

2011 HOUSE INDUSTRY, BUSINESS AND LABOR

HB 1252

# 2011 HOUSE STANDING COMMITTEE MINUTES

House Industry, Business and Labor Committee  
Peace Garden Room, State Capitol

HB 1252  
January 19, 2011  
13006

☐ Conference Committee

Committee Clerk Signature



**Explanation or reason for introduction of bill/resolution:**

To establish a legislative management health care reform review committee.

**Minutes:**

**Chairman Keiser:** We will open the Hearing on HB 1252.

**Rep. Al Carlson~District :** This bill deals with the Federal Patient Protection and Affordable Care Act. From a state perspective, and two of the bills you heard yesterday were two large bills with large fiscal notes of agencies that want to participate or have employees that want to participate in the federal health care. We need a mechanism to monitor this. No matter what side of the issuer you are on it is important for ND to keep an eye on this. This bills says that during interim we will have a committee that will address those issues with the authority to bring recommendations to a special session if one were called. My recommendation on some of these issues is that they can wait and this bills allows us to get reports and to recommend legislation on to the next or special session.

**Chairman Keiser:** I think we to add the emergency clause to this so we don't have to wait until July to make this committee active.

**Rep. Al Carlson~District :** I'll check on this. I don't think we need it.

**Representative Amerman:** Would this be an interim or a committee of just legislators to monitor this, or do you see other entities that might be on this committee?

**Rep. Al Carlson~District :** It would be an interim committee of legislatures.

**Vice Chairman Kasper:** On line 5, does that imply that we can hold public hearings? If not should we add that?

**Rep. Al Carlson~District :** That is automatically what is required of an interim committee.

**Representative Boe:** Would this be the same as a study resolution?

**Rep. Al Carlson~District :** This does establish a committee. This is not may, it is shall.

**Chairman Keiser:** Support, opposition, neutral? We will close the bill on HB 1252.

**Representative Kasper:** Motion to do pass.

**Representative Ruby:** Second.

**Chairman Keiser:** Further discussion on the motion?

**Representative Amerman:** This committee would be made up by the choice of legislative management. When we put in for interim how are they selected by the legislative management?

**Chairman Keiser:** It is the chairman who appoints the members of the committee. We will take roll on a Do Pass on HB 1252. Motion carries.

**13 YEAS 1 NAY 0 ABSENT**

**DO PASS**

**CARRIER: Representative Frantsvog.**

Date: Jan 19, 2011

Roll Call Vote # 1

2011 HOUSE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. 1252

House House Industry, Business and Labor Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken: ☒ Do Pass ☐ Do Not Pass ☐ Amended ☐ Adopt Amendment

Motion Made By Rep Kasper Seconded By Ruby

Representatives	Yes	No	Representatives	Yes	No
Chairman Keiser	✓		Representative Amerman	✓	✓
Vice Chairman Kasper	✓		Representative Boe	✓	
Representative Clark	✓		Representative Gruchalla	✓	
Representative Frantsvog	✓		Representative M Nelson	✓	
Representative N Johnson	✓				
Representative Kreun	✓				
Representative Nathe	✓				
Representative Ruby	✓				
Representative Sukut	✓				
Representative Vigasaa	✓				

Total Yes 13 No 1

Absent 0

Floor Assignment Rep Frantsvog

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE**

**HB 1252: Industry, Business and Labor Committee (Rep. Keiser, Chairman)**  
recommends **DO PASS** (13 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING).  
HB 1252 was placed on the Eleventh order on the calendar.

2011 SENATE HUMAN SERVICES

HB 1252

# 2011 SENATE STANDING COMMITTEE MINUTES

## Senate Human Services Committee Red River Room, State Capitol

HB 1252  
3-21-2011  
Job Number 15764

☐ Conference Committee

Committee Clerk Signature *Matthew*

### Explanation or reason for introduction of bill/resolution:

To establish a legislative management health care reform review committee.

### Minutes:

**Senator Judy Lee** opened the hearing on **HB 1252**.

**Rep. Al Carlson** (District 41 and sponsor of the bill) introduced HB 1252. This talks about establishing a legislative management health care reform review committee. Last biennium when PPACA was passed they decided to take a look at it with one of the interim committees to see what the costs/effects would be upon the state of ND. There are still rules being written and they change on a daily basis. Last time this was assigned to the IBL committee and they had information on what it would cost if PPACA was fully implemented. Because this work is still in progress and implementation isn't until 2014, they feel the review should continue. It says the chairman of Legislative Management "shall" appoint a committee that will deal with this issue. It probably will be either a Health Care Committee or the IBL Committee again. This committee is important to bringing them up to date if nothing more than a report at the special session.

**Senator Tim Mathern** pointed out that this session he has seen bills go to IBL in the House and to Human Services in the Senate. During the interim there was kind of an amalgamation of committees for some parts but not for others. He wondered if there would be a better outcome if that would be designated in this bill in terms of who would be on this committee so there would be better preparation.

**Rep. Carlson** responded that the language was general enough to call about appointing a committee. It could be a separate committee of its own. He wasn't sure that they needed to be more specific than that. This committee should be the apolitical committee that looks at all of what's going to happen if it goes into place.

**Senator Judy Lee** said that she anticipated it would be a separate committee. She would feel strongly about that because she feels there should be Human Services Committee members from both houses and it could also include IBL. There needs to be participation on this committee by people who have been involved in this for some time. She even hopes to see a separate committee whose focus is just that so the focus doesn't get lost.

**Rep. Carlson** said they had put most of the bills back in IBL because they had it in the interim. When they got to the Senate side almost all went to the Human Services Committee. He agreed that there should be a committee and put the experts from both chambers on a bipartisan look at what the effect of this will have on the state and its citizens.

**Senator Judy Lee** felt the involvement of the Human Services Committee members is critical.

**Senator Dick Dever** felt they could create this committee without putting it in code.

**Rep. Carlson** said they just need to study the issue. If they need to deal with the exchange in November, they need the ability to talk about it in the special session. He wants somebody besides an agency to inform them. He wants legislators involved so they understand the issues and when they vote on something they have an educated group of legislators.

There was no opposing or neutral testimony.

The hearing on HB 1252 was closed.

Committee discussion followed. It was suggested to put on members of the Human Services Standing Committees, members of the IBL standing Committees, and then leave it open to whomever else.



# 2011 SENATE STANDING COMMITTEE MINUTES

## Senate Human Services Committee Red River Room, State Capitol

HB 1252  
3-22-2011  
Job Number 15815

☐ Conference Committee

Committee Clerk Signature

*Ammonson*

### Explanation or reason for introduction of bill/resolution:

### Minutes:

Attachments.

**Senator Judy Lee** opened **HB 1252** for committee work.

**Senator Tim Mathern** presented amendments for discussion - .01001. Attachment #1  
He saw a need to clarify that this committee just deal with this topic of federal health care reform and the membership of the committee would include at least three members from each of the House and Senate IBL Committee and Human Service Committees. As per Rep. Carlson's statement that this would be a bipartisan effort, he suggested that this say at least one member each of the four standing committees represents the minority party. They can then leave this session knowing that the House and Senate will have at least three from each of those two Standing Committees.  
This amendment would add some specificity and put on people who are directly in the process. This doesn't limit the total number of members on the committee. It just says that twelve of them must have this expertise.

