belter; Bernstein; Bodine; Boehm; Boucher; Brodshaug; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Cleary; Coats; Dalrymple; DeWitz; Dobrinski; Drovdal; Freier; Froseth; Gates; Gerntholz; Glassheim; Goffe; Gorder; Gorman; Grosz; Grumbo; Gulleson; Hagle; Hanson; Hausauer; Hokana; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martin; Martinson; Monson; Mutzenberger; Nelson; Ness; Nicholas; Nichols; Olsen, D.; Olson, A.; Payne; Porter; Pyle; Rennerfeldt; Ring; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenson; Svedjan; Sveen; Timm; Torgerson; Wald; Wanzek; Wardner; Wentz; Wilkie; Speaker R. Berg

ABSENT AND NOT VOTING: Allmaras; Berg, J.; Dorso; Henegar; Klein; Oban; Poolman; Price; Stenehjem; Thorpe; Tollefson

Engrossed HB 1391 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1413: A BILL for an Act to amend and reenact section 15-27.6-05 of the North Dakota Century Code, relating to planning grants and supplemental payments for school district consortia; to repeal section 15-27.6-11 and chapter 15-27.6 of the North Dakota Century Code, relating to school district boundary restructuring, planning grants, and supplemental payments; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 86 YEAS, 3 NAYS, 0 EXCUSED, 9 ABSENT AND NOT VOTING.

YEAS: Austin; Bateman; Belter; Berg, J.; Bernstein; Bodine; Boehm; Boucher; Brodshaug; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Cleary; Coats; Dalrymple; DeWitz; Dobrinski; Drovdal; Freier; Froseth; Gates; Gerntholz; Glassheim; Goffe; Gorder; Gorman; Grosz; Grumbo; Gulleson; Hagle; Hanson; Hausauer; Hokana; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kilichowski; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martin; Martinson; Monson; Mutzenberger; Nelson; Ness; Nicholas; Nichols; Oban; Olsen, D.; Olson, A.; Payne; Porter; Pyle; Rennerfeldt; Ring; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenson; Svedjan; Sveen; Timm; Torgerson; Wald; Wanzek; Wentz; Wilkie; Speaker R. Berg

NAYS: Aarsvold; Brown; Kerzman

ABSENT AND NOT VOTING: Allmaras; Dorso; Henegar; Poolman; Price; Stenehjerm; Thorpe; Tollefson; Wardner

Engrossed HB 1413 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1498: A BILL for an Act to amend and reenact sections 15-40.1-16 and 15-40.1-18 of the North Dakota Century Code, relating to school district payments for transportation aid.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 85 YEAS, 4 NAYS, 0 EXCUSED, 9 ABSENT AND NOT VOTING.

YEAS: Aarsvold; Austin; Bateman; Belter; Bernstein; Bodine; Boehm; Boucher; Brodshaug; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Cleary; Coats; Dalrymple; DeWitz; Dobrinski; Drovdal; Freier; Froseth; Gates; Gerntholz; Glassheim; Gorder; Gorman; Grosz; Grumbo; Gulleson; Hagle; Hanson; Hokana; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kerzman; Kilichowski; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martin; Martinson; Monson; Mutzenberger; Ness; Nicholas; Nichols; Oban; Olsen, D.; Olson, A.; Payne; Porter; Pyle; Rennerfeldt; Ring; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenson; Svedjan; Sveen; Timm; Torgerson; Wald; Wanzek; Wardner; Wentz; Wilkie; Speaker R. Berg

NAYS: Berg, J.; Goffe; Holm; Nelson

ABSENT AND NOT VOTING: Allmaras; Dorso; Hausauer; Henegar; Poolman; Price; Stenehjerm; Thorpe; Tollefson

HB 1498 passed and the title was agreed to.

SIXTH ORDER OF BUSINESS

HB 1002: REP. DALRYMPLE (Appropriations Committee) MOVED that the amendments to HB 1002 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

MOTION

REP. FREIER MOVED that HB 1002, as amended, be placed on today's Eleventh order, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1002: A BILL for an Act to provide an appropriation for defraying the expenses of the department of human services, an appropriation from the lands and minerals trust fund to the common schools trust fund, an appropriation from the revolving loan fund maintained in the Bank of North Dakota, to provide for the transfer of appropriations between agencies and institutions; to create and enact a new section to chapter 50-06.2 and a new chapter to title 50 of the North Dakota Century Code, relating to payment of services by county and state matching funds and to a basic care assistance program; to amend and reenact section 50-01-01 and subsection 5 of section 57-15-56 of the North Dakota Century Code, relating to state assistance for county poor relief costs and to matching funds for senior citizen services; to repeal sections 50-01-09.2 and 50-06-14.2 of the North Dakota Century Code, relating to state assistance for county poor relief costs and to rates payable to basic care facilities to provide for a review of the clubhouse project; to require budget section approval of alternative programs at the state hospital; to require the department of human services to develop basic care ratesetting methodology; and to provide an effective date.