**Senator Judy Lee** said she was pretty comfortable with this general concept.

Assignment of committee members was discussed. It was expected that assignment to this committee would be in addition to the two standard interim committees a person might be on.

**Senator Tim Mathern** moved to accept amendment .01001.


Seconded by **Senator Spencer Berry**. Roll call vote 5-0-0. **Amendment adopted.**

**Senator Gerald Uglem** moved a **Do Pass as Amended.**

Seconded by **Senator Spencer Berry**

Roll call vote 5-0-0. **Motion carried.** Carrier is **Senator Dick Dever.**

March 22, 2011

  
3-22-11

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1252

Page 1, line 7, after the period insert "The legislative management may not assign the committee any additional study charge unless the additional charge is directly related to the topic of federal health care reform. The membership of the committee must include at least three members from each of the house of representatives and senate industry, business and labor and human services standing committees, with at least one member from each of the four standing committees representing the minority party."

Renumber accordingly

Date: 3-22-2011

Roll Call Vote # 1

2011 SENATE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. 1252

Senate HUMAN SERVICES Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 01001

Action Taken: ☐ Do Pass ☐ Do Not Pass ☐ Amended ☒ Adopt Amendment  
☐ Rerefer to Appropriations ☐ Reconsider

Motion Made By Sen. Mathern Seconded By Sen. Berry

Senators	Yes	No	Senators	Yes	No
Sen. Judy Lee, Chairman	✓		Sen. Tim Mathern	✓	
Sen. Dick Dever	✓				
Sen. Gerald Uglem, V. Chair	✓				
Sen. Spencer Berry	✓				

Total (Yes) 5 No 0

Absent 0

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent:

Date: 3-22-2011

Roll Call Vote # 2

2011 SENATE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. 1252

Senate HUMAN SERVICES

Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 11.0577.01001 Title 02000

Action Taken: ☒ Do Pass ☐ Do Not Pass ☒ Amended ☐ Adopt Amendment

☐ Rerefer to Appropriations ☐ Reconsider

Motion Made By Sen. Uglem Seconded By Sen. Berry

Senators	Yes	No	Senators	Yes	No
Sen. Judy Lee, Chairman	✓		Sen. Tim Mather	✓	
Sen. Dick Dever	✓				
Sen. Gerald Uglem, V. Chair	✓				
Sen. Spencer Berry	✓				

Total (Yes) 5 No 0

Absent 0

Floor Assignment Sen. Dever

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE**

**HB 1252: Human Services Committee (Sen. J. Lee, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1252 was placed on the Sixth order on the calendar.

Page 1, line 7, after the period insert "The legislative management may not assign the committee any additional study charge unless the additional charge is directly related to the topic of federal health care reform. The membership of the committee must include at least three members from each of the house of representatives and senate industry, business and labor and human services standing committees, with at least one member from each of the four standing committees representing the minority party."

Renumber accordingly

2011 HOUSE INDUSTRY, BUSINESS AND LABOR

CONFERENCE COMMITTEE

HB 1252

# 2011 HOUSE STANDING COMMITTEE MINUTES

House Industry, Business and Labor Committee  
Peace Garden Room, State Capitol

HB 1252  
April 4, 2011  
16287

☒ Conference Committee

Committee Clerk Signature

*Ellen LeTang*

## Explanation or reason for introduction of bill/resolution:

To establish a legislative management health care reform review committee

## Conference Committee Minutes:

**Chairman Keiser:** Opens the conference committee on HB 1252. Could the Senate explain what you are trying to do with the amendment you have placed on the bill and what the issue is.

**Senator Dever:** First, I would like to say we like the bill as introduced, but felt we could further improve on that. The bill creates a committee to study the impact on the PPACA and it provides that we report to legislative management. We felt that should be the complete focus of that committee. We said that they may not assign the committee any additional study charge unless that charge directly related to the topic of federal health care reform. We felt that the people who serve on that committee should be people that are involved in the issues that deal with that, the Insurance, Human Services and House Industry, Business and Labor Committees, both House and Senate. The committee should include three members from each of those four committees.

**Chairman Keiser:** From the House side, this started as simply a required study interim committee. How many times have we placed these kinds of constraints on interim committees?

**Senator Dever:** We have some statutory committees that are set up with specific membership guidelines.

**Chairman Keiser:** Membership?

**Senator Dever:** I'm not sure about membership, but federal health care reform is bringing some special circumstances that require a strong background.

**Senator Lee:** I support what Senator Dever has mentioned. It is certainly unusual to specify who is on a committee. We have a couple of circumstances in areas of additional conference committees coming up where there are only two people who are on an interim committee on an issue who heard a long term report. The complexities of that, there is an

advantage to having the people who are dealing with it, also end up dealing with things when the next legislative session comes. As you well know, because of all involvement is that isn't something that you pick up overnight. I think I can speak for the committee in saying that we were not trying to micro-manage. In talking with Representative Carlson, I thought for a committee who would review this and it would be important in order for this committee to be effective if there were people on it who already had some basic knowledge on dealing with it. Then if it limits the activities of this committee, in a sense we are limiting the cost.

**Chairman Keiser:** Further comments?

**Senator Mathern:** I would add that the situation is so unique that some focus was addressed by Representative Carlson, in bringing the bill. I think the amendments that were adopted by the senate, expressed the way of making sure that focus took advantage of the people that have been dealing with these kinds of bills in the regular session. That would be another rationale what our chairman said about the reason for amendments.

**Representative Frantsvog:** My first response is that I'm not excited about the amendment. One of the problems I have is that the amendment says, may not assign any additional study charts unless the charge is directly related. The word directly, it becomes a matter of what does definitely mean. It seems to create some question of "is this directly related or is it not directly related". I didn't care for that but for the most part I wasn't impressed with the amendment.

**Representative M Nelson:** My major concern was the directly related; I was worried that it would end up being an area that could turn into a fight, it this directly related or whatever. My concern would be a place for contention or spending our time fighting over it.

**Senator Lee:** I don't have any problem with trying to figure out if there is a better way to do that. Our committee was thinking that the chair of legislative management is going to be determining what studies go where. Yes there are other health care things and I think there is going to be a heavy load in the next 12 months. The feeling of the committee was that if we had people who know what they are doing and focus on those things, that we could see that committee doing what needs to be done to figure out what the state has to do. I don't think they are saying that the regular health care committee isn't able to do it. I think this is a good place for us to figure out how we best can do that and that is the thrust of our discussion.

**Chairman Keiser:** I look at the original language and lines 4-7, couldn't be more explicit, it directly states PPACA as amended. I can't imagine what additional issues that could be assigned to the committee with that language in there that would not be relevant to it. If Legislative Council believes that if there was something that should be assigned, then my position is that it should be assigned. I have problems with two things. Setting the precedent, where's the problem, did Legislative Council do a bad job assigning. If not, why are we putting in this direction? I look at the last interim, it was an unusual thing, we did not realize when the Legislative Management team met, they didn't really appreciate the health care and that it was coming. They had to make a decision to send it somewhere. The unfortunate thing was that it didn't have significant human service folks types on there. We



attempted to have two meetings where we brought in the entire Human Services committee because of this issue. Dictating to Legislative Management Council, if we are going to start doing this on every interim study that must be studied that we are going dictate what the membership should be, that goes counter to what we have done. It's micro managing and I don't see the problem. What was the problem?