MOTION

REP. FREIER MOVED the previous question, which motion prevailed.

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 78 YEAS, 12 NAYS, 0 EXCUSED, 8 ABSENT AND NOT VOTING.

YEAS: Austin; Bateman; Belter; Bernstein; Boehm; Brown; Byerly; Carlisle; Carlson, A.; Carlson, C.; Christopherson; Clayburgh; Cleary; Coats; Dalrymple; DeWitz; Dobrinski; Drovdal; Freier; Froseth; Gates; Gerntholz; Glassheim; Gordner; Gorman; Grosz; Grumbo; Hagle; Hanson; Hausauer; Holm; Howard; Huether; Jacobs; Johnson; Kaldor; Keiser; Kelsch; Kempenich; Kilichowski; Klein; Kretschmar; Kroeber; Kunkel; Laughlin; Mahoney; Maragos; Martin; Martinson; Monson; Mutzenberger; Nicholas; Nichols; Oban; Olsen, D.; Olson, A.; Payne; Porter; Pyle; Rennerfeldt; Rydell; Schindler; Shide; Sitz; Skarphol; Soukup; St. Aubyn; Stenson; Svedjan; Sveen; Timm; Torgerson; Wald; Wanzek; Wardner; Wentz; Wilkie; Speaker R. Berg

NAYS: Aarsvold; Berg, J.; Bodine; Boucher; Brodshaug; Goffe; Gulleson; Hokana; Kerzman; Nelson; Ness; Ring

ABSENT AND NOT VOTING: Allmaras; Dorso; Henegar; Poolman; Price; Stenehjem; Thorpe; Tollefson

Engrossed HB 1002 passed and the title was agreed to.

SECOND READING OF HOUSE CONCURRENT RESOLUTION ON CONSENT CALENDAR

HCR 3037: A concurrent resolution urging the President of the United States and Congress to investigate the Farmers Home Administration guaranteed loan programs.

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

HCR 3037 was declared adopted on a voice vote.

MOTION

REP. MARTINSON MOVED that Engrossed HB 1119 be returned to the House floor from the Appropriations Committee and be placed on the Eleventh order for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1119: A BILL for an Act to amend and reenact sections 15-40.1-05, 15-40.1-06, 15-40.1-07, and 15-40.1-08 of the North Dakota Century Code, relating to the state educational support per pupil, weighting factors for per-pupil payments, and the school district equalization factor.

MOTION

REP. MARTINSON MOVED that HB 1119 be laid on the table, which motion prevailed.

MOTION

REP. MARTINSON MOVED that the rules be suspended and that all action taken on bills this morning be messaged to the Senate immediately, which motion prevailed.

MESSAGE TO THE HOUSE FROM THE SENATE (CAROL SIEGERT, SECRETARY)

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2006, SB 2021, SB 2022, SB 2050, SB 2053, SB 2056, SB 2081, SB 2214, SB 2230, SB 2243, SB 2277.

MESSAGE TO THE HOUSE FROM THE SENATE (CAROL SIEGERT, SECRETARY)

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2327, SB 2333, SB 2347, SB 2378, SB 2387, SB 2392, SB 2403, SB 2418, SB 2443, SB 2447, SB 2457, SB 2461, SB 2470, SB 2511.

MESSAGE TO THE HOUSE FROM THE SENATE (CAROL SIEGERT, SECRETARY)

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2519, SB 2520, SB 2536, SB 2537, SCR 4021, SCR 4027, SCR 4030, SCR 4033, SCR 4035, SCR 4036, SCR 4038, SCR 4040, SCR 4042, SCR 4043, SCR 4044, SCR 4045.

MESSAGE TO THE HOUSE FROM THE SENATE (CAROL SIEGERT, SECRETARY)

MR. SPEAKER: The President has signed: HCR 3051.

HOUSE ENGROSSING AND ENROLLING REPORT

The following bills were engrossed: HB 1002, HB 1003.

MESSAGE TO THE HOUSE FROM THE SENATE (CAROL SIEGERT, SECRETARY)

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2295, SB 2337, SB 2507, SB 2530, SCR 4028, SCR 4037.

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

MADAM PRESIDENT: The House has passed and your favorable consideration is requested on: HB 1007, HB 1013, HB 1014, HB 1326, HB 1391, HB 1413, HB 1498, HCR 3037.

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

MADAM PRESIDENT: The House has passed and your favorable consideration is requested on: HB 1002, HB 1003.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following resolution was delivered to the Secretary of State for his filing at the hour of 12:35 p.m., February 18, 1993: HCR 3051.

MESSAGE TO THE HOUSE FROM THE SENATE (CAROL SIEGERT, SECRETARY)

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2052, SB 2245, SB 2317, SB 2320, SB 2322, SB 2351, SB 2385, SB 2393, SB 2436, SB 2440, SB 2487, SB 2522, SB 2523, SCR 4032.

MESSAGE TO THE HOUSE FROM THE SENATE (CAROL SIEGERT, SECRETARY)

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2065, SB 2066, SB 2272, SB 2478, SB 2486, SB 2492, SB 2498, SB 2505, SB 2538, SCR 4049.

MESSAGE TO THE HOUSE FROM THE SENATE (CAROL SIEGERT, SECRETARY)

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2012, SB 2014, SB 2016, SB 2092, SB 2170, SB 2201, SB 2216, SB 2222, SB 2223.

MOTION

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

MOTION

REP. FREIER MOVED that the House be on the Ninth, Thirteenth, and Sixteenth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Wednesday, February 24, 1993, which motion prevailed.

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

Reps. Maragos, Porter introduced:

HCR 3059: A concurrent resolution directing the Legislative Council to study state laws affecting the relationship between local housing authorities and the state housing authority.

Was read the first time and referred to the **Political Subdivisions Committee.**

Reps. Maragos, Gulleson introduced:

HCR 3060: A concurrent resolution directing the Legislative Council to study authorized investments of political subdivision funds.

Was read the first time and referred to the **Political Subdivisions Committee.**

Reps. Kretschmar, Kroeber introduced:

HCR 3061: A concurrent resolution directing the Legislative Council to study and establish procedures necessary to implement annual sessions of the Legislative Assembly beginning in 1995 and 1996.

Was read the first time and referred to the **Government and Veterans Affairs Committee.**

Rep. Kretschmar introduced:

HCR 3062: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of establishing a unicameral legislature.

Was read the first time and referred to the **Government and Veterans Affairs Committee.**

Rep. Kretschmar introduced:

HCR 3063: A concurrent resolution directing the Legislative Council to study alternatives for establishing mechanisms for facilitating long-term policy development and other foresight processes in North Dakota state and local government.

Was read the first time and referred to the **Government and Veterans Affairs Committee.**

Rep. Kretschmar introduced:

HCR 3064: A concurrent resolution directing the Legislative Council to study the membership, duties, and responsibilities of all statutory boards, councils, committees, and commissions.

Was read the first time and referred to the **Government and Veterans Affairs Committee.**

Rep. Kretschmar introduced:

HCR 3065: A concurrent resolution directing the Legislative Council to study alternative administrative structures for forecasting state revenues.

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

Rep. Kretschmar introduced:

HCR 3066: A concurrent resolution directing the Legislative Council to study products liability statutes as they relate to the aircraft industry.

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

Rep. Wald introduced:

HCR 3067: A concurrent resolution directing the Legislative Council to study the scope of the open meetings law, its definitions and exceptions, and common meeting practices in order to assure the public's right and need for access to public meetings and their need for public officials who act and lead in an administratively feasible and effective manner.

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

FIRST READING OF SENATE BILLS

SB 2004: A BILL for an Act making an appropriation for defraying the expenses of the upper great plains transportation institute.

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

SB 2006: A BILL for an Act to provide an appropriation for defraying the expenses of the state department of health and consolidated laboratories; to provide a statement regarding the disbursement of domestic violence prevention grants; to provide for appropriations from the abandoned motor vehicle disposal fund, solid waste management fund, environment and rangeland protection fund, and domestic violence fund; and to amend and reenact sections 23-09-11, 23-09-18, and 23-09-19 of the North Dakota Century Code, relating to inspections by the department of health and consolidated laboratories.

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

SB 2011: A BILL for an Act to provide an appropriation for defraying the expenses of the state fair association.

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

SB 2017: A BILL for an Act to provide an appropriation for defraying the expenses of the state industrial commission and the agencies under the management of the industrial commission.

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

SB 2021: A BILL for an Act making an appropriation for defraying the expenses of the various divisions of the department of economic development and finance; providing for transfers of funds; and to declare an emergency.

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

SB 2022: A BILL for an Act making an appropriation for defraying the expenses of the state board of vocational education.

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

SB 2029: A BILL for an Act to require the superintendent of public instruction, the department of human services, and the department of transportation to assist school districts in offering before and after school child care services.

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

SB 2050: A BILL for an Act to create and enact a new section to chapter 23-01 of the North Dakota Century Code, relating to employment of waste management facility inspectors by the state department of health and consolidated laboratories; and to declare an emergency.

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

SB 2053: A BILL for an Act to provide an appropriation to the department of economic development and finance; to provide for a transfer of the earnings of the Bank of North Dakota; and to declare an emergency.