**Senator Dever:** I haven't anticipated the question that there are other committees that set up specifically and as I think about it, the budget section is one. I think there is precedent for that.

**Chairman Keiser:** Then interim committee?

**Senator Dever:** Yes, as an interim committee.

**Chairman Keiser:** Can everybody vote?

**Senator Dever:** Yes.

**Chairman Keiser:** That's a delegation of Legislative authority.

**Senator Dever:** That's true.

**Senator Dever:** We don't pass final legislation on it.

**Chairman Keiser:** Making recommendations.

**Senator Dever:** We make recommendations.

**Chairman Keiser:** But what other normal legislative interim committee do we do it for? The one that I can think of is Administrative Rules and there are no guidelines.

**Senator Dever:** During that process of choosing which committees, sometimes legislators say, I'm involved in this committee, I want to try some other experience, they have no background. When we talk about directly related to the topic of federal health care reform, that's such a broad thing and it will encompass anything that you want. The other point is that if you are anticipating with this issue and we have major issues to decide, this committee will have to meet multiple times between now and next November.

**Chairman Keiser:** If HHS doesn't do anything, there won't be much to meet about.

**Senator Lee:** It's now or later.

**Chairman Keiser:** Then it's a normal committee if it goes after November.

**Senator Lee:** We understand that. One of the reasons why we talked about specifically talked about representation from these two committees is because the Human Services committee was invited to those meetings, they were not permitted to vote and they were not full participants in the process. The interim committee that was assigned did a

wonderful job of leadership of addressing the insurance part of it, but there is way more to it than that. I was disappointed in the fact that there wasn't more involvement between the two committees. If we are going to have it, we need more legislators to become well informed about this so that there isn't just a few of us with some knowledge, but rather a broader base and need to include both committees. Our concern is if you give a committee like the health committees and they have a lot of responsibilities, they are going to be a ton of meetings now and the special session. We are not trying to create a situation in which we were micro-managing, we want this committee to become well armed as possible with capable people from both Houses and both committees. The bigger the committee gets, the less gets done, more difficult to manage. We thought that focusing on a doing a good job and we felt strongly making sure we had representation from all four committees, that it was broad based and everybody had a right to vote.

**Chairman Keiser:** I believe it would have happened if it would have been a normal interim committee. Maybe not 12, but we would have had representation because people would have requested it and Legislative Council would have made the appointments. You are correcting a problem, which was a procedural issue not a management issue.

**Senator Mathern:** I would take a different approach; I don't think this is correcting a problem. I think it's recognizing what you did as interim chair in bringing in other people and it's building on it. It was positive that you brought on other people for a couple of those meetings. I see it as building on that and recognizing that there are some potential tough issues that need even by a special session in November. If not by next legislative session, this would be a way to try to make sure that there are people in these 4 committees to help deal with the concerns of all legislators. I would say more as building on what you did not as correcting a problem.

**Chairman Keiser:** I can understand that but I can't imagine given this were to pass as we had sent it out, that is exactly what of happened, maybe not 12.

**Senator Lee:** Even if it isn't 12, I know what a challenge it is for Legislative Council to figure out who goes on committees and we all send in our requests. Challenging as it is, they are going to assign to stuff and it can't be based on who volunteers. Even if we don't have three, I hope we would consider discussing representation on whatever the committee is so that there is going to be ownership. Whatever we come up with in that committee, it needs to have ownership in a larger group so they can explain to committee members that aren't on the committee what it is that has been discussed. I'm not trying to micro-manage, this is unique situation.

**Chairman Keiser:** I don't believe it is unique but it's an important area and there is a lot of interest. I am concerned about the balance. I think it's not essential not to have 12 of those people on the committee to have that perspective because our interim committees tend to be 14-17, but an interim committee of 30 people is not acceptable.

**Senator Lee:** It could be 12.

**Chairman Keiser:** It could be 12, but then everybody else is excluded because there are some who have expressed an interest on being on this committee. I'm sure there are many

other legislatures but we have an agreement, it's important to have those perspectives on the committee. Do we need 12, I don't think that there is any support for that and that precludes anyone having the opportunity to come on. Maybe we could talk about significantly adjusting that membership.

**Senator Dever:** Another factor to consider is when we go into special session in November, there will be a joint committee involving redistricting. When we go into that special session that will be a joint committee, that the legislation has to be in good shape because of the time constraint before it gets to the legislature. I think we need to consider who's likely to serve on that committee.

**Chairman Keiser:** Do we appoint in the redistricting bill?

**Senator Dever:** I'm not sure but I know it's not human services.

**Senator Lee:** They are appointed but there is a different level expertise that's required. Maybe it's appropriate to include in those other folks that would be a part of this committee, members of the appropriations committee, we didn't say that it would be limited to people on Human Services and House Industry, Business and Labor. A broad base from both of those areas is critical because that wasn't the way it was last time. We would like to assure that it is next time. I would hope that we would mull over it the possibility in this particular situation. Maybe we can change the way the numbers work, but I would hope that we consider keeping that participation and we need that expertise, to keep us up to speed.

**Representative Frantsvog:** I think we would address at least some of the concerns that Senator Lee had if we included language that said that it was a committee of members of the House and Senate. That would be a reminder of the concern you had of the makeup of prior committees.

**Senator Lee:** That doesn't do it because all interim committees have members of both House and the Senate.

**Representative Frantsvog:** I'm just trying to get a reminder in there.

**Senator Lee:** From the House and the Senate, there will be representation on there anyway. I think it's critical to have both House Industry, Business and Labor and Human Services considered here. There was some strong feeling about making sure we did this right and that we had expertise to be better educated on both committees on both sides.

**Chairman Keiser:** Other than better educated and the right to vote what was the problem with the interim committee works that was done?

**Senator Lee:** The work that was done was well done from the insurance perspective but there was...

**Chairman Keiser:** Human Services too.

**Senator Lee:** We didn't even have a Human Services interim committee this time, we had long term and health care.

**Chairman Keiser:** I understand that but what is the problem with the word product that came out?

**Senator Dever:** I didn't see a problem with what came out of the committee, the difficulty was the response to federal legislation that we still don't know what's in there and it was assigned to a committee that previously didn't have that charge.

**Chairman Keiser:** That's the issue, it's territorial.

**Senator Dever & Senator Lee:** No.

**Chairman Keiser:** I'm trying to identify what the problem was.

**Senator Dever:** The problem was in trying to deal with something that we weren't prepared to deal with.

**Chairman Keiser:** Who's we?

**Senator Dever:** I don't think anybody was prepared to deal with the federal health care legislation. We have issues that we are now trying to deal with in advance in complying with federal rules and regulations that haven't been developed yet. That's the whole purpose of this going forward.

**Senator Lee:** I think it's real important not to think that there was anything negative at all in this. That never occurred to me, until you asked this question. For us in the conversation in the Senate Human Services committee was how could we make this as good as it could possibly be from the two committees that are likely to have the biggest workload and responsibility with this. There was nothing negative, there was a lot of hard work and I appreciate the leadership you provided.

**Chairman Keiser:** I'm just trying to identify what the problem is.

**Senator Lee:** We just want to make it better.

**Chairman Keiser:** But, when you say make it better, suggest that it wasn't good or great. How do we make it more perfect?

**Senator Lee:** We make it better by making sure we have a broad based involvement of the two broad committees who will be dealing with the devils and details and we are holding hands here. We need to work together in the best possible way and that's why we thought by specifying that there would be representation from both. The thing is making sure that there's a pro-active effect to make sure that there are people from both of the committees on there.

**Chairman Keiser:** The formula you came up with gives the Senate the same number as the House. How many Senators do you have on your committee versus the House committee.

**Senator Lee:** I don't think you need twice as many.

**Chairman Keiser:** I was just asking.

**Senator Dever:** I don't feel we need to have the same number in order to be equal.

**Senator Lee:** The power of the legislature is equal in the house and the senate and so that is the main reason why we are looking for equal representation. I would resist any effort to put twice as many House members as Senators on it and that doesn't make any sense.

**Senator Dever:** We have five members.

**Chairman Keiser:** Exactly, so you would have 60% of your committee serving on the interim committee.

**Senator Lee:** So what.

**Chairman Keiser:** It is important to the House.

**Senator Mathern:** I really think that the Senate placed these amendments on an open-ended fashion. The House could have twice as many members on this committee if that was the decision of the Legislative Council. This just establishes the minimum criteria, not the maximum, so the bill as we have it states that the House can't have more members than the Senate. Whatever the numbers are the minimum shall be these 12 members.

**Chairman Keiser:** I would ask all members if there is any willingness to strike the first sentence in the amendment, which creates that dilemma, and we will be challenged what is the definition of "directly related" to the topic. Given the language that's above it, I do want to preserve the right of the legislative management to make their informed decision and direct issues in any way they feel is best for the legislature, the people and the state of North Dakota. You don't have to answer that, it's just a suggestion. The other thought I would offer is whether or not we could reduce the membership to two members of House and one member of the Senate from each of those committees. I don't know how that will impact the four members of the minority party, but there should be minority representation. If we are going to specify representation on the committee, I support that. I think Legislative Management does a good job assigning people and getting the right perspectives on committees but we can certainly direct them further. Do you have any suggestions other than what the amendment is?

**Senator Lee:** I think that we need to as you mentioned, talk about if we have any flexibility about the members numbers. As far as that first sentence goes, the reason we put it in there would be to say that there is going to be plenty of work right here and we wanted this committee to focus on that. I'm really concerned about this responsibility just being given.

The Legislative management does a good job, but it's not perfect. For this next interim is going to be really, really important and that's why we wanted to make sure that this was narrow in it's focus, people on there that knew what they were doing and bring back into legislative body and review it. I'm concerned that one person is not a big enough cheerleading squad.

**Chairman Keiser:** I believe that Legislative management does their job. One other thought that I have, we could specify the chairman and or designee to serve. I know there is a tremendous amount of interest on both sides of the isle in the House, relative to this committee. I also know a committee of 30 is not going to get this job done. I want to preserve the for the legislative management team to make their appointments with some degree of flexibility and give members of our side the opportunity to serve on the committee. If we take up 12 slots, I'm going to resist getting it too big and leaving no openings for anyone else. We have a challenge to strike a balance and we have thrown out some thoughts to think about.

**Chairman Keiser:** Closes the conference committee session.

# 2011 HOUSE STANDING COMMITTEE MINUTES

House Industry, Business and Labor Committee  
Peace Garden Room, State Capitol

HB 1252  
April 11, 2011  
16457

☒ Conference Committee

Committee Clerk Signature

*Ellen Letang*

## Explanation or reason for introduction of bill/resolution:

To establish a legislative management health care reform review committee

## Conference Work Minutes:

**Chairman Keiser:** Opens the conference work committee on HB 1252

**Chairman Keiser:** We had some discussion, any further discussion or thoughts on our discussion during the last conference committee session?

**Representative Frantsvog:** We should eliminate the entire amendment and leave the bill as it was. I think that the intent of the committee was going to be identified, that it would have been done as the bill was drafted. This has the potential to cause an increase in the number of participants on the committee, maybe more committee members than are actually necessary.

**Senator Dever:** I've come to the opposite conclusion. Our last meeting there might have been some misinterpretation in the purpose of our amendments. I want to make it very clear that it had absolutely nothing to do with the last interim but everything to do with going forward in the next interim to insure we have the right people involved. It seems to me an almost forgone conclusion that in the special session, that we are going to be addressing issues with health care reform. That needs to be very focused on that issue. The other issue is redistricting and everybody is going to have an interest in that, but I think the people involved in this committee need to be very focused on this issue and they support the Senate's amendment.

**Chairman Keiser:** The original language, if a special session of legislative assembly is necessary and it is, the committee shall report to the legislature. The very intent is in the original bill. That is the heart of this bill.

**Representative Frantsvog:** If you look at line 4, it says the chairman of the legislative management shall appoint a committee, with the amendment we tell him who he has to appoint. My question is, if this amendment stays, would we have to change that section of the bill? We are telling him first, he shall appoint a committee, and then we are telling him who he has to appoint. If the amendment stays, do we have to change that section of the bill?

**Chairman Keiser:** I don't believe the two are mutually exclusive. They could appoint a 40-person committee; the committee would have to have these people in there, in addition to any additional people that might be appointed.

**Senator Lee:** Just going back to grammar, the topic sentence of the paragraph, it's all parts of the same body, the committee itself is the heart, but the other parts of this body is what's going to make it function at its best. I know the importance of this and how we are going to address it. It is a specific topic and we hope it doesn't happen to us again. We need to have specific people who are involved with representation of a broad base, not only in the input but also in the ownership of whatever we come out with. We are not going to have a lot of time and we saw an advantage of having the folks mentioned in here. It's intended to make the body function better.

**Chairman Keiser:** I would point out that the way the House sent out HB's 1125, 1126 & 1127 was that this committee would be operational throughout the interim, not just prior to the special session and play critical roll throughout the interim. This is an important committee and although it should hopefully get on track quickly and begin to do the things that needs to do, prior to the special session.

**Senator Dever:** I think Congress will keep us busy on that.

**Chairman Keiser:** No, HHS is, I don't know about Congress. If I take the first sentence of the Senate's amendment and to me is unnecessary and very problematic. It's leads to the debate, relative to, unless the additional charge is directly related. If we want to look at the tax policy for the state of North Dakota as impacted by this, is that directly related to the Health Care Bill or not? If we want to look at the impact on the student loan program that this healthcare impacted, is that directly related to the healthcare? Those are all parts of the bill and they do have implications for our state that someone needs to be tracking anything that could be related to any parts of those things. Just looking at the first sentence, it doesn't add anything except the opportunity for argument. The language in the bill was clear, it was to study, prepare and don't put a lot of restrictions in it. The chairman of the legislative management needs the authority to move whenever it is appropriate. I can't identify a time when the chairman have ever assigned an additional task that was not appropriate, so to suggest that there is some real problem out there that doesn't exist. The next portion of it, to have 12 people predetermined for the committee makes no sense to me.

**Senator Mathern:** The senate amendments related directly to the bill sponsor's comments in our committee. I don't know what he said in your committee but the bill sponsor was there. He spoke about the importance of making sure that the committee was focused and would have bills that directly relate to healthcare reform. He spoke about the importance of the Industry, Business and Labor and Human Services committees being involved and being bipartisan. All the comments that he made to the Senate committee reflect these changes to the bill.

**Chairman Keiser:** Further suggestions?



**Representative Frantsvog:** Moves that the Senate recede from their amendments.

**Chairman Keiser:** Is there a second? Motion failed due to a lack of a second.

**Senator Dever:** I'm curious, if on line 9, if we deleted the word directly, would that relieve some of the concerns you have with the first sentence?