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

SB 2056: A BILL for an Act to amend and reenact section 53-06.1-01, subsection 1 of section 53-06.1-01.1, sections 53-06.1-01.2, 53-06.1-02, 53-06.1-02.1, 53-06.1-03, 53-06.1-03.3, 53-06.1-05, 53-06.1-05.1, 53-06.1-06, 53-06.1-07, 53-06.1-07.1, 53-06.1-07.2, 53-06.1-07.3, 53-06.1-07.4, 53-06.1-08, 53-06.1-08.1, 53-06.1-09, 53-06.1-10, 53-06.1-10.1, 53-06.1-11, 53-06.1-12, 53-06.1-12.2, 53-06.1-13, 53-06.1-13.1, 53-06.1-14, 53-06.1-15, 53-06.1-15.1, 53-06.1-15.4, 53-06.1-16, 53-06.1-16.1, 53-06.1-16.2, and 53-06.1-17 of the North Dakota Century Code, relating to games of chance and the gaming commission.

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

SB 2081: A BILL for an Act to amend and reenact section 31-01-16 of the North Dakota Century Code, relating to witness fees and expenses; and to provide an effective date.

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

SB 2110: A BILL for an Act to authorize the state of North Dakota acting through job service North Dakota to sell certain property; to amend and reenact section 52-04-22 of the North Dakota Century Code, relating to use of the job service North Dakota federal advance interest repayment fund; and to provide an appropriation.

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

SB 2213: A BILL for an Act to create and enact five new subsections to section 43-15-01, and a new subsection to section 43-15-10 of the North Dakota Century Code, relating to definitions, confidentiality, and a patient bill of rights under pharmacist laws; and to amend and reenact subsections 14 and 16 of section 43-15-01, sections 43-15-03, 43-15-06, 43-15-09, subsections 1, 2, and 3 of section 43-15-10, subsections 1 and 2 of section 43-15-13.2, sections 43-15-13.3, 43-15-13.4, subsection 1 of section 43-15-14, sections 43-15-15, 43-15-16, 43-15-18, 43-15-18.1, 43-15-19, 43-15-20, 43-15-21, 43-15-22, 43-15-25, subsections 1 and 2 of section 43-15-25.1, sections 43-15-26, 43-15-27, subsections 1 and 3 of section 43-15-28.1, sections 43-15-29, 43-15-30, 43-15-31, 43-15-31.2, 43-15-31.3, 43-15-33, subsections 4 and 5 of section 43-15-35, and subsections 1 and 2 of section 43-15-42.1 of the North Dakota Century Code, relating to the practice of pharmacy, the board of pharmacy, and licensing of pharmacists.

Was read the first time and referred to the **Human Services Committee.**

SB 2214: A BILL for an Act to provide for cleanup of leaking municipal waste landfills through the establishment of a municipal waste landfill release compensation fund; to provide a penalty; to provide an appropriation; and to provide a continuing appropriation.

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

SB 2243: A BILL for an Act to provide for the donation of accumulated annual leave between state employees; and to declare an emergency.

Was read the first time and referred to the **Industry, Business and Labor Committee.**

SB 2277: A BILL for an Act to amend and reenact section 23-02.1-27 of the North Dakota Century Code, relating to disclosure of certain vital records.

Was read the first time and referred to the **Government and Veterans Affairs Committee.**

SB 2279: A BILL for an Act to amend and reenact section 57-51.1-02 and subsection 4 of section 57-51.1-03 of the North Dakota Century Code, relating to application of the oil extraction tax to oil produced from a well that was worked over; and to provide an effective date.

Was read the first time and referred to the **Finance and Taxation Committee.**

SB 2295: A BILL for an Act relating to cooperative agreements between health care providers.

Was read the first time and referred to the **Human Services Committee.**

SB 2308: A BILL for an Act to amend and reenact section 50-25.1-05.4 of the North Dakota Century Code, relating to rules to resolve complaints of suspected child abuse or neglect.

Was read the first time and referred to the **Human Services Committee.**

SB 2315: A BILL for an Act to amend and reenact section 23-12-13 and subsection 2 of section 30.1-28-12 of the North Dakota Century Code, relating to persons authorized to provide informed consent to health care for incapacitated persons and the general powers of a guardian.

Was read the first time and referred to the **Human Services Committee.**

SB 2324: A BILL for an Act to create and enact a new subsection to section 58-03-07 of the North Dakota Century Code, relating to powers of township electors to transfer funds to rural fire protection districts; and to amend and reenact section 58-04-02 of the North Dakota Century Code, relating to calling of a special township meeting.

Was read the first time and referred to the **Political Subdivisions Committee.**

SB 2327: A BILL for an Act to create and enact a new section to chapter 16.1-01 of the North Dakota Century Code, relating to reimbursement of county expenses for statewide special elections.

Was read the first time and referred to the **Political Subdivisions Committee.**

SB 2333: A BILL for an Act to amend and reenact section 16.1-12-02.2 of the North Dakota Century Code, relating to certificates of candidacy by write-in candidates and the counting of ballots.

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

SB 2337: A BILL for an Act to create and enact a new section to chapter 50-24.1 of the North Dakota Century Code, relating to exempt income and resources to determine medical assistance eligibility for the disabled.

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

SB 2339: A BILL for an Act to establish a state-community matching loan repayment program for nurse practitioners, physician assistants, and certified nurse midwives; and to provide an appropriation.

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

SB 2347: A BILL for an Act to establish a law enforcement training trust and agency fund for the purpose of providing training programs to peace officers and other emergency service providers; and to provide an appropriation.

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

SB 2357: A BILL for an Act to create and enact a new subsection to section 54-35.2-02.1 of the North Dakota Century Code, relating to redeposit of returned funds from local government efficiency planning grants in the state aid distribution fund; and to declare an emergency.

Was read the first time and referred to the **Political Subdivisions Committee.**

SB 2360: A BILL for an Act to amend and reenact section 57-02-08.1 of the North Dakota Century Code, relating to property tax credits for persons with limited income who are sixty-five years of age or over or permanently and totally disabled; and to provide an effective date.

Was read the first time and referred to the **Finance and Taxation Committee.**

- SB 2362:** A BILL for an Act relating to consumer credit counseling services; and providing a penalty.
Was read the first time and referred to the **Finance and Taxation Committee.**
- SB 2364:** A BILL for an Act to create and enact a new section to chapter 47-26 of the North Dakota Century Code, relating to the cultivation of land adjoining a boundary line; to amend and reenact section 47-26-05 of the North Dakota Century Code, relating to the erection and maintenance of partition fences; and to provide a penalty.
Was read the first time and referred to the **Agriculture Committee.**
- SB 2370:** A BILL for an Act to amend and reenact sections 25-03.1-02, 25-03.1-04, 25-03.1-08, 25-03.1-09, 25-03.1-10, 25-03.1-11, 25-03.1-13, 25-03.1-16, 25-03.1-17, 25-03.1-18.1, 25-03.1-22, 25-03.1-23, 25-03.1-25, 25-03.1-26, 25-03.1-27, 25-03.1-30, 25-03.1-31, 25-03.1-33, 25-03.1-34, 25-03.1-35, 25-03.1-40, 25-03.1-41, 25-03.1-42, and 25-03.1-43 of the North Dakota Century Code, relating to civil commitment and treatment of mentally ill or chemically dependent persons.
Was read the first time and referred to the **Human Services Committee.**
- SB 2378:** A BILL for an Act to create and enact a new section to chapter 12.1-32 and two new subsections to section 54-23.3-04 of the North Dakota Century Code, relating to the imposition, collection, allocation, and disbursement of funds generated from a sentencing surcharge and the powers and duties of the director of the department of corrections and rehabilitation; and to provide an appropriation.
Was read the first time and referred to the **Appropriations Committee.**
- SB 2379:** A BILL for an Act to amend and reenact section 15-10-13.1 of the North Dakota Century Code, relating to English proficiency of graduate assistants at state institutions of higher education.
Was read the first time and referred to the **Education Committee.**
- SB 2387:** A BILL for an Act relating to an agricultural pesticide and pesticide container disposal program; to provide an appropriation; and to provide an expiration date.
Was read the first time and referred to the **Agriculture Committee.**
- SB 2388:** A BILL for an Act to amend and reenact section 15-62.2-03.2 of the North Dakota Century Code, relating to eligibility to reapply for scholarships under the student financial assistance and scholars program.
Was read the first time and referred to the **Education Committee.**
- SB 2392:** A BILL for an Act to amend and reenact subdivision a of subsection 3 of section 54-52-17 of the North Dakota Century Code, relating to normal retirement date for participating members of the public employees retirement system; and to provide an effective date.
Was read the first time and referred to the **Government and Veterans Affairs Committee.**
- SB 2394:** A BILL for an Act to create and enact a new section to chapter 23-06.4 of the North Dakota Century Code, relating to conditions for withdrawing, withholding, or administering nutrition or hydration; and to amend and reenact subsections 1 and 3 of section 23-06.4-03, subsection 2 of section 23-06.4-05, section 23-06.4-07, subsection 1 of section 23-06.4-11, and section 23-06.4-14 of the North Dakota Century Code, relating to declarations concerning life-prolonging treatment and management of qualified patients.
Was read the first time and referred to the **Human Services Committee.**
- SB 2401:** A BILL for an Act to create and enact a new section to chapter 26.1-40 of the North Dakota Century Code, relating to payment of automobile insurance benefits to a policyholder's family member.