**Chairman Keiser:** I look at the total bill and I find the sentence unnecessary. It says that "shall appoint a committee to monitor the impact of the Federal Patient Protection and Affordable Care Act", that is what this committee is being assigned.

**Chairman Keiser:** If there is no further motions, we can adjourn. If you have suggestions, could you draft them so everyone could see and that might be helpful. Closes the conference committee on HB 1252.

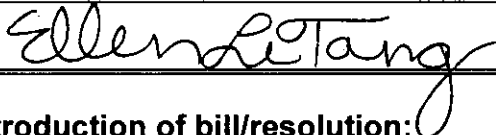
# 2011 HOUSE STANDING COMMITTEE MINUTES

House Industry, Business and Labor Committee  
Peace Garden Room, State Capitol

HB 1252  
April 12, 2011  
16499

☒ Conference Committee

Committee Clerk Signature



## Explanation or reason for introduction of bill/resolution:

To establish a legislative management health care reform review committee

## Conference Minutes:

**Chairman Keiser:** Open the Conference Committee hearing on HB 1252.

**Chairman Keiser:** We have met a couple of times now, any comments.

**Senator Deven:** Moves that the House Accede to the Senate amendments.

**Senator Lee:** Second.

**Chairman Keiser:** Discussion?

**Senator Mathern:** I went to the Senate committee hearing minutes and listened to the tape. Representative Carlson said that they had put most of the bills back into the Industry, Business and Labor because they had them in the interim. When the bills went to the Senate, almost all went to the Human Services committee. He agreed there should be a committee, put to experts from both chambers, on a bipartisan look, at what the effect of this could have on the state and its citizens. I thought that I would bring that up because I noted the other day that I thought that is what Representative Carlson said to our committee. I checked the minutes of our committee and I wanted to confirm and bring that to your attention.

**Chairman Keiser:** Further comments. I will ask the clerk to take the roll for the House to Accede to the Senate amendments.

**Roll call was taken for the House to Accede to the Senate's Amendments on HB 1252 with 3 yeas, 3 nays, 0 absent, motion fails.**

**Chairman Keiser:** Further discussions or suggestions? Closes the Conference Committee hearing on HB 1252.

# 2011 HOUSE STANDING COMMITTEE MINUTES

House Industry, Business and Labor Committee  
Peace Garden Room, State Capitol

HB 1252  
April 13, 2011  
16567

☒ Conference Committee

Committee Clerk Signature

*Ellen LeTang*

## Explanation or reason for introduction of bill/resolution:

To establish a legislative management health care reform review committee

## Conference Minutes:

**Chairman Keiser:** Call the Conference Committee to order. Anyone have any thoughts they want to share with the committee? If not, I do have one attempt (**passes out amendment .0200a**) on my part to find a way. I did talk with Representative Carlson, the bill sponsor; he confirmed that the bill as it was originally designed was his intention that the standard legislative management committee would make the appropriate appointments. I told him that we did have some concern in the committee that members wanted to be certain that there was representation from all committees related to health. This is a stab and it would require the Senate to recede from their amendment and further amend saying, generally, the membership on line 7 & 8 must include representation from health related committees. I don't know if that is satisfactory or not.

**Senator Dever:** How would you define health related committees?

**Chairman Keiser:** That is common sense.

**Senator Dever:** It's a legislative process.

**Chairman Keiser:** For example, Appropriations that deal with Human Services, House Industry, Business and Labor, Human Services, they all deal with health related. This would give them some sense of direction; I'm just attempting to move something forward.

**Senator Lee:** I do appreciate trying to come up with something we can work with here, thank you for that. I still want it flushed out a little bit more than that. I would want for us to have a chance to ponder this before our next meeting. I would be more comfortable if that was flushed out a little bit more than just health related committees, not only about the committees but also about both houses. We felt strongly that there should be both majority and minority representation there. I know we already have gone through that, so we don't need to rehash it again. That's a tough one as a whole for our committee and Senate and it's pretty strong in this direction.

**Chairman Keiser:** I can't think of any interim committee I served on that we haven't had appropriate representation. I think the management committee works hard to get that balance.

**Senator Lee:** Beauty is in the eye of the beholder. I think a fair amount of it just has to be based on who volunteers for what. I recognized the challenge that legislative management has in trying to determine who is going to be on committees based on what all of us have as our preferences. They aren't going to ignore our preferences and yet in order to establish some balance, sometime we end up being on a committee that isn't something that we would have preferred.

**Chairman Keiser:** I was assigned to a committee because they were looking for balance.

**Senator Lee:** Exactly and so it's a challenge, I get that.

**Senator Mathern:** One thing unique about this is a special public policy debate in the country that is focused on this. It's a little different than our regular activities but I appreciate your suggestions. One of the suggestions that I had was where you were concerned about getting caught in the determination whether something directly, page one, line nine, I would be fine if that word was eliminated to get out of that debate.

**Senator Dever:** I'm curious, since you had a conversation with your leader if he had an objection to the Senate language?

**Chairman Keiser:** Yes, he did.

**Senator Dever:** What was his objection?

**Chairman Keiser:** His objection, basically, was the same as ours. The notion that has to be directly related. They want flexibility in all cases because you never know what is coming up. Then we get into an argument about what is directly related. He said I don't want that or be put in that position, number one. Number two, the 12 people preassigned is basically your committee.

**Senator Dever:** That sounds good to me.

**Chairman Keiser:** That is not going to pass in the House and I can assure you that. Let's try and find some compromise. If you would like, we can sure reschedule and give you a chance to think about it. I would like to move this forward and get this get out.

**Senator Dever:** This bill isn't going to define the end of this session.

**Chairman Keiser:** No.

# 2011 HOUSE STANDING COMMITTEE MINUTES

House Industry, Business and Labor Committee  
Peace Garden Room, State Capitol

HB 1252  
April 15, 2011  
16642

☒ Conference Committee

Committee Clerk Signature



## Explanation or reason for introduction of bill/resolution:

To establish a legislative management health care reform review committee

## Conference Minutes:

**Chairman Keiser:** At the end of our last meeting, we had a purposed amendment that was handed out. Are there any additional comments, amendment or thoughts?

**Senator Mathern:** I have some amendments (.01002). These amendments, on the bill, line nine, would take out the words, directly, federal, and reform. Addressing the question the chairman raised about, how would we know which studies. So we took out words that would be somewhat difficult for somebody to interpret. It essentially provides a little wider latitude to the chairman of the legislative management as to the assignment of studies. The studies are related to the topic of health care versus directly related to the topic of federal health care reform.

**Senator Mathen:** Moves that the Senate recede and amends to .01002.

**Senator Lee:** Second.

**Chairman Keiser:** Further discussion? This would put six people on the committee, is that correct?

**Senator Mathern:** This would leave the committee structure in place as initially purposed, these 12 people and any additional members that legislative management would want to appoint. It would say that there are three from each of those; it wouldn't designate the names of any of those. Essentially, it's the same concept of let's make sure the House and Senate have representatives from the two main committees that will be dealing with health care reform but lets recognize the House's concerns that the assignment process where it might have been, a little bit restrictive. I'm hoping that we would view this as a collaborative process and try to get people up to speed from our standing committees who are probable going to be in a position, in the special session of the legislature, making recommendations to the full body, when legislature comes to the special session. A small group in those standing committees will have some preparations for the big job that comes in the special session.