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

SB 2403: A BILL for an Act relating to the paying of an insurance deductible or offering of a rebate by a seller of goods or services; and to provide a penalty.

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

SB 2415: A BILL for an Act to amend and reenact subsection 4 of section 43-01-10 of the North Dakota Century Code, relating to continuing education requirements for abstracters.

Was read the first time and referred to the **Political Subdivisions Committee.**

SB 2417: A BILL for an Act to amend and reenact subsection 8 of section 23-06.5-02, subsection 5 of section 23-06.5-03, sections 23-06.5-07, 23-06.5-10, and 23-06.5-17 of the North Dakota Century Code, relating to durable powers of attorney for health care.

Was read the first time and referred to the **Human Services Committee.**

SB 2418: A BILL for an Act to amend and reenact sections 15-21-09, 15-36-01, 15-36-01.1, 15-36-08, 15-36-10, 15-36-11, 15-36-14.1, 15-36-15, 15-36-16, 15-36-17, 15-38-17, 15-38-18, 15-38-19, 15-47-28, 15-47-30, subdivision q of subsection 1 of section 28-32-01, and subsection 1 of section 54-07-01.2 of the North Dakota Century Code, relating to teachers' certificates and the duties of the education standards practices board; to provide an appropriation; and to provide an effective date.

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

SB 2425: A BILL for an Act to create and enact a new subsection to section 41-09-42 of the North Dakota Century Code, relating to including the social security number or the internal revenue service taxpayer identification number of the debtor in a continuation or amendment of a financing statement under the Uniform Commercial Code central filing system.

Was read the first time and referred to the **Finance and Taxation Committee.**

SB 2431: A BILL for an Act to provide political subdivision mill levy authority for costs of improvements to public buildings or facilities required by the Americans with Disabilities Act; to create and enact a new subsection to section 57-15-28.1 of the North Dakota Century Code, relating to exceptions to mill levy limitations of political subdivisions; and to provide an effective date.

Was read the first time and referred to the **Finance and Taxation Committee.**

SB 2441: A BILL for an Act to amend and reenact section 26.1-30-18 of the North Dakota Century Code, relating to the inception and expiration of insurance policies.

Was read the first time and referred to the **Finance and Taxation Committee.**

SB 2443: A BILL for an Act to amend and reenact subsection 3 of section 16.1-08-02 of the North Dakota Century Code, relating to political committee registration.

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

SB 2445: A BILL for an Act to amend and reenact section 43-17-04 of the North Dakota Century Code, relating to the term of office of members of the board of medical examiners.

Was read the first time and referred to the **Government and Veterans Affairs Committee.**

SB 2447: A BILL for an Act to create and enact a new subsection to section 15-27.6-04 of the North Dakota Century Code, relating to negotiations between teachers and interim district school boards.

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

SB 2449: A BILL for an Act to create and enact a new subsection to section 6-03-47.2 of the North Dakota Century Code, relating to investments by banks; to amend and reenact sections 6-03-38, 10-30.2-11, 10-30.2-12, 10-30.2-13, 10-30.2-13.1, 10-30.2-13.2, subsection 4.2 of section 57-38-01, subdivisions s of subsection 1 of section 57-38-01.2, and subsection 4 of section 57-38-30.3 of the North Dakota Century Code, relating to investments by banks, tax credits for investments in small business investment companies, the definition of a qualified investment fund, an exemption from income tax liability for distribution of a qualified investment fund, an exclusion from computation of income tax liability of distributions from a qualified investment fund; and to provide an effective date.

Was read the first time and referred to the **Finance and Taxation Committee.**

SB 2456: A BILL for an Act to amend and reenact section 26.1-02-20, subsection 5 of section 26.1-17-05, and subsection 1 of section 26.1-31.2-01 of the North Dakota Century Code, relating to reinsurance, the authority of nonprofit health service corporations, and credit allowed a domestic ceding insurer; and to declare an emergency.

Was read the first time and referred to the **Finance and Taxation Committee.**

SB 2457: A BILL for an Act to amend and reenact section 23-11-05 of the North Dakota Century Code, relating to eligibility of housing authority commissioners.

Was read the first time and referred to the **Political Subdivisions Committee.**

SB 2458: A BILL for an Act to amend and reenact subsection 10 of section 32-15-02, subsection 1 of section 49-19-01, sections 49-19-11, 49-19-19, and subsection 11 of section 49-22-03 of the North Dakota Century Code, relating to pipelines for the transportation of carbon dioxide.