**Chairman Keiser:** Further discussion.

**Representative Frantsvog:** I don't see a lot of change from the original amendment and I will not support it.

**Chairman Keiser:** We have a motion for the Senate.

**Roll call was taken for the Senate to recede from the Senate amendments and amends as follows (.01002). Motion fails.**

**Chairman Keiser: Hands out Amendment .0200b.** I do support the concept that the Senate is trying to get to and I think it would have happened regardless, but if it would have happened, maybe there is no problem putting it into language. I don't like doing that because I think we are getting into micro managing legislative management. What I do respect is the institutional knowledge that goes with the chairmanship of the four committees, but this doesn't have and I suggest is we need to make certain that there is minority representation, but there is and that's my frustration. I have yet served on a committee that has only the majority or not a proportional representation of minorities. I offer this as a potential thought. Legislative management will make best the appointment necessary. I'm not 100% supportive of my own amendments but I'm trying to find a way to get to where I think we will end up.

**Senator Dever:** On first flush, the only concern I would have with this amendment is if the chairman chooses not to, I'm wondering if you wanted to include after the word chairman add designee.

**Chairman Keiser:** Nowhere do we allow legislators to send their designee to interim committee meetings. This is the way it is, if they don't attend, it's their issue. To start allowing legislators to start designating who they can send in their place would not be good.

**Senator Dever:** That is a good point, you are a member whether you choose or not.

**Chairman Keiser:** That's the reason why I didn't put it in.

**Senator Lee:** I do appreciate having two options to consider here. We already reviewed one, I think it would be good to talk this over, so we might have a chance to review all of this.

**Chairman Keiser:** Closes the Conference Committee on HB 1252.

# 2011 HOUSE STANDING COMMITTEE MINUTES

House Industry, Business and Labor Committee  
Peace Garden Room, State Capitol

HB 1252  
April 18, 2011  
16721

☒ Conference Committee

Committee Clerk Signature



## Explanation or reason for introduction of bill/resolution:

To establish a legislative management health care reform review committee

## Conference Minutes:

**Chairman Keiser:** Opens the Conference meeting on HB 1252.

**Representative Frantsvog:** Motions that the Senate recede from Senate amendments to adopt amendment .0200b.

**Representative M Nelson:** Second.

**Senator Lee:** What is the amendment?

**Chairman Keiser:** Adds "the membership of the committee must include the chairmen of the house of representatives and senate industry, business and labor and human services standing committees", but leaves intact the rest of the language as sent over by the house. Further discussion?

**Senator Dever:** I'm not sure that's exactly what I'm prepared to vote for.

**Chairman Keiser:** Further discussion?

**Roll call was taken for the Senate recede from Senate amendments and to adopt amendment .0200b. with 3 yeas, 3 nays, 0 absent on HB 1252.**

**Chairman Keiser:** Further discussion? Seeing none, closes the Conference hearing on HB 1252.

# 2011 HOUSE STANDING COMMITTEE MINUTES

**House Industry, Business and Labor Committee**  
Peace Garden Room, State Capitol

HB 1252  
April 18, 2011 pm  
16746

☒ Conference Committee

Committee Clerk Signature
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**Explanation or reason for introduction of bill/resolution:**

**Conference Minutes:**

**Chairman Keiser:** Any recommendations.

**Senator Dever:** No new thoughts.

**Chairman Keiser:** Closes the hearing on HB 1252.



# 2011 HOUSE STANDING COMMITTEE MINUTES

House Industry, Business and Labor Committee  
Peace Garden Room, State Capitol

HB 1252  
April 19, 2011  
16753

☐ Conference Committee

Committee Clerk Signature

*Ellen Letang*

## **Explanation or reason for introduction of bill/resolution:**

To establish a legislative management health care reform review committee

## **Conference Minutes:**

**Chairman Keiser:** Committee members any recommendations.

**Senator Lee: (Passes out amendment .01003).** Reads amendment. This would call for the chairs of the House & Senate Human Services and House Industry, Business and Labor committees be a part of the study group. Any additional studies changes would be related to the topic of health care. In looking at language used in another bill, it seems like it might fit in here in case of any contingencies. The last sentence says shall appoint a replacement who is a member of the same legislative chamber as the individual being replaced. I just wanted to present that for your consideration. We would be answering the objection that you had had earlier about too many members being named, but it would include the chairs.

**Chairman Keiser:** Any questions? There are two changes that you are proposing relative to the amendment, which I earlier purposed, where the four chairs would be appointed. There could be an alternate if those people were unable or unwilling to serve but they would have to come from the same chamber and the second is restricting the ability legislative management in assigning functions to the committee.

**Senator Lee:** Yes, the first sentence is broader because it says health care. The last sentence is not unique to this amendment. Rather than have a blank thought, that would assure whatever committee it is, it would have appropriate representation.

**Chairman Keiser:** Any other questions?

**Senator Lee:** Moves that we accept amendment .01003.

**Senator Dever:** Second.

**Chairman Keiser:** Any comments?

**Senator Mathern:** I think this goes a long ways in address the concerns of the House but it lacks the point of the Senate that we also make sure there is a minority member on those committees. I would note that as an issue in terms of this bill, instead of 12, it clarifies a position for 4, that a dramatic change that I wished that it would have included a minority member.

**Senator Dever:** I think this is important that we have the right people there. If they don't have the right people involved and later we have problems, we have it wrong.

**Chairman Keiser:** I think the Senate had a relative valid point that we want to make sure, as we enter this interim, we do the very best job for North Dakota and the citizens. On one hand, I hate to designate, this is so important that legislative management would have appointed these 4 people anyway. We don't have to worry about that if we put it in the bill. One thing is, I cannot support this amendment, we are going one-step further. If you read the bill, it says that in the original bill, management shall appoint a committee to monitor the impact of the federal health care act and excreta. Then to go in and say, now you can't appoint anything that's not health related. I appreciate the attempt to make it broader, but it's not essential and it violates the rule that legislative management has. I would not have any problem in substituting the other appointment language with my previous amendment, which was just the chairman. I still oppose that portion.

**Senator Mathern:** Would you anticipate or have this committee take in other committee work of the legislative management committee other than health care?

**Chairman Keiser:** I think this committee would respond to what the directive was, to look at that act. I know in the last interim, one of the areas, which we weren't able to really get into because it was not defined well enough, where the tax implications. It's related to this act and as such, it would be an appropriate subject for the committee to look at in the area of tax related to the PPACA. The bill says what's it going to do and focuses on that. It's a big sweep and that's my position.

**Senator Dever:** I would support the provision.

**Senator Lee:** Would you support the amendment if the first sentence were removed?

**Chairman Keiser:** Yes, I thought the Senate brought forward a very legitimate point.

**Representative Frantsvog:** On the first sentence, what about insurances as it relates to what this committee would be dealing with, would the insurance aspect of it fit within these guidelines? I go along with the chairman, if that first sentence be taken out of there.

**Senator Mathern:** I think the concern was that, of the 100's of studies that has gone this legislative session, many could be assigned to any of these committees. The concern of the Senate was that this interim committee focuses on all matters that relate to health care reform to the degree that insurance relates to business and health care reform. I believe that's within the first sentence. I think that the amendment clarifies that, it's literally is the limit. If we get into a box in legislative management where we have more studies than

committees that we don't assign something extraneous to this committee. That's what Senator Lee's what the sentence clarifies.

**Representative Frantsvog:** Could somebody explain to me how it could be a challenge to whether an issue relates to health or not and who makes the decision, yes it does or no it doesn't?

**Senator Lee:** I don't see this as a challenge to it. I would see that legislative management would see the advantage of having all of those bills relating to this larger subject. I don't see this as a challenge but it would be a guideline that legislative management would follow when they are determining the studies and the makeup of committees that would be reviewing them. There are a lot parts to this and it's complicated.

**Chairman Keiser:** Any further discussion.

**Roll call was taken on the adoption of amendment .01003, motion fails with 4 yeas, 2 nays, 0 absent, 1 yea, 2 nays on the House side.**

**Chairman Keiser:** Does anyone wants to offer to modify the amendment by striking the first sentence or do you want to think about it and come back?

**Senator Lee:** I move that the Senate recede from Senate amendments and amend the following with amendment .01003 with the change of deleting the first sentence.

**Senator Dever:** Second.

**Chairman Keiser:** Further discussion?

**Senator Mathern:** I would resist that motion. I would have supported that motion but I will not support this motion. I believe what we have before us is probably the most significant public policy endeavor of the century and the best we can do in terms of making the related decisions, confirms that we have the expertise of the standing committees of both the House & Senate, that we have the involvement of the majority and minority. We have a sufficient focus that those members of this committee will be the best prepared to bring a bill and recommendations forward to the special session and the next Legislative session. I believe that the bill passed by the Senate accomplished those purposes and these amendments bring risk to those purposes.

**Senator Dever:** I support the motion but I have a concern.

**Chairman Keiser:** This is the way I look at it, we have a couple of bills that are brought forward that direct and require an interim committee and study to be performed. This bill was sponsored by the majority leader on the House side because he feels very strongly that there needs to be a full committee on this subject. I agree with Senator Mathern, this is probably the most important issue facing the state of North Dakota from a policy standpoint. I cannot imagine that Legislative Management, regardless who gets elected, is going to disrupt this. To make sure this committee has the full authority as a committee to move forward without any challenges to study this issue, what was purposed here, is

appropriate. With the amendment purposed, we are getting the best of the experience we have to help craft this policy. I have no reservations that this committee will not be abused or misused but will be used appropriately, therefore I support the amendment as structured.

**Senator Dever:** You use the word disruption; my concern is not a disruption of the study but a distraction.

**Chairman Keiser:** I will use distraction given to this committee that will take it off the course because of the immediacy of everything that has to be done now and our next general session. Further discussion.

**Roll call was taken on HB 1252 that the Senate recede from Senate amendments and amend the following with amendment .01003 with the change of deleting the first sentence, motion passes with 5 yeas, 1 nays, 0 absent.**

## 2011 HOUSE CONFERENCE COMMITTEE ROLL CALL VOTES

Committee: House Industry, Business and Labor

Bill/Resolution No. 1252 as (re) engrossed

Date: Apr. 12, 2011

Roll Call Vote #: \_\_\_\_\_

### Action Taken

- ☒ HOUSE accede to Senate amendments  
☐ HOUSE accede to Senate amendments and further amend  
☐ SENATE recede from Senate amendments  
☐ SENATE recede from Senate amendments and amend as follows

House/Senate Amendments on HJ/SJ page(s) --

- ☐ Unable to agree, recommends that the committee be discharged and a new committee be appointed

((Re) Engrossed) \_\_\_\_\_ was placed on the Seventh order of business on the calendar

Motion Made by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

Representatives	12		Yes	No		Senators	12		Yes	No
Chairman Keiser	✓			✓		Senator Dever	✓		✓	
Representative Frantsvog	✓			✓		Senator Lee	✓		✓	
Representative M Nelson	✓			✓		Senator Mathern	✓		✓	

Vote Count Yes: 3 No: 3 Absent: 0

House Carrier \_\_\_\_\_ Senate Carrier \_\_\_\_\_

LC Number \_\_\_\_\_ of amendment

LC Number \_\_\_\_\_ of engrossment

Emergency clause added or deleted

Statement of purpose of amendment

*Motion fails*

April 13, 2011

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1252

That the Senate recede from its amendments as printed on page 1155 of the House Journal and page 839 of the Senate Journal and that House Bill No. 1252 be amended as follows:

Page 1, line 7, after the period insert "The legislative management may not assign the committee any additional study charge unless the additional charge is related to the topic of health care. The membership of the committee must include at least three members from each of the house of representatives and senate industry, business and labor and human services committees, with at least one member from each of the four standing committees representing the minority party."

Renumber accordingly

# 2011 HOUSE CONFERENCE COMMITTEE ROLL CALL VOTES

Committee: House Industry, Business and Labor

Bill/Resolution No. 1252 as (re) engrossed

Date: April 15, 2011

Roll Call Vote #: \_\_\_\_\_

## Action Taken

- ☐ HOUSE accede to Senate amendments  
☐ HOUSE accede to Senate amendments and further amend  
☐ SENATE recede from Senate amendments  
☒ SENATE recede from Senate amendments and amend as follows

House/Senate Amendments on HJ/SJ page(s) --

- ☐ Unable to agree, recommends that the committee be discharged and a new committee be appointed

((Re) Engrossed) . 01002 was placed on the Seventh order of business on the calendar

Motion Made by: Sen Mathern Seconded by: Sen Lee

Representatives	13	15	Yes	No		Senators	13	15	Yes	No
Chairman Keiser	✓	✓		✓		Senator Dever	✓	✓	✓	
Representative Frantsvog	✓	✓		✓		Senator Lee	✓	✓	✓	
Representative M Nelson	✓	✓	✓			Senator Mathern	✓	✓	✓	

Vote Count Yes: 4 No: 2 Absent: 0

House Carrier \_\_\_\_\_ Senate Carrier \_\_\_\_\_

LC Number \_\_\_\_\_ of amendment

LC Number \_\_\_\_\_ of engrossment

Emergency clause added or deleted

Statement of purpose of amendment

motion fails

PROPOSED AMENDMENTS

Sixty-second  
Legislative Assembly  
of North Dakota

HOUSE BILL NO. 1252

Introduced by

Representative Carlson

Koiter  
4-15-

1 A BILL for an Act to establish a legislative management health care reform review committee.

2 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

3 **SECTION 1. LEGISLATIVE MANAGEMENT HEALTH CARE REFORM REVIEW**

4 **COMMITTEE.** During the 2011-12 interim, the chairman of the legislative management shall  
5 appoint a committee to monitor the impact of the federal Patient Protection and Affordable Care  
6 Act, as amended by the Health Care and Education Reconciliation Act of 2010; rules adopted  
7 by federal agencies as a result of that legislation; and any amendments to that legislation. The  
8 membership of the committee must include the chairmen of the house of representatives and  
9 senate industry, business and labor and human services standing committees. If a special  
10 session of the legislative assembly is necessary to adopt legislation in response to the federal  
11 legislation, the committee shall report to the legislative management before any special session.  
12 The committee shall report its findings and recommendations, together with any legislation  
13 required to implement the recommendations, to the legislative management, which shall report  
14 the findings and recommendations to the sixty-third legislative assembly.