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

SB 2461: A BILL for an Act to create and enact a new section to chapter 15-47 of the North Dakota Century Code, relating to nonrenewal of superintendents' contracts; and to amend and reenact section 15-47-26 and subsections 2 and 5 of section 15-47-38 of the North Dakota Century Code, relating to the definition of a teacher and nonrenewal or discharge of a teacher.

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

SB 2470: A BILL for an Act to amend and reenact subsection 4 of section 16.1-08-02, sections 16.1-08.1-02, 16.1-08.1-03, 16.1-08.1-03.1, and 16.1-08.1-04 of the North Dakota Century Code, relating to campaign contribution statements.

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

SB 2472: A BILL for an Act to amend and reenact section 40-40-21 of the North Dakota Century Code, relating to unencumbered cash balances in city funds at the end of a fiscal year.

Was read the first time and referred to the **Political Subdivisions Committee.**

SB 2488: A BILL for an Act to create and enact a new subdivision to subsection 1 of section 14-09-06.2 and a new section to chapter 14-09 of the North Dakota Century Code, relating to effect of allegations of child abuse or sexual abuse in child custody determinations.

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

SB 2490: A BILL for an Act to amend and reenact section 15-40.2-09 of the North Dakota Century Code, relating to the attendance of students in public schools or institutions of bordering states.

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

SB 2494: A BILL for an Act to create and enact three new sections to chapter 26.1-05 of the North Dakota Century Code, relating to redomestication of insurance companies.

Was read the first time and referred to the **Industry, Business and Labor Committee.**

SB 2496: A BILL for an Act to amend and reenact subsection 2 of section 15-27.3-13 of the North Dakota Century Code, relating to the hiring of teachers by reorganized school districts.

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

SB 2497: A BILL for an Act to amend and reenact section 15-27.4-01 of the North Dakota Century Code, relating to the dissolution of public school districts.

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

SB 2506: A BILL for an Act to amend and reenact section 20.1-01-25 of the North Dakota Century Code, relating to depositing refuse on recreation lands; to provide a penalty; and to declare an emergency.

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

SB 2507: A BILL for an Act relating to a federal waiver to use medical assistance funds to provide services for developmentally disabled individuals who are not mentally retarded.

Was read the first time and referred to the **Human Services Committee.**

SB 2509: A BILL for an Act to amend and reenact subsection 4 of section 57-39.2-04.3 of the North Dakota Century Code, relating to the sales and use tax exemption for new manufacturing machinery and equipment.

Was read the first time and referred to the **Finance and Taxation Committee.**

SB 2511: A BILL for an Act to amend and reenact section 53-02-08 of the North Dakota Century Code, relating to officers to be in attendance at public dances, music festivals, or concerts.

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

SB 2513: A BILL for an Act to amend and reenact section 49-06-02 of the North Dakota Century Code, relating to valuation of public utility property for ratemaking purposes.

Was read the first time and referred to the **Finance and Taxation Committee.**

SB 2514: A BILL for an Act to amend and reenact section 15-10-02 of the North Dakota Century Code, relating to student membership on the state board of higher education.

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

SB 2517: A BILL for an Act to amend and reenact subsection 4 of section 57-39.2-04 of the North Dakota Century Code, relating to application of sales taxes to admissions to activities held in publicly owned facilities.

Was read the first time and referred to the **Finance and Taxation Committee.**

SB 2519: A BILL for an Act to create and enact two new sections to chapter 15-27.6 of the 1991 Supplement to the North Dakota Century Code, relating to employment recall rights of teachers whose contracts have not been renewed because of reorganizations.

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

SB 2520: A BILL for an Act to amend and reenact subsection 4 of section 37-19.1-02 of the North Dakota Century Code, relating to the veterans' employment preference; and to declare an emergency.

Was read the first time and referred to the **Government and Veterans Affairs Committee.**

SB 2524: A BILL for an Act to create and enact a new subsection to section 11-17-04 of the North Dakota Century Code, relating to fees charged by clerks of district and county courts; and to amend and reenact subsection 1 of section 11-17-04 of the North Dakota Century Code, relating to court filing fees.

Was read the first time and referred to the **Finance and Taxation Committee.**

SB 2527: A BILL for an Act to amend and reenact subdivision a of subsection 1 of section 26.1-08-05, subsection 2 of section 26.1-08-05, subdivision a of subsection 1 of section 26.1-08-06, and subsection 2 of section 26.1-08-06 of the North Dakota Century Code, relating to minimum benefits of a qualified health coverage plan.

Was read the first time and referred to the **Human Services Committee.**

SB 2530: A BILL for an Act to amend and reenact subsection 1 of section 13-03-14, section 13-03.1-03, and subsection 1 of section 13-03.1-15 of the North Dakota Century Code, relating to the maximum amount of loans issued by the consumer finance agency and establishing a usury limitation for small loans and consumer finance loans.