## 2011 HOUSE CONFERENCE COMMITTEE ROLL CALL VOTES

Committee: House Industry, Business and Labor

Bill/Resolution No. 1252 as (re) engrossed

Date: April 18, 2011

Roll Call Vote #: \_\_\_\_\_

### Action Taken

- ☐ HOUSE accede to Senate amendments  
☐ HOUSE accede to Senate amendments and further amend  
☐ SENATE recede from Senate amendments  
☒ SENATE recede from Senate amendments and amend as follows

House/Senate Amendments on HJ/SJ page(s) ---

- ☐ Unable to agree, recommends that the committee be discharged and a new committee be appointed

((Re) Engrossed) .0200b was placed on the Seventh order of business on the calendar

Motion Made by: Rep Frantsvog Seconded by: Rep Nelson

Representatives	AM 18	PM 18	Yes	No	Senators	AM 18	PM 18	Yes	No
Chairman Keiser	✓		✓		Senator Dever	✓			✓
Representative Frantsvog	✓		✓		Senator Lee	✓			✓
Representative M Nelson	✓		✓		Senator Mathern	✓			✓
	✓								

Vote Count Yes: 3 No: 3 Absent: 0

House Carrier \_\_\_\_\_ Senate Carrier \_\_\_\_\_

LC Number \_\_\_\_\_ of amendment

LC Number \_\_\_\_\_ of engrossment

Emergency clause added or deleted

Statement of purpose of amendment

motion fails

April 18, 2011

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1252

That the Senate recede from its amendments as printed on page 1155 of the House Journal and page 839 of the Senate Journal and that House Bill No. 1252 be amended as follows:

Page 1, line 7, after the period insert "The legislative management may not assign the committee any additional study charge unless the additional charge is related to the topic of health care. The membership of the committee must include the chairmen of the house human services committee and the house industry, business and labor committee and the chairmen of the senate human services committee and the senate industry, business and labor committee. If any of those individuals are unwilling or unable to serve, the chairman of the legislative management shall appoint a replacement who is a member of the same legislative chamber as the individual being replaced."

Renumber accordingly

# 2011 HOUSE CONFERENCE COMMITTEE ROLL CALL VOTES

Committee: House Industry, Business and Labor

Bill/Resolution No. 1252 as (re) engrossed

Date: April 19, 2011

Roll Call Vote #: 1

## Action Taken

- ☐ HOUSE accede to Senate amendments  
☐ HOUSE accede to Senate amendments and further amend  
☐ SENATE recede from Senate amendments  
☒ SENATE recede from Senate amendments and amend as follows

House/Senate Amendments on HJ/SJ page(s) --

- ☐ Unable to agree, recommends that the committee be discharged and a new committee be appointed

((Re) Engrossed) \_\_\_\_\_ was placed on the Seventh order of business on the calendar

Motion Made by: Senator Lee Seconded by: Senator Dever

Representatives	13			Yes	No		Senators	13			Yes	No
Chairman Keiser		✓	✓		✓		Senator Dever		✓	✓	✓	
Representative Frantsvog		✓	✓		✓		Senator Lee		✓	✓	✓	
Representative M Nelson		✓	✓	✓			Senator Mathern		✓	✓	✓	

Vote Count Yes: 4 No: 2 Absent: 0

House Carrier \_\_\_\_\_ Senate Carrier \_\_\_\_\_

LC Number \_\_\_\_\_ of amendment

LC Number \_\_\_\_\_ of engrossment

Emergency clause added or deleted

Statement of purpose of amendment

Adopt .01003

Failed

April 19, 2011

VR  
4/19/11

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1252

That the Senate recede from its amendments as printed on page 1155 of the House Journal and page 839 of the Senate Journal and that House Bill No. 1252 be amended as follows:

Page 1, line 7, after the period insert "The membership of the committee must include the chairmen of the house human services committee and the house industry, business and labor committee and the chairmen of the senate human services committee and the senate industry, business and labor committee. If any of those individuals are unwilling or unable to serve, the chairman of the legislative management shall appoint a replacement who is a member of the same legislative chamber as the individual being replaced."

Renumber accordingly

# 2011 HOUSE CONFERENCE COMMITTEE ROLL CALL VOTES

Committee: House Industry, Business and Labor

Bill/Resolution No. 1252 as (re) engrossed

Date: April 19, 2011

Roll Call Vote #: 2

- Action Taken**
- ☐ HOUSE accede to Senate amendments
  - ☐ HOUSE accede to Senate amendments and further amend
  - ☐ SENATE recede from Senate amendments
  - ☒ SENATE recede from Senate amendments and amend as follows

House/Senate Amendments on HJ/SJ page(s) 1155 -

- ☐ Unable to agree, recommends that the committee be discharged and a new committee be appointed

((Re) Engrossed) \_\_\_\_\_ was placed on the Seventh order of business on the calendar

Motion Made by: Senator Lee Seconded by: Senator Dever

Representatives	12		Yes	No		Senators	12		Yes	No
Chairman Keiser			✓			Senator Dever			✓	
Representative Frantsovog			✓			Senator Lee			✓	
Representative M Nelson			✓			Senator Mathern				✓

Vote Count Yes: 5 No: 1 Absent: \_\_\_\_\_

House Carrier \_\_\_\_\_ Senate Carrier \_\_\_\_\_

LC Number \_\_\_\_\_ of amendment

LC Number \_\_\_\_\_ of engrossment

Emergency clause added or deleted

Statement of purpose of amendment

move .01003 w/ following change

**REPORT OF CONFERENCE COMMITTEE**

**HB 1252:** Your conference committee (Sens. Dever, J. Lee, Mathern and Reps. Keiser, Frantsvog, M. Nelson) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ page 1155, adopt amendments as follows, and place HB 1252 on the Seventh order:

That the Senate recede from its amendments as printed on page 1155 of the House Journal and page 839 of the Senate Journal and that House Bill No. 1252 be amended as follows:

Page 1, line 7, after the period insert "The membership of the committee must include the chairmen of the house human services committee and the house industry, business and labor committee and the chairmen of the senate human services committee and the senate industry, business and labor committee. If any of those individuals are unwilling or unable to serve, the chairman of the legislative management shall appoint a replacement who is a member of the same legislative chamber as the individual being replaced."

Renumber accordingly

HB 1252 was placed on the Seventh order of business on the calendar.

2011 TESTIMONY

HB 1252

Sixty-second  
Legislative Assembly  
of North Dakota

HOUSE BILL NO. 1252

Introduced by

Representative Carlson

1 A BILL for an Act to establish a legislative management health care reform review committee.

2 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

3 **SECTION 1. LEGISLATIVE MANAGEMENT HEALTH CARE REFORM REVIEW**

4 **COMMITTEE.** During the 2011-12 interim, the chairman of the legislative management shall  
5 appoint a committee to monitor the impact of the federal Patient Protection and Affordable Care  
6 Act, as amended by the Health Care and Education Reconciliation Act of 2010; rules adopted  
7 by federal agencies as a result of that legislation; and any amendments to that legislation. The  
8 membership of the committee must include representation from health-related committees. If a  
9 special session of the legislative assembly is necessary to adopt legislation in response to the  
10 federal legislation, the committee shall report to the legislative management before any special  
11 session. The committee shall report its findings and recommendations, together with any  
12 legislation required to implement the recommendations, to the legislative management, which  
13 shall report the findings and recommendations to the sixty-third legislative assembly.