Was read the first time and referred to the **Finance and Taxation Committee.**

SB 2533: A BILL for an Act to amend and reenact sections 11-13-12 and 11-18-02 of the North Dakota Century Code, relating to prohibiting the recording of deeds transferring property on which taxes are unpaid but not delinquent.

Was read the first time and referred to the **Industry, Business and Labor Committee.**

SB 2534: A BILL for an Act to amend and reenact subsection 3 of section 39-21-32 and section 39-21-44.2 of the North Dakota Century Code, relating to vehicle brake equipment and safety chain connections between vehicles.

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

SB 2536: A BILL for an Act to create and enact a new section to chapter 26.1-45 of the North Dakota Century Code, relating to adoption of long-term care benefits comparison guides by the commissioner of insurance.

Was read the first time and referred to the **Human Services Committee.**

SB 2537: A BILL for an Act to amend and reenact subsection 6 of section 11-11.1-03 and sections 11-11.1-04 and 11-11.1-07 of the North Dakota Century Code, relating to authority of job development authorities.

Was read the first time and referred to the **Finance and Taxation Committee.**

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

SCR 4021: A concurrent resolution directing the Legislative Council to study the feasibility of establishing a Department of Developmental Disabilities and Mental Health.

Was read the first time and referred to the **Government and Veterans Affairs Committee.**

SCR 4027: A concurrent resolution directing the Legislative Council to study methods to improve the development of biennial revenue estimates.

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

SCR 4028: A concurrent resolution urging Congress to either refrain from imposing on states and local governments the costs of programs mandated by federal law or fully fund those programs.

Was read the first time and referred to the **Government and Veterans Affairs Committee.**

SCR 4030: A concurrent resolution designating the North Dakota Sports Hall of Fame in Jamestown as the official North Dakota Sports Hall of Fame.

- Was read the first time and referred to the **Political Subdivisions Committee.**
- SCR 4031:** A concurrent resolution directing the Legislative Council to study problems relating to the use of contracts for the sale of agricultural commodities.
Was read the first time and referred to the **Agriculture Committee.**
- SCR 4033:** A concurrent resolution urging Congress to reject the Freedom of Choice Act.
Was read the first time and referred to the **Human Services Committee.**
- SCR 4034:** A concurrent resolution urging Congress to provide funds to the appropriate agency for construction of a scenic road connecting the three units of the Theodore Roosevelt National Park in the North Dakota Badlands.
Was read the first time and referred to the **Transportation Committee.**
- SCR 4035:** A concurrent resolution urging the Congress of the United States to allow self-employed farmers, ranchers, and small business owners an income tax deduction for health insurance premiums.
Was read the first time and referred to the **Finance and Taxation Committee.**
- SCR 4036:** A concurrent resolution directing the Legislative Council to study the doctrine of governmental immunity of the state.
Was read the first time and referred to the **Judiciary Committee.**
- SCR 4037:** A concurrent resolution urging the President and Congress to institute policies encouraging fair trade between nations, and expressing opposition to the General Agreement on Tariffs and Trade and the North American Free Trade Agreement.
Was read the first time and referred to the **Agriculture Committee.**
- SCR 4038:** A concurrent resolution directing the Legislative Council to study the feasibility of authorizing government self-insurance pools to provide workers' compensation coverage for political subdivisions.
Was read the first time and referred to the **Industry, Business and Labor Committee.**
- SCR 4040:** A concurrent resolution urging the Congress of the United States and the United States Army Corps of Engineers to assume responsibility for Missouri River bank erosion downstream from all Pick-Sloan Plan dams, including the Garrison Dam to Oahe Reservoir reach in North Dakota, and to continue a program of annually appropriating funds for the maintenance and construction of bank protection projects.
Was read the first time and referred to the **Natural Resources Committee.**
- SCR 4042:** A concurrent resolution directing the Legislative Council to study the feasibility and desirability of allowing all North Dakota residents to participate in the uniform group insurance program.
Was read the first time and referred to the **Human Services Committee.**
- SCR 4043:** A concurrent resolution directing the Legislative Council to study the feasibility and desirability of establishing a family court for the resolution of domestic relations cases for low income persons.
Was read the first time and referred to the **Judiciary Committee.**
- SCR 4044:** A concurrent resolution directing the Legislative Council to study the implementation of the North Dakota historic sites, state parks, and tourism development plan and potential funding mechanisms for specific projects listed in the plan.
Was read the first time and referred to the **Natural Resources Committee.**
- SCR 4045:** A concurrent resolution directing the Legislative Council to study political subdivision record retention.

Was read the first time and referred to the **Political Subdivisions Committee.**

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

ROY GILBREATH, Chief Clerk